

ON THE DEMOCRATIZATION OF PARLIAMENTARY CONTROL

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ABSTRACT:

In this article deals with issues related to the government control by the lower chambers of the world's parliaments, including the Legislative Chamber of the Oliy Majlis of the United States, France, Germany and the Republic of Uzbekistan, as well as improving the parliamentary institution oversight to transform our national parliament into a true school of democracy, establishment of effective cooperation mechanisms of lower house deputies of parliament with the deputy corps of local Councils.

Keywords: Bicameral parliament, parliamentary oversight, political institution, political system, impeachment, parliamentary inquiry, deputy inquiry, deputy hearing, local council, session, interpellation, democracy, no confidence vote, parliamentary inquiry.

INTRODUCTION:

The executive oversight is an important function of parliamentary authority. As in all democracies, it is necessary to control the executive government activities by parliament, regardless the government form, because in turn the executive government has great powers and rights, as well as various positions abuse, to prevent all violations sorts of the law. Uzbekistan is also going a long way in the parliamentarism history. In recent years, significant changes have taken place in the life of our country in strengthening the national

parliamentary system, democratizing parliamentary life. Such examples can be seen especially in the Presidential Addresses of the Republic of Uzbekistan to the Legislative Chamber of the Oliy Majlis of the Republic of Uzbekistan, which have been ongoing since 2016 up today.[1] To this end, constitutional reforms are being carried out to turn our national parliament into a real school of democracy. On control over the activities of the executive government an important step towards democratization of the country's life in the form of parliament was the fact that the lower house of parliament, in particular, the factions of political parties, received advice from the head of state on his suitability for the post of Prime Minister. Such traditions are effectively established in the practice of democracies such as the United States, France, Germany.

The Chinese thinker Confucius said, "If a concept does not correspond to the truth and the word authenticity, if the word does not correspond to the concept truth, we will not understand each other" [2]. In this sense, it is expedient to clarify the oversight powers of the parliament as a political institution. Control is (in fact the French controle is a root word, the anti-wrapper letter). It is known that in the early days, after the documents were written on papyrus trees, they were divided into two, and each half-page document was kept by the interested parties. If authenticity confirmation of the document is required, the document authenticity is proved in this way if the documents written on the split papyrus trees

are consistent with each other as a comparison result. In this sense, control is understood as a true indicator of a case or document state. [3] From a political point of view, no single definition has been developed for this concept, this concept has not been given the same meaning by different politicians.

German scientist V. Orlando stressed that the oversight function is aimed at ensuring that parliament is consistently and actively exercised over all administrative areas, expressing any suggestions, doubts and protests against members of the government. [4] Russian scientist G. Ellinek refers to the control that the actions of bodies and officials that are important to the state are checked for compliance with the law norms. [5] In turn, G. Ellinek acknowledged that control was applied in a political and legal sense. Legal control: administrative, financial, and parliamentary oversight. In other words, parliamentary control is exercised through the critical means of the constitutional means of representative bodies: interpellation, a vote of no confidence, is carried out by appointing a parliamentary inquiry. G. Ellinek's approach emphasized that from that period point view, the above constitutional means would serve both political and legal control. In parliamentary states, for example, a vote of no confidence in the government is used only for political purposes.

At present, the significant contribution of Uzbek politicians Sh. Pakhrutdinov, N. Kosimov, M. Kirgizboev, Sh. Kudratkhojaev, Kh. Khidirov, M. Musaeva, O. Khasanov and others can be recognized in the study and research of parliamentary control as a political institution. [6] In modern foreign literature, a number of concepts related to parliamentary control are used. In particular, according to French researchers, parliamentary oversight is an activity aimed at dissolving the government or giving an opinion on the government activities

by deeply protesting the policies pursued by the government to the parliamentary chambers.[7] According to German researchers, the political definition of parliamentary control is as follows: parliamentary control over the executive branch is the possibility of imposing sanctions by parliament through direct and indirect means to control the government activities. More precisely, parliamentary control in the Federal Republic of Germany as a continuous process of parliamentary activity in order to express the activities scrutiny of government and administration by a parliamentary majority or the opposition, as well as to express the political position of the parliament, a parliamentary inquiry may be sent to any official of the incumbent government.

In this context, we can define parliamentary control as a political institution: we can say that parliamentary control is an activity aimed at determining the political system of society, parliamentary oversight, inspection and evaluation of the activities of the executive branch. The emergence of parliamentary control as a political institution, in turn, is associated with the establishment of a legal status in the constitution of each state. In particular, the formation and development of civil society is directly reflected in the laws adopted by parliament as a political authority in this or that issue. The adopted laws reflect the state policy. It is this policy that will shape the political will of the parliament and ultimately lead to the emergence of popular, sound and thorough laws. Today, the high level of parliamentary control as a political institution cannot be justified. This parliamentary control institution is being discredited due to the fact that the answers to parliamentary inquiries sent by some deputies are not sent in a timely manner as well as the negligent attitude of public officials. In order to

further strengthen the parliamentary scope and inquiry, which is an important institution of parliamentary oversight who did not respond to the parliamentary or deputy inquiry in a timely manner, as well as to whom the sent parliamentary and deputy inquiry was addressed it is expedient to introduce in the legislation the accountability practice of these officials. It also aims to ensure that the parliamentary results and inquiries are open and transparent it is expedient to establish deputies' corners in the parliament in order to inform our people in the makhallas where each deputy is elected. It is this criterion that allows our people to evaluate the activities of parliamentarians. This will serve to further democratize parliamentary control in the political life of society.

Today, the deputies cooperation of the Legislative Chamber of the Oliy Majlis with local councils in the control is not effective. There are gaps in the legislation regarding effective oversight and cooperation with the lower house of parliament and local councils. In order to fill in these gaps we consider it expedient to make changes and additions to the procedure and principles which provide for the mandatory participation of the Legislative Chamber deputies of the Oliy Majlis in the local Councils sessions, to the Constitutional Law of the Republic of Uzbekistan "On the Legislative Chamber of the Oliy Majlis of the Republic of Uzbekistan" and a number of laws regulating the local councils activities, including the mandatory participation of deputies in local councils at factions meetings of political parties. We believe that issues raised by factions of political parties in parliament in cooperation with local councils, cases related to the resolution or non-resolution of written and oral appeals the publishing practice on the official websites of political parties should be introduced no later than one month. Such an

effective mechanism of cooperation can serve to turn our national parliament into a real democracy school.

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