

MECHANISMS AND TECHNOLOGIES FOR THE FORMATION OF THE LEGITIMACY OF POLITICAL AUTHORITY

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Abstract. *In this article, the author revealed a conceptual analysis of the important political mechanisms that manifest a unique form of the state administration system: the content of the concepts of legality and legitimacy, the specific technologies of the formation of legality and legitimacy in ensuring the stability and integrity of political power and the need for long-term existence. Also, he showed the effective directions of legal and legitimate relations in the support of the political power by the society as well as strengthening of trust in its activeness.*

Keywords: *legitimacy, legality, political power, state management, administrative personnel, administrative staff, human resources, government system, leader.*

Introduction

The issue of applying institutional mechanisms for harmonizing individualism and collectivism and establishing legal and legitimate political power in a democratic form for the countries that have chosen the democratic path of development is one of the current directions of modern scientific research. Difficulties in the practical solution of this issue largely depend on the development of specific directions of legalization and legitimization of political power and political regime. Because the development and implementation of socio-political, economic and legal development goals by the political system, which reflects the state's management system, represents the basis of the state's effective reforms. Today's practice shows that the main form of legalization and legitimization of state power and political power is the political regime.

Due to its ontological and social nature, political power has a need for legality and legitimacy, which in practice provides it with a desire for stability, coherence, connectedness, cooperation and long-term existence. Concepts of legality and legitimacy are not only related to the system of state power, but also reveals the qualitative aspects of the implementation of the political-legal relations, application and subordination of mutual functions between employees and managers in any organization. The relationship between legality and legitimacy is stability, and stability is the basis of development. Therefore, it is necessary to study the factors of legitimacy and legality as the most important basis for ensuring the stability, development and efficiency of the state and society. As the President of the Republic of Uzbekistan, Sh.Mirziyoyev, stated, the relationship between legality and legitimacy is an important socio-political and legal mechanism for “implementation of an effective decision-making system based on transparency in public administration”[1].

Analysis of literatures on the topic

By the middle of the 19th century, representatives of the German research school began to pay serious attention to the study and scientific analysis of the issue of the formation of legality and legitimacy of political power in connection with the theories of the origin of the state. The problem of legality and legitimacy of political power in European political theory is discussed by

M.Weber, R.Aron, K.Schmitt, J.Habermas, M.Heidegger, K.Jaspers and other scientists “existence of modern political power”, “democracy and legal legitimacy”, “revealed through scientific theories” such as “public consensus” and “normative value” [2].

The dynamic development of the concepts of legalization and legitimacy of political power mainly coincided with the 20th century, and the interpretation in accordance with the traditions of liberal-democratic thinking based on the idea of consensus and Western European political philosophy became popular during this period. Currently, many countries, according to the traditions of their political development, find it useful to study the question of legality and legitimacy - as components of the content, method and level of the exercise of political power. This formed the interpretation of the theory of legality and legitimacy as “a special political theory that reveals the management technology based on achieving social agreement and cooperation between political power structures and ensuring their support by society”.

Research methodology

It is known that based on the functional nature of state power, its main features can be shown below:

publicness - the state authority acts on behalf of the entire society, the people and has public sources of its activity;

ownership of a special apparatus - the state power exerts its influence through state bodies that form an integrated vertical and horizontal management system;

the highest authority - state power is the highest form of political power;

sovereignty - state power is considered independent in internal and external relations, in the sphere of implementation of state functions;

legitimacy - represents the recognition of state power by its people, as well as the international community;

legality - indicates that state power is formed legally (on the basis of the constitution and laws) [3].

What is the main criterion of legitimization? Two important approaches collide in answering this question.

1. According to the liberal-democratic approach, political power formed only as a result of democratic procedures should be recognized as legitimate and legal. Any political power established as a result of force and violence is not recognized as legitimate and legal.

2. According to the pragmatic approach, the main criterion is determined not only by the formation of political power through election, but also by the ability of this power to maintain socio-political, economic, and legal stability in society.

Analysis and results

In particular, sociologist M. Weber, who made a great contribution to science with his views on political power at the beginning of the 20th century, put forward important scientific and practical proposals on the formation of the legitimacy of political power in his works. According to him, the formation of the legitimacy of political power can be effectively implemented through the following mechanisms:

- 1) on the basis of affective-emotional loyalty;
- 2) on the basis of dignity and expediency;
- 3) on the basis of interest[4].

According to M. Weber's recognition, there are also internal bases that describe legitimacy, which are the institutional and functional status of political power; leadership characteristics of state managers; is a rational management organized on the basis of legality and competence. With this, M.Weber introduces two main directions into the scientific theoretical concept of the formation of the legitimacy of political power:

- the level of recognition of political authority by society;
- to create an obligation to obey the political authority for the governed class in the society.

In our opinion, the principle of legality and legitimacy of political power is a political process aimed at ensuring the voluntary consent of citizens to obey management decisions and recognizing the right of political power to exert influence. The legitimacy of the demand for political power by citizens and the entire world community can be effectively realized only if the government shows its commitment to democratic ideals, if its activities are based on the principle of respect for values and traditions. With this, the issue of legitimacy can be considered the most important feature of democratic political power.

According to M.Weber, “dominion is an opportunity to reform obedience to a specific order[5]”. Through the prism of “motives of obedience”, M.Weber distinguishes three ideal types of legitimacy:

- traditional legitimacy;
- charismatic legitimacy;
- rational-legal legitimacy.

Today's practice shows that the above selected types of legitimacy are not opposed to each other, but they are even interconnected and complementary processes.

At the current stage of rapid modernization, the main political technologies that ensure the legitimacy of political power should be focused on the following processes:

- formation of a policy consistent with national-cultural interests, values and needs;
- effective implementation of administrative management methods, personnel policy in state administration, and use of organizational, legal and political technologies of communication with the public in the provision of public services;
- ensuring national security, human security, public security, national and cultural security as political mechanisms for adequate response to threats and emergency situations;
- ensuring cooperation of political institutions with state administration bodies and participation of citizens in political processes;
- in the process of transformation of the political system, increasing the loyalty of the state and society to national and universal values.

Along with M.Weber's concept of legitimacy of political power, American political scientist D.Easton's scientific and theoretical approaches are also very popular in modern political science. For D.Easton, legitimacy is an opportunity that can ensure the stability of all components and elements of the political system.

D.Easton states that “the legitimacy of political power is a process that depends on people's adherence to moral principles and ideas about the justice and correctness of the decisions introduced by the authorities”[6].

D.Easton as sources of legitimization of political power:

- ideological-ideological processes;
- the political regime established in the country;

- connects with the management skills of the political leader.

The higher the level of legitimacy in the factor of interaction between the state and society, the freer the independent action of the political leader in the internal and external political activities of the state. Because legitimacy is the equality of all political forces operating within the law. In particular, constitutional legitimacy is the result of the long-term socio-economic, cultural evolution of the entire state and society, humanistic principles and human freedom, becoming the basic feature of the people's prosperous lifestyle. Regarding the legitimization of political power, another French political scientist, J.Chabot, defines the theory of legitimacy as “legitimacy is the recognition of the true qualities of the governing leaders by the governed and clearly expressed consent[7]”. He also distinguishes four types of legitimacy: democratic, ideological, technocratic, ontological.

According to J.Shabo, the most widespread form of legitimacy is democratic legitimacy, which he explains by the fact that it is based on the will of the majority, individual and freedom of speech, and collegial decisions, which have become an integral part of the culture of today's Western European countries.

Technocratic legitimacy is understood as the professional skill and high level of competence of managers in the management system.

Ideological legitimacy is the ideological form of the political regime of the state.

Ontological legitimacy has a political-philosophical meaning and depends on the domestic, scientific and technological characteristics of the level of understanding of political processes by a person.

Due to its socio-political nature, political power needs legitimacy, which provides it with stability, repeatability and long-term existence. Therefore, the phenomenon of legitimization of political power was formed as a result of a long historical process within the framework of all civilizations. When it comes to the legitimization of political power, we summarize the conceptual views of researchers who have conducted scientific research in this direction, and divide them into two directions: We witness the tradition of explanation in connection with the authority of subjects of political power, recognition as a system based on trust, and loyalty to political power, compliance with the requirements of political power by subordinate subjects, the ability and desire to fulfill unconditionally.

In our opinion, the process of legitimizing political power simultaneously expresses functions in the legal and political spheres. By this, the process of legitimization should be understood as an objective assessment of the right of management of political subjects on the basis of the current legal requirements of a particular country and the voluntary recognition of these legal norms by the citizens of society.

S.M.Lipset, another American sociologist and political scientist, made a great contribution to the development of the concept of legitimacy. In his views, he revealed in detail the role and importance of legitimacy in the process of maintaining the stability of the political system. S.M.Lipset states that political legitimacy is “the quality of the political system that is most suitable for the society is the ability to maintain the belief that the interests of the population, different social groups and political institutions are compatible with each other” [8].

Legitimacy cannot be imposed on any political subject through manipulation, external influence. Legitimacy is achieved in the process of communicative and perceptive action between the political authorities and the population.

Today, the most common source of forming the legitimacy of political power is the democratization of the political system and compliance with public opinion.

Conclusions and suggestions.

In conclusion, it should be noted that the category of legality and legitimacy is a mechanism for justifying and objectifying the activity of state power, and it creates an opportunity to analyze the way political power is exercised.

The quality of the most important determinants of the formation of legality and legitimacy of the political administration: establishing an agreement between the state and society on a single political system; to ensure the active participation of the masses in supporting the established political regime; is to create social, political, legal and moral resources to increase and maintain the influence of political power.

These political mechanisms are aimed at rationally establishing the system of relations between people, society and political power, and the state, with the help of its government, creates the possibility of trust and recognition of its people through the signs of involvement, responsibility and citizenship in the reforms. Consequently, the legitimacy of political power, its functioning and the fact that it is expressed in the ability to follow laws serves as the basis for both the legality and legitimacy of power.

REFERENCES

1. Address of the President of the Republic of Uzbekistan Shavkat Mirziyoyev to the Oliy Majlis. December 22, 2017. // Source: <https://president.uz/uz/lists/view/1371> - the official website of the President of the Republic of Uzbekistan.
2. А.А.Каримов. Легитимность политической власти: проблемы дефиниции и основные теоретические модели / А.А.Каримов // Известия Уральского федерального университета. Сер. 3, Общественные науки. 2015. № 1 (137). -с. 81-91.
3. R.R.Khakimov. Parliament in the system of state power: problems of theory and practice: Monograph. Publishing House of the Institute for Monitoring Current Legislation under the President of the Republic of Uzbekistan. -Т., -р.15.
4. М.Вебер. Избранные произведения. -М., 1990. -с. 639-647.
5. That work: -р. 642.
6. Д.Истон. Системный анализ политической жизни (1965) // Политология: хрестоматия / сост. М.А.Василик, М.С.Вершинин. М., 2000.
7. Ж.Л.Шабо. Государственная власть: конституционные пределы и порядок осуществления // Полис. -М., 1993. № 4.
8. А.Ф.Филиппов. Политическая социология. Фундаментальные проблемы и основные понятия // Полития. -М., 2002. № 2.