



Research Article

THE ROLE OF THE PRINCIPLES OF DECENTRALIZATION IN THE CONCEPT OF PUBLIC ADMINISTRATION

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Bekzod Umarov

Senior Lecturer Department Of Business Law Tsul, Uzbekistan

ABSTRACT

This article analyzes the role of decentralization in the modernization of public administration, the essence of the concept of decentralization of public administration, the principles of decentralization of public administration, methods of influencing public administration, the method of governance, the form of organization of public administration, as well as the transfer of a certain amount of authority, the principle of decentralization of public administration.

In addition, the ultimate goal of the redistribution of public administration functions is important as the principle of decentralized public administration, which serves to create the opportunity to make optimal governance decisions based on the common interests of the population, the balance of interests at the state, regional (regional) and local levels. The article considers the possibility of self-government at the level of local administrative-territorial units, as well as the formation of the institution of decentralization.

KEYWORDS

Decentralization, modernization of public administration, civil society, decentralization of the press, administrative reform, public administration regime, subsidization of the press, deconcentrating.

INTRODUCTION

The modern state as a complex and multifaceted phenomenon is approached from a legal, political (administrative), economic, historical point of view in order to understand its essence. If we look at the recent history of state administration, we can see that until the 20th century, ideas of state building based on centralized state administration prevailed[1]. A clear example of this is the construction of the Napoleonic government, during which France served as a model for other European countries to express the institutions of power that combined the characteristics of the modern state, because it effectively established legal mechanisms for the implementation of the will of the head of state and parliament. In France's strict hierarchical form of government, egalitarianism balanced regional and local differences, as well as centralized state administration ensured the implementation of national projects of strategic importance during this period.

In modern times, the study of the state with the help of different approaches has begun to retreat from a narrow and one-sided view of the state itself and the problems that arise in connection with it. In the late 20th and early 21st centuries, issues of redistribution and decentralization of public administration functions and powers (in a balanced manner) have become important for many democratic legal states.

We can see from the above analysis that the decentralization of state (public) governance is a complex and complicated process. In general, it can be said that the decentralization of public administration in legal democracies consists in the transfer of a certain amount of power of the existing entities to subordinate structures with the necessary rights, obligations and resources. The ultimate goal of such a redistribution of governance functions is to balance the interests of the state, regional (regional) and local

levels, and make it possible to make the most optimal governance decisions based on the general interests of the population [2].

After all, in most democratic countries, local government bodies directly solve the most important state (mainly socio-economic) issues. This leads to a relatively high interest of citizens in governance processes and active participation of citizens in the activities of local authorities. In addition, the direct participation of citizens in the governance of affairs at the neighborhood, village and district levels does not require high professionalism (competence) and political responsibility, which is necessary for the governance of centralized (most important) public administration work throughout the country.

At the same time, we are talking about decentralization in public administration and its specific features going forward, of course, it is not very appropriate to express a one-sided opinion that this phenomenon has either positive or negative characteristics. Because, in order to achieve success in this regard and improve public administration, several measures should be taken, first of all, important legal mechanisms should be introduced in this direction, and they, in turn, should be implemented by the central government and local government bodies. It is necessary to ensure the correct and balanced distribution of mutual powers between Otherwise, decentralization will not achieve its goals and may negatively affect the quality and pace of public administration reforms.

It should be noted that the concept of decentralization in relation to the organization of state (public) governance has different meanings, that is, it can be seen that the following aspects are manifested:

- as a principle of state (public) governance;

- as a method (method) of state (mass) governance influence;
- as a mode of state administration;
- as a form of organization of state power and state administration;
- as a process of transferring (giving) and implementing powers from top to bottom;
- as an element of the organizational structure of state (public) administration [3].

In addition, the analysis of research on public administration shows that decentralization not only has a very broad, multi-functional definition, but also a complex phenomenon in which each of these concepts has its own types, levels and forms of implementation. we are sure that [4]. Because of this, in order to have a sufficiently complete and objective understanding of decentralization, it is necessary to comprehensively study the scope of its application and highlight its important features.

The use of this institution justifies the possibility of introducing the principles of self-governance at the level of local administrative-territorial units. Based on the above, it can be concluded that the institution of decentralization of the state administration system is relevant and requires careful study from a scientific point of view.

In the researches, the principle of decentralization of the state administration, the method of the state's governance influence, the governance mode, the form of organization of the state power and the state administration, as well as the administration of a certain amount of power by subjects with the necessary rights, powers and resources It is also interpreted as a process of transfer to subjects [5].

Decentralization as a principle of state (public) governance It is defined as the main idea for the formation and operation of a governance system based on the implementation of state governance functions, which is expressed by the fact that a complex of multi-level systematized governance subjects performs the functions assigned independently and under their own responsibility.

We can see that the deep theoretical basis of the principle of decentralization of public administration has been formed and it is directly strengthened in legislation and widely used in the organization and implementation of public administration.

It should be noted that decentralization is a principle characteristic of any governance system, and it can be evaluated as an objective law in the formation of effective governance relations. Based on the specific characteristics of political, economic and social systems, cultural heritage, scientific traditions (doctrines), in general, the considered principle can be terminologically defined using different concepts and can be seen both in scientific sources and in regulatory documents. In particular, "delimitation of the scope of authority and activity", "distribution of power", "sovereignty", "autonomy" (autonomy), "territorial or departmental independence" and others [6].

In particular, in the X amendment to the US Constitution, the principle of decentralization of governance functions is defined as follows: "powers not delegated (delegated) to the United States by this Constitution and not prohibited for individual states, apply to these states or directly to their citizens" [7].

In the Constitution of the Republic of Italy, the principle of decentralization is directly expressed at the territorial and functional competence levels:

1) The Republic is divided into regions (autonomies with their own rights, functions and bodies), provinces and communes (autonomous entities defined by laws and formed within the framework of principles) (Articles 114, 115, 116 of the Constitution);

2) the territory of the provinces can be divided into districts with separate administrative functions, assuming that they will be decentralized later (in stages) (Article 129 of the Constitution);

3) Territorial bodies established in accordance with the procedure established by the law of the Republic also exercise decentralized control over the legality of documents of provinces, communes and other local subjects (Article 130 of the Constitution) [8].

If we also analyze the Constitution of our country, we see that the principles of organization and operation of public administration are formed based on the principle of decentralization:

1) The system of state power of the Republic of Uzbekistan is based on the principle of division of power into legislative, executive and judicial powers (Article 11 of our Constitution).

2) Citizens of the Republic of Uzbekistan have the right to participate in the governance of society and state affairs directly and through their representatives. Such participation is carried out through self-governance, holding referendums and democratic organization of state bodies, as well as development and improvement of public control over the activities of state bodies (Article 32 of our Constitution).

3) Citizens' assemblies are self-governing bodies in towns, villages and villages, as well as in their constituent neighborhoods and urban neighborhoods, and they elect a chairman (elder). The procedure for the election of self-governing bodies, the organization

of their activities, and the scope of their authority shall be determined by law.

It should be noted that in our national studies, the role and importance of this principle in the organization and implementation of public administration has not been analyzed. However, in some studies, it can be seen that certain aspects of the principle of democracy in the implementation of public administration and the activities of self-government bodies are covered. It should be noted that in many studies, the principle of decentralization was analyzed only in connection with the principle of centralization (a brief literature review should be included) [9].

Because now it is clear that the principle of decentralization is an objective necessity for any country based on a democratic-legal governance system, that is, it is not possible to implement effective governance using only systems based on strictly centralized governance (spread of the COVID-19 virus) was also clearly expressed [10]. The essence of the state and its specific characteristics depend only on the level of use of this principle or, more precisely, on the priority use of some forms of decentralization (deconcentration, delegation or "transfer of power").

In the effective organization of state administration, a correct and deep understanding of the nature of decentralization relations as a political-legal phenomenon in general is directly related to the analysis of its system of principles. The term "principle" (lat. principium - initial base, basis, origin) - the initial, basic rule of a theory, doctrine, worldview, the main idea that is used as a basis for activity, the meanings of rules means [11]. Principle as a general scientific category:

- the main starting rule of any theory, doctrine, science and outlook;

- the belief of a person expressing his internal attitude to reality through the norms of behavior and activity.

The need to consider the system of principles of decentralization of state administration According to NA Bogdanova, principles are the beginning of any theory, the starting point for increasing and deepening knowledge about the studied constitutional-legal event or process[12]. Referring to the principles of state governance, according to DA Kovachev, the principles of decentralization are one of the types of direct constitutional principles that "represent objectively existing political and cybernetic laws, as well as the legal matter itself" [13]. The principles serve to eliminate internal conflicts and ensure stability in the process of decentralization.

It is important to balance the application of the principles of centralization and decentralization in the processes of effective implementation of public administration and optimization of the public administration system. In the first of them, the system of state structure is understood, in which the central government seeks not only to regulate the main (general) directions of state life, but also to manage the activities of local authorities and directly subordinate the will to solve many issues of local importance. 14]. In the principle of decentralization, a certain amount of power is transferred by the competent state administration subjects to other entities that have the necessary rights, obligations and resources. is to create an opportunity to make optimal governance decisions.

It should be noted separately that the processes of transfer of powers of the central state authorities to local state authorities also require implementation on the basis of certain principles. Based on the above points, let's consider the essence and characteristics of

the principles of decentralization emphasized in the scientific literature.

In the system of principles of decentralization of state administration, the principle of subsidiarity appears as the main principle. According to this principle, it requires that the powers of the central state bodies be transferred to the public administration institutions closest to the citizens in order to ensure that they are implemented as effectively as possible. At the same time, the central state bodies should retain the right not to transfer to the central state bodies powers that cannot be exercised only by local public governance institutions, as well as issues that can be solved at the local level.

In the researches, they show the need to have the ability to carry out any delegations transferred to "small political or administrative units" on the principle of subsidiarity, relying on their own strength, at the level of subjects superior to themselves or even more efficiently [15]. It should also be noted that this principle serves to define a clear boundary of rights and obligations between state authorities.

We can see that the essence of this principle is also established in international legal documents, in particular, in the Maastricht Treaty , which was the basis for the formation of the European Union on February 7, 1992 , the essence of this principle is very clearly stated, in Article 3b of the declaration, "the community (Europe) community) in areas that do not have absolute authority, and if the set tasks are not expected to achieve the goal as a result of the scope of the issues set by the member states, the community acts on the basis of the principle of subsidiarity [16]."

This principle was not immediately adopted constitutionally and legally by the genetically related branches of government in interstate relations within

the European Union[17]. It should be noted that if the powers of one branch of government are not sufficient to effectively implement the assigned task, and if there is no prohibition in the legislation, other branches of government may help [18].

Another important principle of decentralization of public administration is the principle of adequate provision of necessary resources. According to this principle, the efficiency of the implementation of powers transferred from central government entities to lower-level entities is directly related to the level of organizational and legal provision with the necessary resources. That is, local jurisdictions require the ability to fairly and effectively implement the tasks assigned to them at the expense of financial resources formed from taxes and other sources of income. It is necessary to take into account that in order for the decentralization of state administration to be effective, the powers are asymmetric, the functional obligations of the subjects of local administration are local characteristics, requirements, economic, demographic, geographical and other conditions (territory, population, topography, the distance between urban and rural areas, the presence of small cities and megacities, plains and mountainous areas, agriculture and other aspects) require consideration[19].

Taking into account the diversity (characteristics) of regional and local authorities, we can observe that according to the trend of the last decades, the process of adaptation to their obligations is taking place, taking into account the main local opportunities, conditions, needs and local advantages.

The principle of control, which provides the right to control the proper implementation of powers transferred to local authorities by the central bodies of state administration, is also gaining importance. In

many countries, this principle is carried out in the form of deconcentration of decentralization by central government bodies in the process of decentralization of the state administration system along with administrative control [20]. Thus, in the constitutions of many republics with a unitary structure, it is established that the state representative representing each member of the government in the administrative-territorial entities is entrusted with the powers of protection of national interests, administrative control and ensuring compliance with laws.

Decentralization is increasingly seen as a lever that directly engages the local community in the formation and financing of public programs, improving the efficiency of administrative systems, and as a result of future human development. The impact of decentralization on public living conditions is not the same in developing countries and countries with transition economies. It depends on the existence of a whole set of physical, demographic factors (territory area, population and its ethnic composition, level of urbanization) and institutional foundations.

CONCLUSION

In conclusion, it should be noted that decentralization in Uzbekistan is one of the main directions of administrative reforms within the framework of revising and reducing the functions of state governance bodies, delimiting powers between state bodies and economic governance bodies, and reducing the number of governance apparatuses. is being implemented. Therefore, the task of improving the efficiency of public administration requires further clarification of state functions, as well as the creation of such a system in which a specific institution or its functional unit for each specific function, a specific civil servant is responsible for solving a specific issue.

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The main criterion for implementing decentralization, developing the necessary strategies, determining the measures for the application of decentralization in which industries and sectors is the well-educated, qualified, professional personnel of the state and economic governance bodies, who meet the requirements of the time, ie

Personnel is one of the important factors in ensuring the stability of relations in all spheres of social life of every country, and in socio-economic development. strength is counted.

Decentralization processes, which are considered an integral and important part of administrative reforms aimed at improving the efficiency of public administration in Uzbekistan, should be carried out with the following main principles in mind:

- Functions from top to bottom consistency and gradualness in giving;
- of the stages of decentralization ensure interrelatedness;
- the complexity of the measures carried out at each stage, mutual and related to a single strategy and goal implementation of reforms along with a complex of related activities ;

- self - governance of citizens to decentralization processes bodies and a wider population involvement of layers.

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