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# THEORETICAL VIEWS ON THE ORGANIZATION OF LOCAL SELF-GOVERNMENT

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## Abstract

This article shows the socio-political component of local self-government, its socio-political nature, as well as specific views related to its organization, the principles underlying its development. It is also explained that local self-government bodies are the main social institutions for performing comprehensive tasks of local importance, ensuring socio-economic, cultural-educational needs and legal interests of the members of this area.

**Keywords** Local self-government, democracy, social institution, human rights and freedoms, political and legal thinking, civil society.

## INTRODUCTION

Today, we can say that the institution, which the international terminology calls "Local Self-Government", is a state cell of special importance among the institutions of civil society.

In the land of Uzbekistan, the neighborhood has always been the center of education. Its role and importance in preserving our national values, the way of life and thinking of our people, passed down from generation to generation, is incomparable.

Mahalla is primarily a historically formed social institution living on the basis of oriental mentality and customs. According to historical sources, the neighborhood dates back to BC. It appeared in the 2nd century, and it was mainly in the form of a fortress surrounded by large hills with protective walls. Settlements in the form of small neighborhoods later turned into big cities.

Information about the neighborhood can be found in the works of thinkers such as Abu Rayhan Beruni, Ibn Sina, Farabi, Mahmud Kashgari. For example, in Farabi's "Fozil odamlar shahri",

Mahmud Kashgari's "Devoni Lugatit Turk" works, the residents of the neighborhood, their professions, customs, traditions, who provided information about their religious beliefs, economic practices, and their specific lifestyle in general.

In addition, Mahmud Kashgari's work "Devonu Lug'ati-Turk" uses the word "mahalla" as an expression for the areas where merchants and craftsmen live. For example, jewelry, coppersmith, tannery, knife maker, spoon maker, blacksmith, saddler, shoemaker, etc. Neighborhood management is community-based, has its own unwritten internal rules, and is considered equally legitimate for all.

Neighborhoods flourished especially during the time of the great leader Amir Temur. Neighborhoods were formed based on the occupation of citizens and were named accordingly. During this period, neighborhoods were managed on a public basis, they had their own unwritten internal rules, which were of equal legal importance to everyone.

Based on this, it can be said that non-governmental non-profit organizations and institutions of civil society have taken root in our ancient land. According to the views of our great grandfathers of the past, civil society is a society of people with high human qualities. In it, the law will prevail, everyone will obey the law.

It can be said that the Mahalla Institute was formed at the level of the Eastern Democracy Institute. Local self-government has long been considered a place of peace, kindness, and solidarity, and it has become important for the transition from a strong state to a strong civil society, which forms mutually beneficial social relations between citizens and increases the phenomenon of trust.

How is the concept of local self-government interpreted at the international level? In this regard, the following should be mentioned.

In the process of evolution, the theory of free society was replaced by the social theory of self-management, its supporters were T. Jefferson, J. Locke, A. de Tocqueville, J. Mill, J.J. Rousseau defended the natural right of every person to self-government.

According to A.Soljenitsin, a supporter of the public character of local self-government, the process of democratization is manifested by the self-government of society, in which "everyone has the opportunity to participate in the decisions that determine his existence".

According to Russian scientist N.V. Postovoi: "Self-management existing in society is subject to the state. If the state adopts a legal norm on self-governance, self-governance will develop, if the state does not adopt such a norm, self-governance will not develop". According to the author, the development of norms that allow the state to manage itself creates a foundation for the development of these institutions.

In addition, the right of self-government of citizens is exercised only by the local population at the local level, and the interests of the local community and the interests of the state and the whole society are combined.

The term "local self-government" is a much

broader concept than "citizen self-government" and most foreign countries recognize the concept of local self-government.

In our opinion, local self-government as a form of implementation of some functions of state and community management at the lower level is important for self-management of citizens living in this area, wide use of democratic tools and decentralization. can be seen as an element.

These institutions themselves should initiate the development and improvement of regulatory frameworks for state self-government bodies, which is of great importance in determining the level of their activity.

In most countries, the state authorities are at the local level

not established, only local self-government bodies will be established there. There are local state authorities and local self-government bodies in Uzbekistan. In this sense, local self-governing bodies mean the legal name of the neighborhood institution.

The main subject of local self-government is the population living in the territory of the respective municipality and exercising its constitutional right to exercise local self-government.

The object of local self-government is issues of local-territorial character and local importance that arise at the municipal level in the course of the population's activities.

In our opinion, because it is an important small institution of the society, the neighborhood is formed, develops and expands its effective activities in the eyes of the society, without the society it may not fulfill its status and function.

After all, local self-government is a socio-political institution that shows the forms of direct expression of the will of citizens on locally important issues by members of society.

According to the local scientist A.Narimanov, the principles of voluntariness and self-management in the activities of NGOs reflect the nature of people's constant need to join society. In this regard, man's constant desire for unity makes him a "good governance" tendency separate from government.

A.I.Vasilchikov ta'kidlashicha, nafaqat o'zini o'zi boshqarish ma'lum bir hudud aholisining o'zini o'zi tashkil etishining alohida shakli, ayni paytda davlat hokimiyatining jamoat xarakterini va ushbu hokimiyatning alohida shakli sifatida o'zini o'zi boshqarishni birlashtirishga harakat qiladigan jamoat organidir.

One of the main goals of citizens' self-government bodies in Uzbek society is to bring people closer to each other and realize a democratic society. Therefore, the self-government body of citizens, as the original school of democracy, shows the window of the social life of the society.

Most modern theories of local self-governance are based on the concept of "community governance", which means governance on behalf of and with the local community. Its authors J. Stewart, J. Stoker and others are based on involving the local community in the management process and increasing the political role of local authorities. If local authorities are given ample opportunities for self-management, this management will increase its importance as a decentralized management method.

As for the social nature of local self-government, it is first of all manifested in the principles of self-government. In the Great Soviet Encyclopedia, the main sign of self-government is the possession of state power by the residents or voters of the relevant territory, members of a public organization or community; independence in solving internal life issues; it is based on the absence of externally appointed bodies.

Indeed, local self-government is a community system organized through the forms of direct expression of locally important issues, their wishes, interests and rights, socio-economic needs among members of the society, the lower, local level of the state body. is a social institution.

Local jurist G. Malikova said that local self-government is necessary as one of the forms of exercising political rights and freedoms of citizens.

In our opinion, it is justified to look at the system of self-government of citizens as a social-political management body, which involves the independent solution of issues of local importance

first of all by the population of this region.

In the encyclopedic dictionary of political science, we find the following definition of "municipality" (from the Latin municipium - self-governing city) - it is "a unit of the territorial structure of society, usually a city and its surrounding areas, covering a combined territory is taken".

In a country with self-governing bodies of citizens, individual interests, state interests, and local interests are recognized and guaranteed. In this case, the proverbial interests are not considered as a structural aspect of the expression method of the state interest, but an interest that has a special independent importance and guarantee.

According to the definition of A.A.Zamotaeva, local government is a form of democracy that ensures the protection of the common interests of citizens arising from living in a certain local area, the necessity and inevitability of neighborly relations between residents.

Today, democratic states cannot develop without an effective system of citizen self-government. In the preamble of the European Charter on Local Self-Government, self-governing bodies are considered the main feature of any democratic system, and the main principles of local self-governing bodies are direct democracy and based on the principles of transfer of power from the center to the lower levels (decentralization).

Some foreign experts note that the term "Local self-government" first appeared in the literature in the 19th century.

Others argue that the term "Self-Government" itself first appeared in England in the late 17th century after the English Revolution, and primarily reflected the state of English society in which self-government by means of parliament and local representatives he says he did.

Sarbonne, deputy director of the Institute of Urban Planning and Development of the University of Paris, expert on sustainable development Jean-Antoine Dupra, comparing the evolution of the civil society and development of democratic institutions in Uzbekistan and France, said that our country has achieved considerable success in this field for a quarter of a century. "However, France has built

such institutions for 200 years," he said.

For example, in Latin America, there are two main areas of consideration of local self-government and municipal management. The first one is widespread in other countries and is based on the fact of self-government in the form of decentralization of power and independence (autonomy) of local authorities. The second direction is a modern non-traditional approach to the problem, which is based on the self-organization of the population (in the form of local groups) and which deserves attention.

Also, in the sources of the 19th century, it became customary to use the concept of "self-government" as a ratio given to state-republics, US states, and Swiss cantons.

In the legislation "On the general principles of organizing local self-government in the Russian Federation" Territorial public self-government is the independent and Self-organization to carry out under own responsibility is cited as.

It should be noted that there is a significant difference between the expressions "institution of state power" and "institution of democracy".

From the point of view of power structures, local self-government is a level of state power in which most powers are delegated from the top down to optimize efficiency and governance. From the perspective of the population, it is an independent activity to solve local problems.

Local self-government as an institution of democracy, as a rule, originates from below. The socio-political component of local self-government is based on its social nature and the principles on which it is based: self-government, self-organization, free expression of will. The most important thing is to find a solution for the local community to solve the problem that has arisen in this area from a socio-political point of view.

The development of the problem of local self-government in political science relies mainly on foreign experience, therefore, a comparative study of the systems of organizing local self-government abroad will determine the forms, rules and principles that can be used in modern Russian practice. allows.

In addition, in Japan, Germany, Denmark, Sweden, Switzerland, Italy, self-governing bodies, as well as non-governmental, public organizations have been participating in social protection of the population to one degree or another. For example, if we look at the example of Switzerland, in this country, the issues of social welfare of the population are given to local communities.

Today, Western Europe is showing a tendency to reform the local self-government system.

There are concepts of "local self-government" and "local government", and according to some researchers, these concepts should not be opposed to each other, the concept of local government refers to local state administration and bodies elected by citizens., that is, it includes local self-government bodies, because local self-government is a component of local government.

All Western European countries have some form of local government system with some degree of self-government. According to Western sources, local self-government should be considered not as a separate system, but as a part of the state system. Local autonomy is a political and ideological factor.

According to the English researcher D. Jennings: "local authorities should be agents of the central government that solve national policy issues on the ground." It is also social as a lower body of the state and management system. Many foreign experts have emphasized that it will be embodied as a local body - a public association, which is independent in systematically solving political issues.

According to Western political scientists, the concept of "self-governance" is related to the formation of the independence of citizen communities in relation to the state.

In terms of power structures, local self-government is a level of government in which many powers are delegated from the top to optimize efficiency and governance. From the perspective of the population, it is an independent activity to solve local problems.

Local self-government as an institution of democracy comes from below. In addition, institutions and self-governing bodies support the activities of citizens at the lower level and increase

the opportunities for participation in state and community affairs.

It should be noted that local self-government as an "institution of democracy" is based on protecting the interests and dignity of the community. Although it is subject to state legislation, it has the right to a certain extent to conduct independent activities as a subordinate body.

Although these aspects are an important factor in the formation of a democratic society, based on the concept of a fair society and a civil society, the self-government body of citizens in our society, which represents the process of democratization from the bottom up, is a lower management body with the status of a socio-political institution.

In our society, the essence of this concept began to acquire a positive character in its own way from the early days of independence

The phrase "municipal" entered the legislation of Uzbekistan for the first time in 1991 through the Civil Code. Article 1 of the Law "On Self-Governing Bodies of Citizens" defines the phrase "self-government of citizens".

A local self-governing body is an independent activity of citizens to solve issues of local importance based on their interests, historical characteristics of development, as well as national and spiritual values, local customs and traditions. a structure that has the right to make decisions on behalf of the population within the relevant territory.

In other words, citizens' self-governing bodies are the main social institution for performing socially important and comprehensive tasks of local importance, ensuring the socio-economic, cultural-educational needs and legal interests of the members of this region.

After all, in order for local self-governing bodies to improve as an institution of civil society that organizes self-governance, relying on the activity of citizens, along with state bodies, broad participation and activity of society members is necessary.

Problems related to this area within the neighborhood community are highlighted and

solutions to problematic situations and issues are found based on their opinion.

That is, the neighborhood is a unique entity that, as a local self-governing body, initiates and accelerates the demands of democracy in society and the smooth functioning of civil society mechanisms, and when appropriate, integrates its activities with government institutions. It cannot be denied that it is an institution of civil society.

In general, in the local self-government system, citizens should live freely, freely express their opinions, freely criticize shortcomings, and form an active citizenship position in the way of their legitimate interests.

After all, the local self-governing body should be such a socio-political, so to speak, legal civil institution that a person always feels that his freedom and honor are protected in this place., it is necessary to use the powers of these bodies to satisfy their needs. Because, in addition to performing the activities of a social and cultural institution, the local self-government body also performs the function of a unique institution of the civil society that regularly deals with the rights and interests of citizens.

This process, in turn, serves as a major social factor in increasing the level of political and legal culture of the members of the society, fully corresponds to the status of the local self-government system.

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