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Organizational aspects of determining the reasons for the violation of legality and service discipline by employees of internal affairs bodies.

When we talk about the organizational aspects of determining the reasons for the violation of legality and service discipline by the employees of the internal affairs bodies, we must take into account that there are different points of view, opinions about the concept of legality, its essence and peculiarities [8; 9, 31-37].

This is the most important and relevant issue in the science of jurisprudence. Its solution is usually associated with the fact that certain political and legal structures operate in reality, and such structures all the time express the legitimacy that is “established” in this or that way by the dominant ideology.

In other words, such an ideology is firmly connected with the characteristics of a political system that reigns in many countries and arises as an expression of dictatorial – in the interaction of the population with power.

The execution of laws that represent the will of the people is not only an indication of the level of progress and democracy of the state, but also a guarantee of elevation in socio-economic changes, a guarantee of human rights. Sustainable legitimacy is manifested primarily in the form of a method of leadership of all state bodies and officials, as the basis for democratization of society and protection of the individual from the violence of power. Meanwhile, this is an important criterion for assessing the quality and effectiveness of their work. These views are full of law enforcement structures, including the internal affairs bodies, which, according to their functions, are connected with legality.

The approach to the understanding of the problem of legality, which arose in the period of the Administrative-Command regime of the history of our republic and which has long been a tradition, will no longer be supported in general terms and in the experience of certain state bodies. But it is also necessary to admit that the influence of the past is still noticeable. First of all, life-appropriate, factual correction is required to understand how the reality under consideration, along with other legal realities, occurred and how it occurred.

After all, Uzbekistan, having built a new house without breaking the old one, carries out not simple reforms, but a complex task on a grand scale, moving from the totalitarian system to the civilized society of civilization. This, in turn, dictates the recognition of universal values, ideas of democracy, human rights, rejecting the views inherent in the totalitarian system, hardened and in one mould. As a result of this, the theory of legality also remains unchanged.

It should be noted that the current legal thinking in our state has taken a step forward, the content of legality is based on the evidence that it is necessary not only in the sphere of law enforcement, but also in the sphere of law creativity.

The recognition of the natural essence of the fundamental rights of Man by the world community also could not prevent them from being legally strengthened in the sum of all international legal acts since the Universal Declaration of human rights of 1948. In a number of Democratic states, the legislative process is first built on the recognition of fundamental freedom, the principles of legal statehood, the rule of law, which is understood in a high spiritual sense. And the fact that different legal concepts do not manifest themselves in different stages of the development of society, while being present at the same time, is another matter.

Indeed, during the period when the democratic legal system decides, the natural and legal ideals logically take the first place, and they are subsequently strengthened in the new laws. In

turn, the importance of legislation that strengthens and develops Democratic initiatives that are formed in a stable legal space, harmonious civil society will increase.

As legal scholars rightly point out, the simple contrast of "written law" with natural law, the creation of a "duplicate" standard in the implementation of law and order, leads to social instability, unjustified referral of law and order to the administrative and executive system, violation able [3, 25; 4, 24; 5, 25]. Because the concepts of natural law, freedom, justice can have different meanings depending on different interests, the level of development of legal consciousness. Self-interest distorts the spiritual, human nature of the concept of distinction between law and law, leading to its abuse.

The spirit of the law must be reflected in its meaning. This, in turn, was fully reflected in the issue of individual rights and freedoms. The experience of developed countries that recognize the natural and legal doctrine of the origin of human rights does not deny them the legal and, above all, the constitutional formalization. Both the mentioned doctrine and the positive approach do not stand against each other in terms of current progress. According to the enormous humanitarian importance, human rights are strengthened by the state in the constitutional and normative legal acts [12, 28].

The essence of the nature of the laws of a developing democratic society is that they are subject to voluntary and unconditional observance and execution [11, 201-202]. If they are not properly enshrined in positive legislation, they will remain very abstract and vulnerable. This reduces the government's commitment to guarantee them and, consequently, their ability to fulfill them.

But in a so-called democratic society, the essence of the law is manifested not only in the existence and clear application of legally perfect legislation, but also in the deep and monadic realization of universally recognized humanitarian goals, ideas and values. These include the rule of law of the people and the rule of law in power, the separation of powers, the inadmissibility of individual and unlimited power, equality before the law and the courts, the stability of justice.

When it comes to the problem of legality, in our opinion, it would be reasonable to raise the question of its suitability for the legal regulation of certain social relations in general. It is a question of its activity, that is, whether or not this relationship should be covered objectively by law. If the answer is a resounding yes, what should be the degree to which it is broken down, the degree of rigidity, the intensity? On the one hand, the gaps in the legislation do not favor the rule of law, and it is logical to demand a response from the competent higher authorities.

It is important to note that, when applied to the sphere of law creativity, normative legal source, legality simultaneously dictates the formation of a joint legal system without integrity, strict adherence to the rules of equal subordination of law sources, and, first of all, their gradual subordination due to legal force.

The interconnectedness of the internal system of sources of law is reflected in the absolute supremacy of the Constitution of Uzbekistan and treaties on human rights and freedoms relating to universally recognized principles, norms and all applicable laws and regulations of international law. In this sense, the Constitution, adopted on December 8, 1992, which undoubtedly strengthens the democratic principles of the rule of law based on the priority of human rights and freedoms, serves as a reliable legal basis for the establishment, implementation and strengthening of true legitimacy.

On the basis of this legal foundation, many vital laws were adopted, which subsequently served the development and reforms of Uzbekistan. But it cannot be said that these laws have found their place in the principle of direct influence and in practice. As a result of such negative situations, the rule of law is weakened, law and order deteriorates, and most importantly, people suffer.

In the understanding of the essence and content of legality, evaluation of its subjects is considered an important factor. Most scientists usually interpret them in an expanded composition, including introducing into it all participants of social relations: the state, its bodies, public organizations, enterprises, institutions, officials and citizens. In this approach, legality is practically equated with the notion of legal conduct, perhaps, obedience to the general law, and from this its limit is broken and its meaning is lost.

It is no coincidence that the way to reduce the number of law-abiding subjects by removing citizens from them is increasingly recognized. Here, legitimacy is seen as a special way of the rule of law in relations between citizens and the state. Its requirements are addressed to the system of state bodies and authorized persons, who are tasked with developing and implementing ways to maintain the rule of law in the interests of the people. The definition of this task by norms is carried out, on the one hand, by clearly defining the powers of this or that state agency, and, on the other hand, by strictly regulating the procedure for exercising these powers. Citizens, in such a case, are the ones who enjoy the benefits of legality by protecting and ensuring their rights and freedoms by the state [6, 60-62].

In our opinion, a higher responsibility should arise for the offenses committed by officials (civil servants who fulfill their obligations for public office in the civil service), which are found to be in violation of the law. But such responsibility must be borne within its own norms and principles. The saying here goes about additional legal restrictions on career in an imperative form, which do not include the general penalties imposed on the civil servant for career exploits, which are understood in a broad sense.

In this sense, the problem of mutual relations between the authorities and citizens is somewhat topical. A clear example: if a competent person intentionally violates the rights and freedoms of a person established in the Constitution as a supreme value, the damage caused, the form of fault, the non-fulfillment of the purpose of leaving a person in office due to the category of public office and the Prohibition of holding such a post for a certain period of time The opinion on the expediency of law scholars to accept the sum of normative documents (codes) on the responsibility of officials before the population is said [2, 35], there are full grounds for this. Summarizing the views expressed in relation to the subjects of legality, it can be concluded that ordinary citizens, legality is not considered its subjects, and their illegal actions are a violation of law, and not the order of legality in full meaning.

In turn, the crimes and actions committed by individuals within the framework of their powers of Service are considered not only a violation of law, but also a violation of legality. It is only then that legality acquires a clear, functional property. The reporting of various state structures on it will be equally enforceable. Cases of being forced to take general coverage and unlimited measures are eliminated. Consequently, individuals (judge, investigator and b. it is necessary to clearly distinguish between the obligations imposed by the post and the offenses committed in the exercise of the rights granted, when they deviate from their scope of service – the offenses committed by ordinary citizens (passenger, buyer, couple, etc.). Only after that it is necessary to classify the act from the point of view of legality [7, 27].

In life there are such cases (this is more typical of militarized structures) that officials cannot distinguish the above-mentioned discrepancies, while they look at the subordinates as civil servants and call them to look at themselves like this. This leads to an incorrect assessment of their actions contrary to the right, inequality in the definition of punishment [10, 89]. The practice of law enforcement agencies is no exception. Take, for example, the following definitions of service: “drinking alcohol outside of work but in a public place”, “touching and insulting citizens on the street in a drunken state”, “arguing at home and beating his wife”, “driving improperly overwhelmed the passenger” - for which he must answer as a police officer [1, 60-61]. There are also definitions such as respond as a violator of the rule of law to be an

"example" for "strengthening order". If legality stems from the fact that the requirements of legality in relation to the behavior of any subject of law are traditionally widespread, although the error is obvious, such definitions seem to be valid.

Unfortunately, the training of future lawyers is still ongoing, without taking into account modern scientific views on the scope of legal subjects. In particular, in the field of criminal procedure knowledge, it is possible to mention the preliminary investigation, the prosecutor's office, the judiciary and all the persons involved in the case. For example, the question arises as to whether a victim who does not appear before an investigator on a summons can be considered a violator of the law.

There is also the problem of committing unlawful acts (by service and profession) by officials. If some of them are considered a violation of legality at the same time, others are not. Such a limitation is sometimes determined by experience, and in some cases it turns out to be an error.

Law enforcement officers respond negatively to the question of whether any offenses they have committed in the course of their work will be considered by the Department of the Interior and reported as a violation of the law. This is not accidental. How to assess the current orders, internal procedures, interactions set out in the Regulations, violations of the rules of wearing uniforms, negligence in the proceedings, loss of firearms as a result of violations of the rules of storage and carrying, use of official transport for personal purposes? Crimes committed by employees also remain suspended from the point of view of legality and indicators. Due to the lack of the necessary normative-legal (as well as scientific) clarity in this regard, the decisive decision often depends on the opinion of the manager, who understood the "instruction" based on the situation and saw the negative consequences of the violation. Therefore, each of them can be classified differently in different places (violation of legality - "violation of discipline" or "gross" violation of "extreme rudeness" - or non-compliance with professional etiquette). Accordingly, it is necessary to strictly define the scope of legal documents that correspond to the level of legitimacy, depending on the nature of the harmful consequences.

Despite the fact that the normative acts of the current legislative acts in the Ministry of internal affairs of Uzbekistan are significantly improved than the previous ones, they do not fully reflect the essence and content of this phenomenon. In our opinion, the law on newly adopted bodies of internal affairs would be appropriate if measures were taken to find a solution to these problems.

Sometimes internal departmental research suggests that "not only a breach of the rule of law, but also other negative perceptions that lead to a breach of civil rights and interests in the conduct of certain employees may serve as a basis for a complaint". This does not help to solve the problem properly. The question arises: how can this be distinguished?

Again, let's go back to the subjects of validity. They are also other evidence that confirms the validity of the point of view of narrowing and compressing the composition. In particular, violations committed by citizens, if they are consistently and inevitably eliminated by the state, will not lead to a violation of the order of legality. But as a result of the mass violation or non-fulfillment of democratic laws by unsuitable legislation or by state bodies and officials themselves for their application in life, the order of legality can quickly be disrupted.

Doubts are also expressed about the fact that the expulsion of citizens from among the subjects acting on the legislation will lead to the fact that in the implementation of legal instructions it is possible to undermine the need for them. It is difficult to agree on such opinions, because any violation committed by citizens will bring about legal responsibility established by law for the act. In fact, for decades, the recognition of ordinary offenders as simultaneously violators of "socialist legality" served neither the socialist system itself, nor the strengthening of law and order. Such an attitude leads people to officially equalize themselves with officials who

are truly responsible for legality. The interpretation of the subjects of legality as practically unlimited makes the legality a dry up phenomenon and leads to a socially "non-working", inefficient legal concentration.

Proponents of putting citizens alongside government agencies and officials cite examples of counter-arguments in defining the concept of legitimacy. This evidence is that the mass violation of the rule of law by the population can even lead to a change in the social system or the collapse of its foundations and, consequently, the whole legal order. But it is also possible to challenge this argument.

The nation is even an absolute sovereign when it comes to elected power and legislative power. Life shows that the "derogatory" discord of associations of citizens with power, as a rule, is their attitude to the "lawlessness" of the decisions taken, to the actions of the executive and judicial structures, to the inability of state agencies and authorized officials to establish the necessary degree of regularity and to ensure the simplest law enforcement. The Universal Declaration of human rights (International Covenant on civil and political rights) assesses the uprising against tyranny and contempt as a last resort, when the right to life is not protected by the power of the law, which obliges a person to use it.

Hence, the notion of legality, which is multifaceted and correct, which arises as the order of life of the state and society, the way of managing society, the principle of Legal Regulation, requires that the essence of legality in the form of the requirements of law in the actions of those or those persons is complemented in a number of aspects.

Therefore, when saying "legality", it is understood that all citizens, officials, enterprises, institutions and organizations clearly and without deviation execute and execute laws. Strict observance of the laws is a moral duty and constitutional obligation of citizens and officials.

First, legitimacy in any form (regime, method, principle, etc.) acquires meaning and is reflected positively in social life, not in any state, but only in a state based on a democratic system that recognizes the supremacy of man and his rights in social relations.

Second, the basic decisive idea of strict and unequivocal observance of laws applies not to all of them, but only to laws that are legal, that is, in practice humane, just, and express the will of the people.

Third, the requirements of legality apply not to all subjects without exception, but to those entities that, by its very nature, have jurisdiction over the public service. Only then will legitimacy be clear in content, effective, and useful in governance. Only then will it be focused on its main task - to ensure the reliable functioning of the state apparatus in the interests of the individual and society, to ensure adequate protection of human rights, including everyone, whether legally or otherwise.

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