

## THE ROLE OF THE STATE MECHANISM IN BUILDING A MODERN LEGAL STATE

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*Abstract.* In this article, the essence of the concept of the state mechanism, the theoretical analyzes put forward by national scientists in this regard, its organization, operation, in particular, the principle of separation of powers, the historical formation process of the state mechanism, as well as its main participants and shortcomings and problems in the process of operation are discussed. After studying it, a detailed opinion is given about making proposals for their elimination.

*Annotation.* This article provides a comprehensive overview of the content of the concept of government mechanisms, previous theoretical analysis of national scientists in this regard, its organization, its functioning, especially the principle of division of power, the historical formation process of government mechanisms, and its key participants and proposals for addressing deficiencies and problems in the process of operation

*Keywords :* mechanism, government mechanism, principle of division of powers, electronic government.

There are various countries on earth, and they differ from each other in terms of the management system, the form of structure, the political regime, the procedure of the state mechanism and the organization of the state apparatus. The state mechanism plays an important role in protecting the interests protected by law, in general, in establishing the proper system of state administration. For this, first of all, the state mechanism should be properly formed. Speaking about the state mechanism, the role of the state mechanism in the state administration, how it has changed over the centuries under the influence of the management systems of ancient civilizations, the principles of operation of the main participants in the development and development of the state mechanism, the state mechanisms of other countries on the basis of research, conducts comparative analysis, examines the shortcomings of the state mechanism, makes proposals for their elimination, and also considers issues such as forecasting the future trends and problems of the state mechanism.

The state mechanism has changed and developed over the centuries under the influence of the management systems of ancient civilizations, and by the present time, a complex "state mechanism" has been formed. Of course, such changes ensure the interests of citizens, their rights and freedoms, the division of the state management system and the prevention of "conflicts of interests" in the division of powers, and the universal organization of the state in every sphere. it is unlikely to have passed. After

all, if we look at the history and study the mechanism of the state, we can see its advantages and disadvantages in the management of the state, that is, the management of the state by a single person, (development of normative and legal documents, ensuring their execution, running the court system, cooperation with other countries, etc.) by creating difficulties for one person, caused the state administration to be based on the principle of separation, and this was the first, simple form of the principle of separation of state power, as well as this is the weakness of state management, which is now known as the phrase "conflict of interests", the state is ruled by blood relatives, that is, if we look at the past, the state was governed mainly by dynasties, representatives of one generation (Khorazmshahs, Shaybanids, Timurids). we witness that it was managed, and by studying the useful aspects and problems of the development history of state administration, the mechanism of the state changed. From monarchies to modern democracies, the state machinery has changed to reflect the will of the people, and different countries have demanded the development of specific variants of the state machinery that reflect their social, cultural, and historical circumstances. For example, the death penalty has been abolished in our country since January 1, 2008, and this happened due to the ratification by Uzbekistan of an important international legal document that ensures the personal rights and freedoms of citizens (approval of an international agreement by the highest body of state power). . As Uzbekistan enters the international arena, ratifying international agreements that are compatible with the mentality of its people and ensuring that the legal interests of the people are taken into account, it is necessary to carry out management activities in the state administration without conflicting with international agreements and laws based on the principle of "legality" in the management of the state mechanism. means

When we talk about the main participants in the mechanism of state power management, it is natural that state officials come to mind, and this is partly true, but we consider the main participants that ensure the proper and effective functioning of the state mechanism, mainly democratic we can see in the system of state power management of states, that is, in Article 11 of our constitution. This article of our Constitution states as follows: "The system of state power of the Republic of Uzbekistan is based on the principle of division of power into legislative, executive and judicial power", that is, the single state power is independent and independent legislator, divided into executive and judicial power"<sup>1</sup>. The purpose of this principle is to prevent the total concentration of state power in the hands of one person or body. After all, concentration of power in the hands of a single person or body poses a direct threat to democracy and human rights and freedoms, and leads to the establishment of an authoritarian regime. The purpose of introducing the principle of the distribution of

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<sup>1</sup> 30.04.2023. Constitution of the Republic of Uzbekistan (lex.uz)

powers in the Republic of Uzbekistan is to accelerate the process of democratization in the country, to improve the state mechanism, to restore universal human values, to recognize the priority of human rights and freedoms, and ultimately to establish a legal state. The principle of the distribution of powers provides an opportunity to get rid of the abuse of power, bureaucracy and leadership in political life, to ensure the balance and equality of the authorities, and to regulate their mutual relations. where a legislative body, such as parliament, congress, or cartes, has the power to make and change laws. The executive branch, on the other hand, is the head of state, the prime minister, or the president, who heads the executive branch, which is responsible for making decisions and implementing policies. The judiciary is considered a separate independent apparatus, in particular, the independence of the judiciary is fully ensured in the Republic of Uzbekistan, and its main task is to protect the rights and freedoms of citizens guaranteed by the Constitution, international treaties and other international documents on the protection of human rights. , and protection of legal interests. Civil servants (officials) and government officials support the smooth functioning of the state machinery and serve the population. As the society develops, the organization of statehood typical of the times becomes of urgent importance. The work in this regard plays an important role in building a legal state based on an active civil society based on the principles of justice and openness by providing effective state administration. The formation of an active civil position in every citizen, ensuring the implementation of laws and norms at lower levels, and the formation of citizens' respect for laws, awareness and culture also contribute to the achievement of modern statehood. In this regard, the issue of widespread implementation of the principle of "State bodies serving the people - the people in turn serve the state" is one of our urgent issues today.

It is a set of state bodies, state enterprises, and institutions that exercise state power, perform state functions, and ensure the achievement of the goals and tasks set by the state, based on the system of state organizations that provide state leadership to the state power. . Through them, state power is exercised and state leadership over society is ensured. Legal scientist H. Odilgariyev defined the state mechanism and said, "In order to perform tasks and functions in the economic, social and political spheres in the state mechanism (apparatus), a number of state bodies are united into a single system on the basis of hierarchy. It also performs the functions of the uoz and exercises the state power. The organization of the state mechanism is based on certain objective principles. This ensures the effective management of society by the state."<sup>2</sup>stated that. In a word, the state mechanism is an integrated system of state bodies that manage society and protect people's interests. Here, if we interpret the word "mechanism", the mechanism (Greek: mechane- weapon, structure) is a device that converts the movement of one or more

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<sup>2</sup>HT Odilkariyev. Theory of state and law. Textbook. T.:Tashkent, "Adolat" - 2018, 121,122 - pages.



bodies into the known movement of other bodies, i.e. a complete system. how it works depends on how the mechanism is structured (organized), its working process (functioning). Also, professor-scientist Sh. According to Sagdullayev: "Effective functioning of the state mechanism is necessary for the implementation of state power. If the state mechanism is not functioning properly, the reforms carried out by the state will not give their results. In order for the state to fulfill its goals and tasks quickly and fully, it is necessary to periodically improve the state mechanism. It is also clear from this that the role of the state mechanism in the management system is mainly aimed at the correct establishment of the state management system and ensuring the rights and legitimate interests of citizens. In particular, in the works written by our president, Sh. Mirziyoyev, about the activities of state management, our respected head of state, the content and essence of large-scale democratic changes of our country in the next 5 years, the concept of "New Uzbekistan" is becoming a real event, first of all, what is reflected in the following emphasizes: "If we summarize the essence of the action strategy we adopted 5 years ago, in this unique document we have before us the universally recognized norms and principles regarding human rights and freedoms of the democracy of New Uzbekistan. "We set as a strategic goal the implementation of the plan and the establishment of New Uzbekistan and the foundation of the Third Renaissance." From these thoughts of the President, we understand that the effective functioning of the state mechanism is based on world standards and a new interpretation of citizens' participation in state affairs, establishing the principle that "Reforms are not for the sake of reform, but first of all for people, for their interests." For example, in the 2022 appeals of our honorable president to the Oliy Majlis of the Republic of Uzbekistan, the most priority directions for 2023 and the reforms to be carried out during this year were touched upon. As the first direction, transition to a compact and efficient public administration system was proposed. In order to further expand private initiatives and open new perspectives to them, it was emphasized that now is the time to move from "manual management" to systematic management that works for concrete results. Currently, there is a lot of duplication in the state mechanism, there are unnecessary states, and centralization is high. As a result, Too much time, energy and resources are being spent on finding the right solutions to today's complex problems. Ministers have, so to speak, "no voice" in the decisions made by the government, that is, their participation and responsibility in the preparation and implementation of these decisions is insufficient. At the same time, our president announced through this appeal that he signed the decree on new administrative reforms. As part of this long-prepared reform, the following was mentioned. First of all, it was planned to reform the ministries, to fundamentally change the way the government works, and first of all, to reduce the number of ministries and departments from 61 to 21. is operating. At the next stage, important initiatives such as reducing the number of civil servants by 30-35%, directing the saved funds to social

issues were put forward by our president.<sup>3</sup> In addition, in the Development Strategy for 2022-2026, created on the basis of the principle of "Strategy of Actions - Strategy of Development", each of the studies carried out during these years in several fields such as socio-economic, political, cultural-educational, military and diplomatic. 'embodies changes. In particular, in this strategy, the state management system is shown as a separate section, and within its structure, the management processes from the horizontal to the vertical system of state management of the state mechanism are reflected. These goals are intended to ultimately raise the state mechanism to a new level.

*Modern public administration.*

In the current era of globalization, as a result of the development of information and communications, as a result of the widespread culturalization of networks in the virtual space, the need to build a modern statehood and digitize management is naturally increasing. In modern statehood and its development, the use of modern management instruments, the introduction of the latest information technologies, the activity of authorities by reducing the human factor in management, the policy of electronicization of public services, the creation of the legal image of a modern state, and the modernization of state power are the main factors in the implementation of work in this regard. In particular, the system of organizational-legal measures and technical tools aimed at ensuring the provision of public services by the use of information and communication technologies to individuals and legal entities, as well as the system of organizational and legal measures and technical tools aimed at ensuring interdepartmental electronic cooperation; the introduction of "government" Ministers from 2021 in the country to introduce a single electronic system to develop, agree and register decisions taken by local government bodies, ensure their transparency, prevent corrupt situations, and eliminate ambiguities "E-decision" system was created based on the decision of the court No. 390<sup>4</sup>. Through this, the regulatory decisions issued by the authorities are examined by the judicial body, in turn, effective management is achieved through effective decisions at the local level.

As of February 2024, more than 581 services have been implemented on the my.gov.uz portal. The number of single portal users has exceeded 6.3 million. A total of 120 information systems were integrated into the "Electronic Government" interdepartmental platform, and as a result of the exchange of more than 840 million pieces of information between state agencies, 36 billion soums were saved for paper and transport costs alone.<sup>5</sup> Electronic government activities Further development of the electronic judicial system, wide implementation of digitization will ensure transparency

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<sup>3</sup>From the address of the President of the Republic of Uzbekistan Shavkat Mirziyoyev to the Oliy Majlis and the people on December 20, 2022.

<sup>4</sup> [No. 390 dated 22.06.2021. On measures to introduce the electronic system "E-decision" into the activities of local state authorities \(lex.uz\)](#)

<sup>5</sup>Source: [MyGov.uz](#)

and eliminate corrupt situations, which in itself can make a significant contribution to the development of our statehood.

The strategy "Digital Uzbekistan-2030" was adopted on the basis of the decree of the President Shavkat Mirziyoyev, which includes programs for the digital transformation of regions and economic sectors in order to form a digital government in the republic, to accelerate the development of modern industry in the branches of the state machinery, to increase the competitiveness of the national economy, and is being successfully implemented. This reform also paved the way for the formation of digital networks in modern state administration. "Digital Uzbekistan - 2030" strategy (hereinafter referred to as the "Strategy") in order to ensure the rapid digital development of economic sectors, the social sphere and the public administration system, including the further improvement of the mechanisms for the provision of information and electronic public services in the state administration in the regions is developed. Based on the in-depth analysis of complex global processes and the results of our country's progress, in the following years, based on the principle of "For human dignity", we will further increase the well-being of our people, transform economic sectors and rapidly develop entrepreneurship, unconditionally ensure human rights and interests, and in order to determine the priority directions of reforms aimed at forming an active civil society: the development strategy of New Uzbekistan for 2022-2026 was adopted with PF-60. Through this initiative, which includes 100 goals, it laid the foundation stone for the implementation of an effective system of state participation in all spheres of life. If we take only the 5th goal, then the goal of introducing a compact, professional, fair, high-performance public administration system is put forward. In addition, in order to increase the role of the Oliy Majlis in the process of creating norms Within the framework of the "Electronic Parliament", connecting deputies with their voters, senators with citizens in the regions, conducting direct communication with them, digitalizing the process of discussing and solving the problems of voters. In addition, as the 8th goal, modernization of the process of norm creation, ensuring strict implementation of legal documents is defined. It is based on the application of the elements of the "smart regulation" model in order to ensure the stability, quality and efficiency of the legal regulation of social relations. The main goal of this procedure is to create a quality and balanced legislative base for the state and society, that is, to adopt legislation without excessive costs and time, without red tape and bureaucratic obstacles, to develop and expand the assessment of the regulatory impact of legislative acts. is considered<sup>6</sup>.

In the context of the adoption of the new constitution in our country, with the aim of improving the main directions of development and bringing the reforms implemented within the framework of state administration to a new stage, by the Decree of the

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<sup>6</sup>Aminov D. "Smart regulation" is a new trend in law making process. Tashkent - 2022. Republican scientific-practical conference on the topic "Collection of scientific works of master's students". Page 44



President of the Republic of Uzbekistan No. PF-158 of September 11, 2023 The "Uzbekistan - 2030" strategy containing a total of 100 goals, developed on the basis of the experience gained during the implementation of the new development strategy of Uzbekistan and the results of public discussion, was adopted.<sup>7</sup> It was determined that the following main ideas are reflected in the "Uzbekistan - 2030" strategy:

Organization of the education, medical and social protection system that fully meets the requirements of the population of the country with an income above the average and international standards through sustainable economic growth;

Establishing a fair and modern state in the service of the people;

In addition, within the framework of the rule of law and the organization of public administration in the service of the people, Section IV and its objectives are a clear example of this.

Of course, our goals are huge. In order to further increase the efficiency of the reforms being made in this regard, the State must ensure that its administrative reforms are fully "people-centered", i.e. aimed at the people, all their interests (in the social, economic, political, spiritual spheres). The implementation of zlab is of great importance. Because through the practical measures listed above, we have set ourselves the principles of "Reform not for reform, but for the people", "For human dignity", adapting the mechanism of state management to the times, and the reforms listed at the heart of it. through complete digitization, rapid establishment of a populist modern state, further increase of people's well-being, rapid development of the state and civil society and, as the President noted, creates a solid foundation for building the "Third Renaissance".

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