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THEORETICAL ISSUES OF ADMINISTRATIVE PROCEDURES IN IMPROVING STUDENTS' LEGAL LITERACY

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Abstract

The article analyzes the theoretical issues of administrative procedures in the process of improving students' legal literacy. The concept of administrative procedure is interpreted not only as the internal workflow of state bodies, but also as a mechanism that determines the culture of legal communication between the individual and the state. It is substantiated that the Law of the Republic of Uzbekistan "On Administrative Procedures" consolidates such principles as transparency, proportionality, the priority of the rights of interested persons, and the prevention of bureaucratic formalism in decision-making by administrative bodies, which serves as an important theoretical foundation for educational content.

Keywords

legal literacy, administrative procedure, administrative process, administrative document, procedural guarantees.

INTRODUCTION

Students' legal literacy cannot be measured merely by knowing the names of laws or by providing a definition of "what law is." The real criterion of legal literacy lies in whether a student can correctly understand their legal status in everyday life when interacting with a state authority, the administration of an educational institution, a local community (mahalla), or a service-providing organization; how they submit an application, what documents they request, when and to whom they file a complaint, and how they seek a review if a decision is unjust. At the core of these questions lies the administrative procedure, since most individual rights are realized or restricted precisely through administrative decisions. For example, registration, obtaining permits, access to social services, applications related to education, grants and benefits, various certificates, and public services are usually resolved through administrative procedures. Therefore, a strategy for improving legal literacy cannot be complete without explaining administrative procedures.

MAIN PART

The reason for considering administrative procedures as a theoretical problem lies in the fact that a procedure, on the one hand, ensures the efficiency of governance, and on the other hand, protects the legal guarantees of the individual. If a procedure is perceived merely as "paperwork," it turns into bureaucracy; if, in the name of speed, it suppresses legal guarantees, it serves injustice. At this point, the Law of the Republic of Uzbekistan "On Administrative Procedures" defines a system of principles for administrative bodies when making decisions concerning individuals, thereby transforming procedure into a legal guarantee [1]. These principles are directly relevant to the content of improving students' legal literacy: openness and transparency, providing interested persons with the opportunity to express their views, proportionality, and the prevention of bureaucratic formalism are not only important for public officials, but also serve as a powerful didactic resource for cultivating civic consciousness.

The education system must approach this issue comprehensively, since "legal culture" is an educational outcome formed through the unity of knowledge, skills, and values. The Law "On Education," by defining the social functions of education—such as comprehensive personal

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development and the strengthening of civic responsibility—provides grounds for viewing legal literacy as an educational outcome [3].

At the center of scientific and normative approaches to administrative procedures are procedural guarantees. The Law of the Republic of Uzbekistan "On Administrative Procedures" establishes a system of principles in administrative proceedings and strengthens the legal model of modern administrative governance through requirements such as ensuring the right of interested persons to express their opinions, transparency and clarity, and compliance with proportionality [1]. From a theoretical perspective, this source demonstrates that procedure is not merely a technical order, but an institution that protects individual rights through a "standard of conduct." Alongside this law, the Code of Administrative Court Proceedings establishes mechanisms of judicial review over administrative documents and actions, thereby creating an external guarantee for correcting procedural violations [2]. In the literature review, the harmony between these two sources is of particular importance: while administrative procedure represents an internal order, administrative judicial protection serves as an instrument for the external assessment of its legality.

The Law "On Education," in turn, provides a normative basis for organizing legal literacy as both the content and the outcome of education [3]. This source reinforces the necessity of viewing legal literacy not only within the framework of a single subject, but also in integration with educational activities, social cooperation, and practical competencies. At the same time, the Law "On the Openness of Activities of State Bodies" defines the legal environment in areas such as transparency, access to information, and public oversight, thereby enabling the linkage of students' "right to information" with administrative procedures [4]. This is because the practical component of legal literacy often begins precisely here: an individual learns to ask why a decision affecting them was made in a particular way, to examine documents, and to request justification.

In international approaches, the concept of "good governance" further expands the theoretical foundations of administrative procedures. The Council of Europe's recommendation on good governance systematizes the principles and rules that should be applied in the relations between public authorities and individuals, expressing the ethical and legal standards of administrative procedure [5]. This source provides a methodological opportunity to enhance learners' legal literacy by comparing universal principles with national normative frameworks and by discussing the unity of "legality and justice." Finally, in Jumanova's research—one of the contemporary pedagogical analyses on the development of legal literacy—the formation of students' legal competence is regarded as a fundamental component of civic education and is substantiated from both national and international perspectives [6]. Taken together, these sources demonstrate that explaining the theoretical problems of administrative procedures to learners cannot be limited to legal texts alone; educational effectiveness is achieved only when such explanations are considered in close connection with transparency, justice, accountability, judicial protection, information culture, and civic competence.

The first theoretical problem in the theory of administrative procedures is terminological and conceptual in nature: in practice, the notions of *procedure*, *administrative order (tartib-taomil)*, and *process* are often confused. An administrative procedure refers to a system of sequential actions carried out by an administrative authority, such as examining an administrative case, collecting evidence, hearing the interested person, substantiating the decision, and communicating it. The process, by contrast, usually denotes a jurisdictional form of dispute resolution, which includes administrative judicial proceedings. Theoretical confusion arises when any "order" is referred to as a process, resulting in the insufficient appreciation of

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procedural guarantees. National legislation reinforces this distinction in practical terms: while the general principles of internal administrative proceedings are established by the Law on Administrative Procedures, the judicial review of administrative disputes is regulated by the Code of Administrative Court Proceedings [1–2]. This distinction is crucial for enhancing students' legal literacy, because the ability of a child or adolescent to logically answer the questions "when should one apply to an administrative body?" and "when is it possible to apply to a court?" serves as a practical indicator of legal culture.

The second theoretical problem manifests itself in the balance between administrative discretion and legal guarantees. Administrative bodies often make decisions that involve elements of "free evaluation," such as selecting among several criteria, assessing conditions for granting permits, or considering security or public interests. Discretion is a natural necessity of governance, as real-life situations are infinite while legal norms are limited. However, if discretion is not constrained by procedural rules, it may lead to subjectivity, inconsistent approaches, favoritism, or a "because I said so" style of decision-making. At this point, procedural principles channel discretion into a lawful framework: requirements such as proportionality, equal treatment, the priority of the rights of interested persons, and the avoidance of excessive bureaucratic formalism link discretion to the standard of justice [1]. When this idea is instilled in students, legal literacy moves beyond "memorizing the law" to an understanding of "what guarantees ensure that a decision is fair." In other words, learners come to understand that while an authority makes decisions, those decisions must be based on evidence, be clear and comprehensible, involve hearing the individual concerned, and avoid imposing unnecessary barriers.

The third theoretical problem concerns the collection and evaluation of evidence within administrative procedures. The quality of administrative proceedings is often measured not by "who submitted more documents," but by the authority's ability to examine facts comprehensively, thoroughly, and impartially. The theoretical issue lies in the fact that in some systems, the burden of proof is placed primarily on the individual, while the authority assumes not an investigative role but merely a receptive one. Modern administrative procedure theory, by contrast, emphasizes that the authority should actively investigate and provide the individual with an opportunity to express their views [1]. This aspect can be effectively explained to students through simple, real-life examples: for instance, when a decision is made under school internal regulations, it is essential first to examine the situation, hear both sides, compare evidence, and only then reach a reasoned conclusion. When taught in this way, students perceive procedure not as a "paper requirement imposed by the state," but as a "technology of justice."

CONCLUSION AND DISCUSSION

The theoretical issues of administrative procedures have direct practical significance in enhancing students' legal literacy, as an individual's everyday legal experience is most often shaped precisely through administrative procedural mechanisms. Understanding the distinction between *procedure* and *process*, comprehending the legal limits of administrative discretion, and being aware of guarantees such as the right to be heard, impartial evaluation of evidence, reasoned decisions, and transparency strengthens a student's "legal immunity." The principles of the Law on Administrative Procedures transform procedures into a standard aimed at protecting individual rights [1], while administrative judicial proceedings provide a mechanism for restoring these rights when such standards are violated [2].

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