

Theoretical Analysis of Cooperation of Internal Affairs Bodies with Self-Government Bodies of Citizens

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ABSTRACT

As part of the large-scale reforms implemented in the Republic of Uzbekistan, special attention is being paid to ensuring a peaceful and peaceful life of the population and forming a culture of obedience to the law and public safety in our society.

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In particular, completely new mechanisms and procedures for organizing work in the direction of ensuring public safety based on the principle of "Serving the interests of the people" were introduced, and mutual purposeful cooperation between state bodies and public structures was established.

in the field of public safety are directly related to internal affairs bodies and citizens' self-government bodies, and are aimed at ensuring public order and safety in society, especially maintaining peace in neighborhoods, ensuring the safety of citizens and protecting their rights and legal interests from criminal aggression.

After all, at the root of the concept of public security is the state of protection of the society from illegal aggressions, social and ethnic conflicts, emergency situations and other threats, which serves the sustainable development of the society and ensures the realization of human rights, freedoms and legal interests.

PF-27 of the President of the Republic of Uzbekistan dated 29.11.2021 " On approval of the concept of public safety of the Republic of UZBEKISTAN and measures to implement it" In the decree, it was determined that public security is ensured in cooperation with state agencies and organizations, citizens' self-management bodies, non-governmental non-commercial organizations, public associations, citizens and mass media.

in Uzbekistan, that is, self-government bodies of citizens, has become the object of research by lawyers, historians and sociologists, including historical aspects ¹, sociological analysis ², theoretical-legal issues ³, constitutional-legal foundations ⁴, civil - although the legal status ⁵, powers ⁶, and social protection

¹G. B. Umarova. History of formation and improvement of self-government bodies in Uzbekistan (1991-2001): tarikh.fan.nomz.diss. - T., 2002. - 156 p.

²N. Yu. Ibrahimo. Evolution of self - management structures in Uzbekistan (sociological analysis) : sots.fan.nomz.diss. - T., 2012. - 142 p.

³M.I. Suvankulov Theoretical and legal issues of the activity of citizens' self-government bodies in the Republic of Uzbekistan: yurid.fan.nomz.diss. - T., 2002. - 169 p.

⁴G.R. Malikova. Problems of improving the constitutional (legal) basis of the institution of self-government of citizens. jurid.fan.doct., - T., 2009. - 247 p., Z.A. Reimova. Legal status of self-government bodies of citizens in the Republic of Karakalpakstan. law. science. nomz. diss. - T., 2004. - 136 p.

activities ⁷ have been scientifically researched, the aspects of their cooperation with the internal affairs bodies have been extensively studied. and not explored within a particular dissertation.

In jurisprudence, the aspects of cooperation of self-government bodies of citizens have been researched by the scientific community, and we can conditionally divide them into three directions, including *the first direction* , cooperation with state bodies ⁸ , *the second direction* , cooperation with civil society institutions ⁹ , and *the third direction* , cooperation with law enforcement agencies. ¹⁰ studied, but the cooperation of internal affairs bodies and citizens' self-government bodies has not been comprehensively studied.

Analysis of specific aspects of the forms and methods of mutual cooperation is of particular importance in the development of cooperation between internal affairs bodies and citizens' self-government bodies, and in the improvement of their legal mechanisms.

The most important and urgent task of today is to establish effective cooperation between the internal affairs bodies and the most widespread and important civil society self-government bodies in our country in solving the important issues facing the state and society.

Effective establishment of cooperation between law enforcement agencies and institutions of civil society serves to realize the interests of citizens, society, and the state, and ensures the balance and harmony of interests ¹¹.

If the participation of civil society in law enforcement is considered an important condition for the development of a legal state, internal affairs bodies and institutions of civil society are considered to be an important subject of the state's law enforcement function, the main partner in the practice of ensuring public safety.

purpose of the cooperation of internal affairs bodies and civil society institutions in law enforcement activities is to serve the interests of society ¹².

One of the main conditions of community-based or cooperative activity is the organization of services by mutual agreement. However, no government office or organization can ensure the effectiveness of its activities only within its internal capabilities without establishing cooperation with other structures ¹³. In particular, it is a natural necessity for the internal affairs bodies to cooperate with the state bodies and public organizations in the implementation of the tasks assigned to them, because this cooperation is legally strengthened in the Law "On Internal Affairs Bodies" ¹⁴.

⁵H.M. Kilichev. Improving the civil-legal status of citizens' self-government bodies. law. science. nomz. diss. - T., 2019. - 187 p.

⁶Z.R. Ruziev Powers of self-government bodies of citizens (constitutional-legal analysis): jurid.fan.doct.diss. - T., 2016. - 289 p.

⁷Sh.M. Gaziev. Problems of improving social protection activities of citizens' self-government bodies: yurid.fan.nomz.diss. - T., 2008. - 164 p.

⁸Sh. U. Yakubov. Improvement of legal mechanisms of cooperation between state and civil society institutions. jurid.fan.doct., - T., 2018. - 270 p. G.S. Ismailova. State-legal directions of liberalization of activities of local state power and self-government bodies in Uzbekistan. doctor of law.diss. - T., 2016. - 256 p

⁹D.D.Shirinov Legal bases of organizing activities of non-governmental non-commercial organizations as civil society institutions in Uzbekistan: yurid.fan.nomz.diss. - T., 2020. - 227 p.

¹⁰B.I. Latipov. Improving mutual cooperation between law enforcement bodies and civil society institutions: yurid.fan.nomz.diss. - T., 2020. - 227 p. - 179 p.

¹¹Bafoev F., Shukrullaev Yu., Vohidova M. Democratization and renewal of society as a deepening process // Civil society, 2014, issue 2. - B. 7.

¹² Menshikova N. S. Partnerskaya model vzaimodeystviya gosudarstva i grajdanskogo obshchestva: sodernanie, priznaki i usloviya sozdaniya // Voprosy gosudarstva i prava: sbornik nauchnyx trudov / Pod obshch . ed . L. V. Karnaushenko. Vyp . 2. Krasnodar: Krasnodarsky University MVD Rossii, 2016. S. 82–91.

¹³Bobokhanov A.A. Mutual cooperation of law enforcement agencies in maintaining public order and ensuring citizens' safety // Current issues of maintaining public order and ensuring citizens' safety: materials of the republican scientific-practical conference. - T.: MIA Academy of the Republic of Uzbekistan, 2015. - B. 11.

¹⁴Law No. 407 of the Republic of Uzbekistan "On Internal Affairs Bodies". Collection of documents of the Republic of Uzbekistan, 2016, No. 38, Article 438.

In our opinion, first of all, we should clarify the concepts of "internal affairs bodies" and "civil self-government bodies" and their definitions, which are the main subjects of our research. Correct understanding of their description, status and essence is of great scientific and practical importance.

Unfortunately, although the term "internal affairs body" is widely used in hundreds of normative legal documents and the activities of law enforcement bodies, until now there is no definitive norm in our national legislation that clearly defines "internal affairs bodies" and "employee of the internal affairs body", i.e. these terms are not legally defined.

However, the legal definition of the concept of "internal affairs bodies" and the phrase "police (militia)" is given in the laws of some CIS and other near foreign countries, in particular, Kazakhstan¹⁵, Tajikistan¹⁶, Belarus¹⁷, Kyrgyzstan¹⁸, Latvia¹⁹, the Russian Federation²⁰, Turkmenistan²¹, Ukraine,²² regarding internal affairs bodies. , but the Law of the Republic of Uzbekistan "On Internal Affairs Bodies" does not contain these descriptive norms.

In fact, before giving a definition to the internal affairs body, we need to determine the dictionary meaning of the word "internal affairs" and what it means, while if we understand the word "internal affairs" in a broad sense, it means all issues in the internal life of our country, including social, political, economic and other issues. in this way we can understand a wide range of issues.

In the legal encyclopedia, the term "internal affairs" is defined *in a broad sense* as a generalization of all issues that are solved by the state and related to the internal life of the country, and *in a narrow sense* - certain types of issues related to maintaining public order, protecting the rights and freedoms of citizens, and ensuring legality. stated that it can be understood that it includes²³

However, the problem would be solved by introducing a definitive norm in the Law on "Internal Affairs Bodies" with a legal definition of the legal status of "internal affairs bodies" and "employee of the internal affairs body".

Based on the above analysis, it is possible to propose to include the following definition of internal affairs bodies as a separate norm in the Law of the Republic of Uzbekistan "On Internal Affairs Bodies".

Article 1¹: Internal affairs bodies - in the protection of the rights, freedoms and legal interests of citizens, maintaining public order and ensuring public safety, preventing and combating violations and crimes, having the authority to apply state coercive measures in necessary cases, conducting investigations and prompt investigations. is understood as a law enforcement agency that carries out search activities.

1² An employee of the internal affairs body is a citizen of the Republic of Uzbekistan who has been accepted into the service of the internal affairs body and has taken a military oath, has the specified rights and obligations, and has been given the title of special and military service.

Before studying the aspects of cooperation between internal affairs bodies and citizens' self-governance bodies, it is necessary to define existing terminological problems, basic concepts and categories in the legislation of citizens' self-governance bodies and understand their essence.

The Law on Citizen Self-Government Bodies provides a legal definition of the concept of citizen self-governance, the right of citizens to self-governance, but despite the fact that Article 8 of the law is called a citizen self-governance body, this norm states that "Towns, villages and farms, as well as in cities, towns, to enumerate the system of these bodies as "Mahalla citizens' assemblies in villages and villages

¹⁵ <https://adilet.zan.kz/rus/docs/Z1400000199>

¹⁶ <http://ncz.tj/content/zakon-respubliki-tadjikistan-o-militsii>

¹⁷ https://kodeksy-by.com/zakon_rb_ob_organah_vnutrennih_del/1.htm

¹⁸ <http://cbd.minjust.gov.kg/act/view/ru-ru/111956?cl=ru-ru>

¹⁹ <https://lawyer-khroulev.com/wp-content/uploads/2019/09/Zakon-Latvii-o-policii-ru.pdf>

²⁰ http://www.consultant.ru/document/cons_doc_LAW_110165/5eae1b6e9a134727885b7bd8138074d63178c05a/

²¹ <https://www.parahat.info/law/2011-05-30-zakon-turkmenistan-ob-organah-vnutrennih-del-turkmenistan>

²² https://base.spinform.ru/show_doc.fwx?rgn=78349

²³ Bolshoi juridicheskiy slovar / pod ed. A. Ya. Sukhareva , V. D. Zorkina , V. E. Krutskikh . M., 1999.

are self-governing bodies of citizens" limited to, the concept of the self-governing body of citizens was not revealed, while this norm was used as a descriptive norm.

In addition, this law does not provide a legal definition of the concept of "matters of local importance", which in turn means that it is not clear which issues are included in the issues of local importance.

When conducting a comparative legal analysis of the laws regulating the activities of local self-governing bodies of near foreign countries, the legal definitions of the concepts of "local self-governing bodies" and "issues of local importance" ²⁴are clearly defined in the laws of the Russian Federation , Kyrgyzstan ²⁵, Kazakhstan ²⁶, Azerbaijan ²⁷, and Tajikistan . ²⁸defined and their content is revealed, but this legal practice is not present in the normative legal documents of the Republic of Uzbekistan.

Citizen self-government bodies exist in many foreign countries and are invisible in the form of local self-government bodies and are interpreted at the lowest level of local government. In our country, the concept of "local self-government bodies" is referred to as "citizen self-government bodies" as a scientific category.

This is not just a different expression of its name, but rather a phrase that deeply conveys the meaning and essence of the matter. In relation to the concept of "local self-governing bodies", the term "Citizens' self-governing bodies" indicates more clearly as an independent democratic institution of self-government. Thus, it can be said that the main difference between citizens' self-government bodies and local self-government bodies is that they are not included in the system of state power, but operate independently and are formed directly by citizens. Local self-government bodies in foreign countries are implemented through local state bodies and are included in the system of state power and, as a rule, are formed by a higher state power or management body.

In addition, many legal scholars have given scientific definitions to the body of self-government of citizens in their research work.

According to Z.R.Ruziev, a citizen's self-governing body is a civil society formed according to the will of the local population, independent in solving local issues, and not included in the system of state authorities and exercising its powers granted by law within the relevant territory. is an institution . ²⁹.

The jurist Sh.I. Jalilov emphasizes that the management of locally important affairs performed by elected bodies representing the interests of the population in administrative-territorial units and their administrative apparatus is local governance ³⁰.

According to Russian scientists, local or municipal self-government is a system of managing local affairs by specially elected bodies, which represent the interests of the population living in the administrative-territorial unit of a certain country ³¹.

Based on the requirements of the theoretical criteria of the research, it is appropriate to give a scientific definition to the category of "citizen self-government bodies".

The self-government body of citizens is a non-governmental organization formed according to the will of the local population, which has a wide range of powers in solving local issues and is independent from the system of state authorities.

²⁴http://www.consultant.ru/document/cons_doc_LAW_44571/6d3b1321c4f9966d07ca33533fc7ca347581c3a8/

²⁵<http://cbd.minjust.gov.kg/act/view/ru-ru/203102>

²⁶https://online.zakon.kz/Document/?doc_id=1021546&pos=1547;-16#pos=1547;-16

²⁷<http://www.municipalkg.narod.ru/interlaw/azer.htm>

²⁸<http://ncz.tj/content>

²⁹ Ruziev Z.R. Citizens himself himself manage bodies powers (constitutional law , etc analysis). Legal sciences candidate scientific level get for diss . Tashkent - 2016. -20 pages.

³⁰ Jalilov Sh.I. Uzbekistan Republic of himself himself manage that 's right . (Textbook) – T.: Successor publishing house , 2007. - p. 316.

³¹ Baglay M.V., Leybo Yu.I., Entina L.M. Konstitutsionoe pravo zarubezhnyx stran. 3-e izd., pererab . i dop. - M.: Norma: Infra-M, 2012. - p. 385

Issues of cooperation between internal affairs bodies and citizens' self-governance bodies, mutual relations and relationships between them have been the object of debate and discussion within the framework of legal science.

According to lawyer Sh.Yakubov, "humanity achieves great results through mutual cooperation, joint activity, mutual support during its activities. It is difficult to imagine human life without cooperation. This natural instinct, which encourages people to live together, work and live life in general, served for them to escape from natural disasters and protect themselves from wild animals in the early times of human existence. is reaching the level of a comfortable life as it is today ³². "

In order to study the theoretical aspects of mutual cooperation between internal affairs bodies and self-government bodies of citizens, first of all, it is necessary to study the etymology of the concept of social cooperation, because in recent times, alternative forms of concepts such as "cooperation", "solidarity", "partnership" have been used in social-political, scientific-creative communication. the fact that it is widely used, it is necessary to reveal the true meaning of this term and explain it scientifically.

If we pay attention to the dictionary meaning of the word cooperation, according to the Russian scientist S.I. Ojegov, "mutual cooperation" means mutual assistance. He recognized that interaction can be understood as a connection of events ³³.

D.N. Ushakov, a lexicographer, interprets the meaning of the word "cooperation" as connection, mutual conditioning and interaction of social events ³⁴.

One of the main forms of management in internal affairs bodies, cooperation, and one of the conditions of cooperative activity is the organization of the service by mutual agreement ³⁵.

In fact, cooperation means mutual agreement between two or more subjects, working in harmony, performing certain tasks and functions together.

Development is built as a mutual cooperation of civil society organized subjects. It is formed based on the mutual cooperation of organized groups, associations, institutions, local government bodies and other public structures, not just the activities of individual individuals . All this requires a state of economic development and a relatively high level of general well-being, and because of this, the subjects of civil society realize their interests together, but without the participation of state institutions. In Uzbekistan, such a situation has just begun to bear fruit ³⁶.

The above analyzes show that the civil society of the internal affairs bodies, which is one of the central subjects of early prevention of offenses, ensuring public order and security, fighting crime, is the most needed in the Republic of Uzbekistan and the cooperation with the self-government bodies of citizens operating in all regions of the republic, especially the neighborhood. it remains relevant that the complex has not been researched based on the needs and requirements of the day.

Solving this task requires, first of all, the concept of cooperation between internal affairs bodies and citizens' self-governance bodies, scientific views and approaches related to it.

³² Sh. U. Yakubov. Improvement of legal mechanisms of cooperation between state and civil society institutions. *jurid.fan.dokt.*, -T., 2018. p. 19.

³³ S.I. Ojegov . *Tolkovyy slovar russian language* . M.: Russian language. 1989 169 p.

³⁴ D.N. Ushakov . *Interpretation dictionary of modern Russian language*. M.: Adelant , 2014. - 800 p.

³⁵ Kamishnikov A.P. *Basis y upravleniya v pravookhranitelyx organax*. -I., - S. 27.

³⁶ F.A. Mukhitdinova. *Political and h u q u q iy teachings history Textbook* . -T .: TDYul publishing house , 2011. p. 237.