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CONSTITUTIONAL PRIORITIES IN THE ORGANIZATION OF FORMS OF PUBLIC ADMINISTRATION

The theme of the study contains the constitutional principles and constitutional requirements for the practical effective distribution of competent areas of government, subjects and points of power. The study analyzes the political influence of the presidential system of governance on the strategic development of the state. In addition, the constitutional requirements and the role of state power in ensuring public order and political stability in the direction of internal and external relations are discussed. As the main object of the study, the system of public administration of Kazakhstan, which has formed its place among the States of Central Asia, is analyzed. The aim of the study is a comprehensive analysis of the regularities of mechanisms of phased implementation of long-term ideas, as the main reference point of the strategic development plan of the sovereign country «Kazakhstan-2050» in the system of public administration in Kazakhstan. The problem of formation and systematization of regularities of mechanisms for the phased implementation of long-term ideas in the above-mentioned strategic development plan is an urgent priority initiative. The state can take a bold step not only by determining the future direction, but also to develop a clear system. In the period of modern global globalization, civilizational States, realizing the passed way, make bold predictions for the future. In order not to remain a global leader, developing every day, it is necessary to assess their future. The research paper describes the scientific foundations in these areas. The main results of our research work is the ranking of its sovereignty, formed on the world stage, original and self-serving in a short year, an independent state, which withdrew its sovereignty from the Soviet Government. The research paper reflects the results of diplomatic cooperation and the influence of state power in establishing relations with the States of Central Asia, as well as with the countries of the near and far abroad. The results of research work characterized by theoretical consistency, determined on the basis of methodological and scientific-methodological foundations, the consistency of results articles published in scientific journals on the part of the author, according to scientific principles of research, as well as a complete disclosure of the mechanism for preserving public order and political stability, along with strategic economic development in the management of public power. According to the Constitution, our state is an independent, democratic, legal state, which belongs to the presidential form of government. The formation and systematization of regularities of mechanisms for the phased implementation of long-term ideas in the development strategy "Kazakhstan-2050" is the most important goal for the state, and for the legal (educational) Institute a particularly valuable principle. The practical significance of the research work is that the main purpose of our Constitution is to preserve independence as Mangilik El, firmly adhering to the main principles based on the welfare of the people, peace and tranquility.

Key words: state, power, constitutional, humanization of laws, legal policy, human rights system, legislative norms, strategic development, the constitutional control, constitutional law, law.

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Мемлекетті басқару нысандарын ұйымдастырудағы конституциялық басымдықтар

Зерттеліп отырған жұмысымыздың тақырыбы мемлекетті басқарудың құзіреттілік салаларын, билік субъектілері мен тармақтарын іс жүзінде тиімді бөлуге қатысты конституциялық ұстанымдар мен конституциялық талаптарды қамтиды. Зерттеу барысында президенттік басқару жүйесінің мемлекеттің стратегиялық дамуына саяси ықпалы сараланады. Сонымен қатар, мемлекеттік биліктің ішкі және сыртқы байланыстар бағытында қоғамдық тәртіп пен саяси

тұрақтылықты қамтамасыз етудегі рөлі мен конституциялық талаптар талқыға түседі. Зерттеу негізгі объектісі ретінде Орта Азия мемлекеттері арасында өзіндік орнын қалыптастыра білген Қазақстанның мемлекеттік басқару жүйесі талданады. Зерттеудің мақсаты – Қазақстандағы мемлекеттік басқару жүйесінде егеменді еліміздің «Қазақстан-2050» стратегиялық даму жоспары негізгі бағыт болғандықтан көпжылдық идеялардың кезең-кезеңімен жүзеге асырылу механизмдерінің заңдылықтарына кең ауқымда талдау жасау болып табылады. Жоғарыда айтылған стратегиялық даму жоспарындағы көпжылдық идеялардың кезең-кезеңімен жүзеге асырылу механизмдерінің заңдылықтарын жүйелеу мен қалыптастыру мәселесі – кезек күттірмейтін өзекті бастама. Болашақ бағытын айқындап қана емес, нақты жүйеге келтіре білген мемлекет батыл қадам жасай алады. Қазіргі ғаламдық жаһандану кезінде өркениетті мемлекеттер өткен жолын өрнектей отырып, болашаққа батыл болжам жасауда. Күннен-күнге дамылдап дамып бара жатқан жаһандық көштен қалмау үшін өз болашағымызды бағамдап алуымыз қажет. Зерттеу жұмысында осы бағыттар бойынша ғылыми негіздер сипатталады. Ғылыми-зерттеу нәтижелері әдіснамалық және ғылыми-әдістемелік негіздерге сүйене отырып айқындалған теориялық дәйектілігімен, автор тарапынан ғылыми басылымдарда жарияланған материалдар нәтижелерінің үйлесімділігімен, зерттеу жұмысының ғылыми негізге сәйкестілігімен, сондай-ақ мемлекеттік билікті басқаруда стратегиялық тұрғыда экономикалық дамумен қатар қоғамдық тәртіп пен саяси тұрақтылықты сақтай білуді қамтамасыз ету механизмі мазмұнының толық ашылуымен сипатталған. Егеменді еліміз Конституция талаптары бойынша Президенттік басқару нысанына жататын тәуелсіз, демократиялық, құқықтық мемлекет. «Қазақстан-2050» даму стратегиясындағы көпжылдық идеялардың кезең-кезеңімен жүзеге асырылу механизмдерінің заңдылықтарын жүйелеу және қалыптастыру мемлекет үшін аса маңызды мақсат, ал құқықтық (білім) институт үшін аса құнды қағида болып саналады. Зерттеу жұмысының тәжірибелік маңызы Ата Заңымыз – Конституциямыздағы халықтың игілігіне, бейбітшілік пен тыныш өмірге негізделген басты ұстанымдарды берік ұстанып, Мәңгілік ел ретінде тәуелсіздігімізді қастерлей білу, әлемдегі дамыған елдердің қатарынан бой көрсету болып табылады.

Түйін сөздер: мемлекет, билік, конституция, заң нормалары, саяси тұрақтылық, қоғамдық тәртіп, стратегиялық даму, конституциялық бақылау, конституциялық заң, заң.

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Конституционные приоритеты в организации форм государственного управления

Тема исследуемой работы содержит конституционные принципы и конституционные требования к практическому эффективному распределению компетентных областей управления государством, субъектов и пунктов власти. В ходе исследования анализируется политическое влияние президентской системы управления на стратегическое развитие государства. Кроме того, обсуждаются конституционные требования и роль государственной власти в обеспечении общественного порядка и политической стабильности в направлении внутренних и внешних связей. В качестве основного объекта исследования анализируется система государственного управления Казахстана, которая сформировала свое место между государствами Центральной Азии. Целью исследования является всесторонний анализ закономерностей механизмов поэтапной реализации многолетних идей, так как основной ориентир стратегического плана развития суверенной страны «Казахстан-2050» вделается на систему государственного управления в Казахстане. Проблема формирования и систематизации закономерностей механизмов поэтапной реализации многолетних идей в вышеназванном стратегическом плане развития – актуальная первоочередная инициатива. Государство может сделать смелый шаг, не только определив будущее направление, но и выработав четкую систему. В период современной глобализации цивилизационные государства, осознавая пройденный путь, делают смелые прогнозы на будущее. В исследовательской работе описываются научные основы по этим направлениям. Результаты научно-исследовательской работы характеризуются теоретической последовательностью, исходя из методологических и научно-методических основ, согласованностью результатов материалов, опубликованных в научных изданиях со стороны автора, соответствием научной основы исследовательской работы, а также полным раскрытием содержания механизма обеспечения сохранения общественного порядка и политической стабильности, наряду со стратегическим экономическим развитием в управлении государственной властью. Основными результатами нашей исследуемой работы является ранжирование своего суверенитета, сформированного на мировой арене, самобытным и самообслуживаемым за небольшой год независимым государством, выведшим из состава Советского Правительства свой суверенитет. В исследовательской работе отражаются результаты дипломатического взаимодействия и влияния государственной власти в налаживании взаимоотношений с государствами Центральной Азии, а также со странами ближнего и дальнего зарубежья. По Конституции наше государство – независимое, демократическое, правовое государство, относящееся к президентской форме правления. Формирование и систематизация закономерностей механизмов поэтапной реализации многолетних идей в стратегии развития «Казахстан-2050» является важнейшей для государства целью, а для правового (образовательного) института особо ценным принципом. Практическая значимость исследовательской работы заключается в том, что основной целью нашей Конституции является сохранение независимости, как Мәңгілік ел, прочно придерживаясь главных принципов, основанных на благополучии народа, мире и спокойствии.

Ключевые слова: государство, власть, конституция, законодательные нормы, политическая стабильность, общественный порядок, стратегическое развитие, конституционный контроль, конституционный закон, закон.

Introduction

Our main goal is to reach the level of the 30 most developed countries of the world by 2050. For the Strategy "Kazakhstan-2050" is a continuation of the harmonious development of the Strategy" Kazakhstan – 2030 " on a new political course. As it was noted "The world crisis confirmed that we have taken place as a state and society. Our borders, political system, economic model are no longer the subject of serious disagreements and discussions either inside or outside the country. To achieve the main goal, Kazakhstan's development model should be the basis of a new political course.

To understand the interaction of national and international interests in our legal state, the correct definition of these categories is of great importance. Let us consider the essence of social interest in the conditions of development of legal statehood in the modern period.

National emerged and exists as a reflection of the processes of formation and development of Nations: ethnic (language, culture, custom, rituals, traditions), slowly undergoing change, is a non-class or conservative side of the national (Kulichenko 1983: 20), changing simultaneously with the transformation of the living conditions of the people. National interests are always formed at the level of class interests. Therefore, the class interests of the proletariat coincide with the international interests of the peoples, that is, the position of the working class in society is not national, but international.

Thus, national interests consist of the national-specific, arisen in special conditions (geographical environment, etc.) and national (international), equally relating to all Nations and nationalities. Common interests contribute to the unification of Nations to achieve a common goal.

Our Republic is developing according to a specific formula: "first-the economy, then-politics" political reforms carried out in our country are linked to the level of the economy, we are consistently moving along the path of political liberalization, approaching high standards of democratization and human rights. The Constitution enshrines the fundamental rights and freedoms of citizens with equal rights and opportunities. N.A. Nazarbayev noted that "Peace and harmony, dialogue of cultures and religions in our multinational country are rightly recognized as the world standard. The Assembly of people of Kazakhstan has become a unique Eurasian model of dialogue of cultures. Kazakhstan has become a center of global interfaith dialogue" (Agdarbekov 2013: 13).

The new policy course highlights the importance and role of the state language and outlines specific tasks in this direction.

The concept of local self-government was approved, which allows to improve the quality of management at the aul, rural level, which will expand the participation of citizens in solving issues of local importance. It is envisaged to create a National Commission on personnel policy, a fundamentally new class of professional managers-corps A, which is responsible for the implementation of specific areas of state policy. At the same time, it is specified that "from now on, a civil servant must move up the career ladder in stages, moving from one step in the hierarchy of power to another, improving his skills and improving his professional level.

The message States that "special responsibility for the implementation of the new strategic course "Kazakhstan-2050" lies primarily with the Kazakhs. We must not forget that we can give an adequate response to the challenges of the time only if we preserve our cultural code: language, spirituality, traditions and values."

Scientific methodology:

- Research question: according to the Constitution, our state is an independent, democratic, legal state, which belongs to the presidential form of government. The formation and systematization of regularities of mechanisms for the phased implementation of long-term ideas in the development strategy "Kazakhstan-2050" is the most important goal for the state, and for the legal (educational) Institute a particularly valuable principle.
- Proposed hypothesis: in the organization of public administration facilities it is necessary to form a systematic mechanism for the implementation of long-term ideas in the strategy "Kazakhstan-2050"
- Stages of research: 1-stage: 2015-2016y,2-stage: 2017-2018y, 3-stage: 2019-2020y.
- Research methods: the Results of research work characterized by theoretical consistency, determined on the basis of methodological and scientific-methodological foundations, the consistency of results articles published in scientific journals on the part of the author, according to scientific principles of research, as well as a complete disclosure of the mechanism for preserving public order and political stability, along with strategic economic development in the management of public power.
- Results of the study: the Main results of our research work is the ranking of its sovereignty, formed on the world stage, an original and self-serving independent state in a short year, which withdrew its sovereignty from the Soviet Government. The research paper reflects the results of diplomatic cooperation and the influence of state power in establishing relations with the States of Central Asia, as well as with the countries of the near and far abroad.

Results and discussion

The strategy "Kazakhstan-2050" is a new policy for further improvement of national statehood in Kazakhstan. The new task before us requires strengthening the vector of further development of our national state for the long term.

In our opinion, on the basis of the "Strategy Kazakhstan-2050" there is a need to deepen, objective development, prospects for the development of interethnic relations and to determine the important role of national statehood in our country is of particular importance. National-state building as a process and an integral part of the mechanism of any state is associated with an adequate reflection in

the theoretical concepts of concepts such as "class", "national" and "ethnic", "international", " national consciousness "and "psychology". Clarity of ideas helps to determine the patterns of development of this contradictory process. At a particular stage, a very important conceptual reflection of the specific measures of state and legal impact on the development of national (interethnic) relations, which could serve as a real stimulus for the social progress of all Nations and nationalities. At the same time, it is necessary to understand the fact that the process of unfolding the spiritual potencies of each nation is a process of self-movement. Its development is provided by national and state forms. It is very important to always bear in mind that these forms can never fully encompass the movement of all internal connections.

The basic principles of national-state construction in Kazakhstan are enshrined in the Constitution of the Republic of Kazakhstan of 1995. Taking them into account in the practice of national-state development is an indispensable condition for the coordination of international (national) and national-state interests, the resolution of contradictions between the modern national-state form of organization of public life.

In the development of national statehood in Kazakhstan from the first days of independence, the interaction of national and international interests was taken into account, but this issue is not specifically investigated, although many works have been published on the unity of national and international in the functions of national statehood and the scientific significance of such development in modern conditions becomes a necessity.

Scientists from different positions come to the definition of interest. Some, denying the objective nature of interests, recognize their subjectivity, noting that interest is not "narrative motives in the way people think", but "motor impulses of their behavior" (Mikhailov, 1965: 62). G.p. Kovalevsky defined interest as "an act of consciousness relating to the field of volitional relations" (Kovalevsky, 1967: 157).

According To S. p. Makarov, interest can be attributed to the specific orientation of people to meet their needs (Makarov, 1972: 111). T.A.Kuliyev (Kuliyev, 1967: 9), A.G. Zdravomyslov (Zdravomyslov, 1964: 29) consider interest as a unity of objective and subjective.

In our view, it is impossible to deny the objective nature of interests, as well as to explore the objective and subjective in unity. We agree with S. Sabikenov, who believes that interests are

an expression of the objective attitude of people, collective, class, etc. to the phenomena and objects of their surrounding reality, contributing to their existence and development as members of society (Sabikenov, 1986a: 18).

The emergence of national interest in the conditions of various forms of state construction is a natural process of development of objective tendencies, which were manifested in accordance with the level of development of the material life of society, material relations, which created the possibility of forming certain necessary interests. In addition, the formation of various forms of national statehood on the basis of self-determination of Nations is a manifestation of their conscious interest, which acts as an incentive for conscious and purposeful development.

The definitions of national in the legal literature are largely debatable. G.M. GAK to the national interest include "territorial independence and inviolability of Nations, its freedom from oppression and oppression by other Nations, freedom to develop their economy, language, culture" (GAK. 1960: 67). Some authors (Gorbachev 1966: 18), proceeding from the erroneous assertion that the national question in the Soviet period was resolved, identify national and national interests with specific interests, without taking into account the interests of other Nations. The main drawback of this form of control is that it allows the constitutional control bodies, in case of recognition of the law as inconsistent with the Constitution, indirectly "invade" the competence of the legislative body, interrupt the parliamentary administration, question the professionalism of the deputies who adopted an unconstitutional act (Karaev, 2016 a: 15). Common interests, which create conditions for interethnic interaction, are common interests (Lenin 352). At the same time, these interests as a result of the objective attitude of peoples, Nations and classes are divided by a number of authors into economic, social and political (Sabikenov, 1986 b: 12). There is also no doubt that the political component of the preliminary form of protection of the Constitution should be taken into account when carrying out constitutional control, since the initiation of the question of considering the law for constitutionality, under multi-party regimes, is to some extent one of the forms of political struggle, which, turning to the highest constitutional authority, hope to restore "justice" and achieve their desired goals. It is possible that taking into account these circumstances in modern political conditions is not so important, but it is possible that in the future, when the political climate changes, the Constitutional Council will

need to take into account these factors (Karaev, 2016 b: 15). Over time, more and more important in the law begins to acquire legislation that allows to combine the principles of dynamics and stability, the unification of the rules of conduct and the rules of their application in large areas (villages, cities, districts, regions, national States, Federal States, unions of States, etc.). The legislation allows not only to arrange logically, in the form and the contents the rules of behavior developed by consciousness and polished in practice, but also to apply in a uniform enough powerful state apparatus for maintenance, updating and implementation in life of norms of the legislation.

However, the organization and unification of a complex legal system, including hundreds of thousands of normative legal acts of different state bodies is impossible without a hierarchy of normative legal acts and special principles on which the legal system is built. The basic principles defining the goals and boundaries of the development of legislation are necessary, and all this is impossible without the basic normative legal acts, which determine the genetic code or the algorithm of the development of legislation. These basic normative legal acts, basic laws are called constitutions. At the same time, constitutions are the most generalized, systemic, synthetic and "axial" normative legal acts. The main legal acts that organize certain aspects of legal entities, subsystems of law, subjects of federations, etc. can be diverse. There are, for example, the basic acts of a legal entity (companies, firms, institutions, organizations, etc.) – their statutes, organizing activities and subordinating all other acts. At the same time, they must comply with the current legislation. In theory, they are not considered to be normative legal acts due to the fact that they are adopted by legal entities themselves, and not by state bodies. But, apparently, it would be more correct to refer them to the state-sanctioned normative legal acts of self-regulation of legal entities.

However, the constitutions of States, as if linking into a single whole the system of their normative legal acts, at the same time constitute the Foundation for the construction of the entire system of legislation, occupy a special place in it. They to a certain extent set the General Tone, rhythm, direction of legal development (Udartsev, 2013: 17).

However, it is more difficult to determine the legal nature of the act of the constitutional Council, in the order of preliminary control, recognizing as inappropriate the law adopted by the Parliament, but not entered into force. Whether such "recognition of conformity or non-conformity with the Constitution" is normative. Obviously, Yes, because by its decision the constitutional Council

creates a binding rule. First, if such a law is found to be unconstitutional, it cannot be signed; second, the Council's decision removes uncertainty about the constitutionality of the law; thirdly, the issue of the normative competence of the legislative body is resolved, and, fourthly, the regime of constitutional legality in the activities of the Parliament and its Chambers is ensured.

By establishing the conformity of legislative acts with the Constitution, the constitutional Council also decides on some positive functions. Taking part in the legislative process, but also acts as a co-legislator, whose legal positions have a stimulating effect on the process of improving the current legislation, thus increasing the constitutional culture and legal awareness of the participants of the legislative process. It is also important to note that, recognizing unconstitutional laws, the Council not only provides the mode of constitutional legality, but also casts doubt on the professionalism of the Deputy corps, eroding his authority and the presumption of good faith of the legislator, at the same time actualizing the problem of the constitutional responsibility of the Supreme bodies of state power as an integral part of the mechanism of protection of the Constitution.

Conclusion

Thus, considering the problem of the concept and classification of laws, it should be noted that in different countries it is solved differently. For example, in countries with the Anglo-Saxon legal system and countries that have experienced its influence, the term "law" is understood not only in a narrow sense as an act of Parliament regulating a certain sphere of public relations, but also in a broad sense. Any rule of positive law subject to judicial protection is recognized as such. The law, thus, loses signs of the regulatory legal act and dissolves in system of the legislation. Due to the established tradition in this group of countries there is still no division of laws into constitutional and other. Therefore, the constitutions of these countries do not contain a list of normative acts that can be subject to constitutional control.

From our point of view, the gap can be filled either by the Parliament itself or by the Constitutional Council in the interpretation, which can set the measure and limits of permissible norm-making by the President. This problem is relevant in the context of legal protection of the Constitution and needs legislative regulation. It is most expedient to adopt an independent law, in which it is necessary, first of all, to establish the goals and subject of delegation. It is also necessary to establish certain forms of control over the laws that can be adopted in this order, enshrining in the Constitution the provision on their mandatory consideration in the constitutional Council, as well as decrees that have the force of law (Karaev, 2016 b: 17).

The main results of our research work is the ranking of its sovereignty, formed on the world stage, original and self-serving in a short year, an independent state, which withdrew its sovereignty from the Soviet Government. The research paper reflects the results of diplomatic cooperation and the influence of state power in establishing relations with the States of Central Asia, as well as with the countries of the near and far abroad.

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