



ISSUES OF IMPROVING COOPERATION BETWEEN THE MAHALLA AND INTERNAL AFFAIRS BODIES IN ENSURING THE STABILITY OF SOCIETY

Mehmonali Suvankulov

Head of the Department of Legal Sciences at the
Institute for Advanced Training of the Ministry
of Internal Affairs of the Republic of Uzbekistan
<https://doi.org/10.5281/zenodo.20729975>

Abstract: This article analyzes the importance of cooperation between the mahalla and internal affairs bodies in ensuring social stability, as well as its legal foundations and practical mechanisms. Issues regarding the improvement of cooperation between the mahalla institution and internal affairs bodies in crime prevention, ensuring public safety, and the timely identification and elimination of public problems were also considered. The author put forward some proposals and recommendations aimed at increasing the effectiveness of this cooperation.

Keywords: mahalla, internal affairs bodies, social stability, public safety, crime prevention, prevention inspector, citizens' assembly, cooperation, legal mechanisms, public order, prevention, social stability.

Cooperation between internal affairs bodies and citizens' self-government bodies is of great importance in ensuring legality in society, preventing offenses, and strengthening public safety. The mahalla citizens' assembly, as the institution closest to the population, is well aware of the problems, needs, and social status of citizens.

Thanks to this cooperation, it will be possible to identify offenses at an early stage, effectively organize preventive measures, pay attention to the upbringing of youth, and improve the social environment. Additionally, internal affairs bodies and mahalla activists are conducting outreach work to increase legal culture among the population and foster a spirit of respect for the law.

Today, the cooperation between the mahalla and the prevention inspector plays a special role in maintaining public order and ensuring the safety of citizens. This cooperation serves to ensure peace, tranquility, and the well-being of the population. Therefore, the further development of cooperation between internal affairs bodies and citizens' self-government bodies serves the interests of the state and society. Strategic documents aimed at improving the public safety system in the Republic of Uzbekistan define the task of prioritizing the topics of dissertation research conducted in higher educational institutions and research centers within the system of the Ministry of Internal Affairs and the National Guard toward solving current problems in the field of public safety, as well as conducting research with the participation of the general scientific community.

This situation indicates that the issue of further improving cooperation between internal affairs bodies and citizens' self-government bodies is of urgent scientific and practical importance.

At the same time, it also means the need for a separate and in-depth scientific analysis of the forms and mechanisms of this cooperation.

In the field of legal sciences, aspects of cooperation between citizens' self-government bodies have been studied by the scientific community, which can be conventionally divided into



four directions, including the first direction, cooperation with state bodies[1], the second direction, cooperation with civil society institutions[2], the third direction, cooperation with law enforcement agencies[3], and the fourth direction, cooperation with certain sectoral services of internal affairs bodies, but it is precisely the interaction between internal affairs and citizens' self-government bodies that has not become an object of comprehensive research.

An in-depth analysis of the forms and methods of interaction is of great importance in developing cooperation between internal affairs bodies and citizens' self-government bodies, as well as in improving their legal mechanisms. This will serve to increase the efficiency of the activities of these institutions.

Furthermore, the effective establishment of cooperation between law enforcement agencies and civil society institutions serves to harmoniously ensure the interests of citizens, society, and the state, as well as to strengthen the balance of interests and social stability.

The participation of civil society institutions in law enforcement processes is considered one of the essential conditions for the development of a state governed by the rule of law. From this perspective, internal affairs bodies and civil society institutions act as important actors in the implementation of the state's law enforcement function and act as key partners in the practice of ensuring public safety.

One of the main conditions for activities carried out on a collective basis or in the form of cooperation is the organization of service in a mutually agreed manner. This is because no government body or organization can achieve high efficiency by operating only within its internal capabilities without establishing cooperation with other structures[5]. In particular, internal affairs bodies feel an objective need to cooperate with state bodies and public organizations in the effective implementation of their assigned tasks. This cooperation is manifested as a natural necessity and is legally enshrined in the Law "On Internal Affairs Bodies" [6].

In our opinion, it is first necessary to clarify the concepts of "internal affairs bodies" and "self-government bodies of citizens," which are the main subjects of the research topic, and the definitions given to them. A correct understanding of the legal status, content, and essence of these institutions is of great theoretical and practical importance.

Unfortunately, despite the fact that the term "internal affairs bodies" is widely used in hundreds of regulatory legal acts and in the activities of law enforcement agencies, a clear and unified definitive definition of this concept has not yet been provided in national legislation. This, in turn, creates certain theoretical and practical problems in the uniform interpretation of its legal content.

However, when analyzing the laws of some CIS countries, specifically Russia[7], Belarus[8], Kazakhstan[9], Kyrgyzstan[10], Tajikistan[11], Turkmenistan[12], as well as the laws of neighboring foreign countries such as Latvia[13] and Ukraine[14] on internal affairs bodies and the police, we can see that a legal definition of the concept of "internal affairs bodies" is provided; however, the Law of the Republic of Uzbekistan "On Internal Affairs Bodies" lacks this defining norm.

Analysis shows that the lack of a legal definition of the concept of "internal affairs bodies" can lead to a number of theoretical and practical consequences. This issue is directly related to the need to clearly define the legal content and scope of this institution and stands before us as a serious scientific question.



Indeed, before formulating a legal definition of the term "internal affairs," it is first important to determine its lexical content. When the concept of "internal affairs" is interpreted in a broad sense, it can encompass all spheres related to the internal life of the state—social, political, economic, and other areas. This significantly expands the scope of this concept.

In particular, according to the Russian legal scholar A.M. Bobrov, special attention should be paid to the content of the concept of "internal affairs," as in a very broad sense, the scope of activities related to the sphere of internal affairs can belong to almost all federal executive authorities. Therefore, clarifying and restricting this concept is of great theoretical importance, which makes it possible to define specific structures within the system of internal affairs bodies.[15]

The legal encyclopedia defines the term "internal affairs" based on two different approaches. According to him, in a broad sense, "internal affairs" refers to the set of all issues that are resolved by the state and relate to the domestic life of the country. In a narrow sense, it is emphasized that this concept includes specific issues related to maintaining public order, protecting the rights and freedoms of citizens, and ensuring legality[16].

However, the problem would have been solved by introducing a definitive norm in the Law "On Internal Affairs Bodies" that provided a legal definition of the legal status of "internal affairs bodies."

The above analysis shows that today there is a need to develop a definition of the concept of "internal affairs bodies" in theory and legislation, and the following author's definition is provided:

internal affairs bodies - a law enforcement agency authorized to protect the rights, freedoms, and legitimate interests of citizens, maintain public order and ensure public safety, prevent and combat offenses and crimes, and, if necessary, apply state coercive measures, carrying out inquiry, pre-investigation check, and operational-search activities.

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

Although the Law on Citizens' Self-Government Bodies defines the concept of "citizens' self-government" and a legal definition of the content of this right, the norm dedicated to citizens' self-government bodies in Article 8 of the Law primarily lists their structural composition.

That is, the citizens' assemblies of towns, kishlaks, and auls, as well as mahallas in cities, towns, kishlaks, and auls, are registered as citizens' self-government bodies, and this norm does not fully reveal its legal content and essence. Therefore, this norm is of a descriptive nature.

Furthermore, the law does not provide a clear legal definition of the concept of "matters of local significance." As a result, the scope of issues of local significance remains legally unclear.

A comparative legal study of the laws regulating the activities of local self-government bodies in countries such as Russia[17], Kyrgyzstan[18], Kazakhstan[19], Azerbaijan[20], and Tajikistan[21] revealed that these legislative acts contain norms defining the concepts of "local self-government bodies" and "issues of local significance."

However, the Law of the Republic of Uzbekistan "On Citizens' Self-Government Bodies" does not provide legal definitions for the concepts of "citizens' self-government bodies" and "matters of local significance" and does not clarify their content.

Citizens' self-government bodies are represented in most foreign countries as "local self-government bodies," which are usually interpreted as the lowest level of local government. In Uzbekistan, this concept is expressed in scientific and legal discourse by the term "self-government bodies of citizens."

This difference is not a simple terminological change, but is significant in content and more accurately reflects the democratic nature of local self-government. That is, the term "self-government bodies of citizens" more clearly expresses the independence of this institution from the state and its direct formation by citizens.

In foreign experience, local self-government bodies are often inextricably linked to the system of state power and are implemented through state bodies at the local level or formed by higher state administration bodies.

At the same time, legal scholars have provided various scientific definitions to reveal the content of citizens' self-government bodies. In particular, according to Z.R. Ruziev, a citizen self-government body is a civil society institution formed on the basis of the will of the local population, operating independently in resolving issues of local importance, not part of the state power system, and exercising powers granted by legislation within the relevant territory [22].

According to the lawyer Sh.I. Jalilov, local governance is the management of issues of local significance carried out by bodies representing the interests of the population in administrative-territorial units, formed on an electoral basis, and their administrative apparatus.

From the perspective of Russian scholars, a local or municipal self-government body is a system of managing matters of local significance through specially elected bodies that serve to represent the interests of the population living in the administrative-territorial units of a specific state.

Based on the requirements of the theoretical criteria of the study, it is advisable to provide a scientific definition of the concepts of "self-government bodies of citizens" and "issues of local significance."

A citizens' self-government body is a non-governmental organization formed by the will of the local population, possessing broad powers to resolve issues of local significance and being independent of the system of state authorities.

Issues of local significance are a set of issues related to the daily life, well-being, and social development of citizens in a specific territory, which can be resolved by these citizens' self-government bodies independently within the territory of the mahalla.

In conclusion, it should be noted that when studying the theoretical and legal aspects of cooperation between internal affairs bodies and citizens' self-government bodies, current practice, existing problems, national and foreign experience, and determining the prospects for improving this cooperation, we rely on the analyzed theoretical views and approaches..

References:

- [1] Ш.У.Якубов. Давлат ва фуқаролик жамияти институтлари ҳамкорлигининг ҳуқуқий механизмларини такомиллаштириш. юрид.фан.докт., –Т., 2018. – 270 б. Г.С.Исмаилова. Ўзбекистонда маҳаллий давлат ҳокимияти ва ўзини ўзи бошқариш органлари фаолиятини либераллаштиришнинг давлат-ҳуқуқий йўналишлари. юрид.фан.докт.дисс. – Т., 2016. – 256 б
- [2] Д.Д.Ширинов. Ўзбекистонда фуқаролик жамияти институти сифатида нодавлат ноижорат ташкилотлари фаолиятини ташкил этишнинг ҳуқуқий асослари: юрид.фан.номз.дисс. –Т., 2020. – 227 б.
- [3] Б.И.Латипов. Ҳуқуқни муҳофаза қилувчи органлар ва фуқаролик жамияти институтларининг ўзаро ҳамкорлигини такомиллаштириш: юрид.фан.номз.дисс. –Т., 2020. – 227 б. – 179 б.
- [4] Бафоев Ф., Шукруллаев Ю., Воҳидова М. Жамиятни демократлаштириш ва янгилаш тобора чуқурлашиб бораётган жараён сифатида // Фуқаролик жамияти, 2014, 2-сон. – Б. 7.
- [5] Бобохонов А.А. Жамоат тартибини сақлаш ва фуқаролар хавфсизлигини таъминлашда ҳуқуқни муҳофаза қилувчи органларнинг ўзаро ҳамкорлиги // Жамоат тартибини сақлаш ва фуқаролар хавфсизлигини таъминлашнинг долзарб масалалари: республика илмий-амалий конференция материаллари. – Т.: ЎЗР ИИВ Академияси, 2015. – Б. 11.
- [6] Ўзбекистон Республикасининг “Ички ишлар органлари тўғрисида”ги 407-сон қонуни. Ўзбекистон Республикаси ҳужжатлари тўплами, 2016 й., 38-сон, 438-модда.
- [7] <http://www.kremlin.ru/acts/bank/32615/page/9>
- [8] <https://pravo.by/document/?guid=3871&p0=h10700263>
- [9] Изоҳ: мазкур қонун <https://adilet.zan.kz/rus/docs/Z1400000199>
- [10] https://prg.kz/document/?doc_id=30213106
- [11] <https://ncz.tj/content/>
- [12] <http://www.kremlin.ru/acts/bank/32615/page/9>
- [13] <https://lawyer-khroulev.com/wp-content/uploads/2019/09/Zakon-Latvii-o-policii-ru.pdf>
- [14] https://kodeksy.com.ua/ka/o_natsional_noj_politsii/35.htm
- [15] А.М.Боборов. Понятие органов внутренних дел Российской Федерации // Вестник Челябинского государственного университета. 2020, №9 (190). С. 90-92
- [16] Большой юридический словарь / под ред. А.Я.Сухарева, В.Д.Зорькина, В.Е.Крутских. М., 1999.
- [17] http://www.consultant.ru/document/cons_doc_LAW_44571/6d3b1321c4f9966d07ca33533fc7ca347581c3a8/
- [18] <http://cbd.minjust.gov.kg/act/view/ru-ru/203102>
- [19] https://online.zakon.kz/Document/?doc_id=1021546&pos=1547;-16#pos=1547;-16
- [20] <http://www.municipalkg.narod.ru/interlaw/azer.htm>
- [21] <http://ncz.tj/content>
- [22] Рузиев З.Р. Фуқаролар ўзини ўзи бошқариш органларининг ваколатлари (конституциявий-ҳуқуқий таҳлил). Юридик фанлар номзоди илмий даражасини олиш учун дисс. Тошкент – 2016. –20-бет.



[23] Баглай М.В., Лейбо Ю.И., Энтина Л.М. Конституционное право зарубежных стран. 3-е изд., перераб. и доп. – М.: Норма: Инфра-М, 2012. – 385-с

