

**State Administration in Uzbekistan and Need for
Decentralization?**

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1. Introduction

The collapse of the Soviet Union in 1991 is perhaps the most significant political event of the second half of the twentieth century, one that among other things offered the promise of greater freedom and democracy through radical structural transformation of its component republics. The Republic of Uzbekistan, formerly part of the Soviet Union, has been an independent republic since 31st of August, 1991 and declared September 1, 1991 the Day of Independence. The new country appeared on world map and its priorities were to establish a free democratic society and to develop a market economy. The Republic has been recognized by more than 165 countries and diplomatic relations have been established with more than 120. Uzbekistan plays major role in politics and economics in region.

"Uzbekistan is, in fact, the prime candidate for regional leadership in Central Asia."¹

...One of the most important questions for the development of these alignments is their expansion into Central Asia; in this context Uzbekistan's role is crucial. Uzbekistan is the only Central Asian state to pursue a proactive and independent foreign policy, as exemplified in its relations with both its neighbors and great powers²...

Radical transformations, which, taking place in all former Soviet societies, not only destroy but also shape new systems and patterns of social and economic life as well as political and administrative relations in many states of the former Communist block.

The main aim of this study is to concentrate on the analysis of the structure and practice of state administration in the Republic of Uzbekistan, there is a vital need to focus on the constitutional underpinnings of the system of state administration and the way that system operates in practice. My main purpose is to show a great demand for decentralization and strengthening of local self-government which would provide more influence over decisions-making. The analysis will be informed by a series of questions with reference to the relationship between constitutional choices and the workings of the state administration in the Republic of Uzbekistan. The Constitution of the Republic of Uzbekistan set the framework within which public power is exercised. It also defined the territorial distribution of power within a state, set out a more or less detailed framework of governmental institutions, and defined the relationship between these institutions and the citizenry. Before outlining the main structure of state administration in Uzbekistan, and illustrating the way it works in practice, it is worth going back to the roots of

nation-state formation in the Central Asian region. These roots are still viable and visible today, due to the distinctive emphasis that countries of Central Asia place on tradition.

2. Development since Independence and the Formation of the State Administration in Uzbekistan

After becoming an independent state in 1991, Uzbekistan's government began to pay considerable attention to solving primarily economic, political and social problems. One of the most immediate issues was the stabilization of the political environment, especially the neutralization of extremist political groups, and the resolution of inter-ethnic tensions. The bloody ethnic clashes of pre-independence years in the Ferghana Valley (1989-1991)³ had destabilized life in some parts of Uzbekistan and in the region. The continuous escalation of inter-ethnic conflicts after independence threatened to slip out of control. Meanwhile, Uzbekistan and other Central Asian republics' state institutions (which had been almost paralyzed by Gorbachev's inconsistent reforms and by a power struggle between the central and peripheral republics in the late 1980s), vitally needed reinforcement. Maintenance of stability in the rapidly changing political environment was impossible without a strong government policy. The status of the ruling elites, and the very existence of entire political systems, was challenged by the rising strength of numerous opposition groups which embraced a wide spectrum of views – from extreme nationalism to Islamic radicalism.

Last but not least, there was a desperate need for the creation of national economic systems and the transformation of the former Soviet administrative-command management mechanism into a balanced and stable system of sound market-driven institutions. Islam Karimov became the leader of Uzbekistan in 1989 and President in 1990. He had been the Finance Minister from 1983 to 1986. President Karimov was the first among Central Asia's leaders to give wide application to the idea of "political stability at any cost" and represented the conservative technocratic elite⁴. He rejected any radical political or economic reforms and declared his "own way of renovation and progress," targeted at the establishment of a "socially oriented market economy through gradual changes⁵." He called for a "study and apply" approach for a successful transition of his country to prosperity and strong development. In terms of international relations, he promoted the idea of Uzbekistan as a strong regional power⁶ and he promised that under his leadership the country would become a "new economic tiger." In the post-Soviet era, the only way for Karimov to get

credibility was to halt the social unrest and to preserve the standard of living among the rapidly growing population. During the first stage of independence, Uzbekistan leaders focused their efforts on maintaining economic stability and slowing down economic decline, without implementing any radical economic or political transformation. They preferred to keep everything under control in accordance with the old order and to move very slowly, rather than to make radical reforms and to face unpredictable consequences. Their old fashioned conservative policy and the authoritarian style of “Party rule” evoked sharp criticism from democratically oriented local intellectuals, and especially from Russian democratic circles.

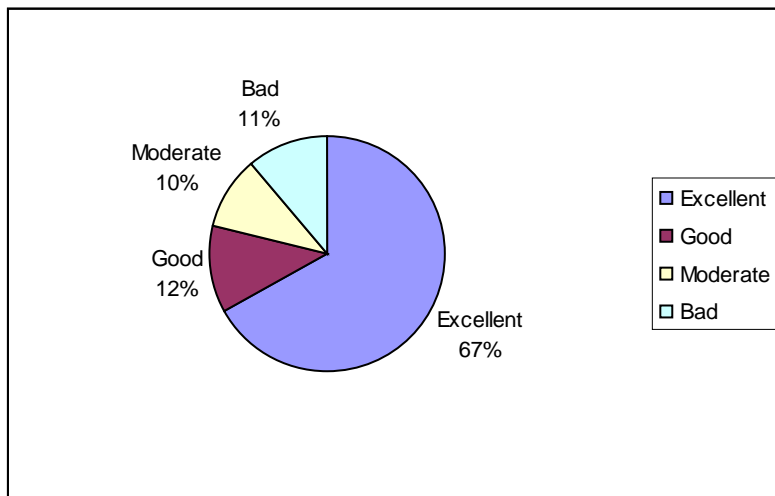
However, even the critics gave credit to the Uzbek leadership for maintaining stability in this potentially explosive environment. In general, Uzbekistan confronted a complex of seemingly intractable environmental, ethnic, and political problems, which appeared and intensified after its unexpected independence. However quickly the ruling elite of Uzbekistan consolidated its political power, the creation of a sustainable economic system proved to be a challenging task, which could not be resolved overnight. Since achieving independence, Uzbekistan has also started the formation of its state administrative institutions.

The development of the state administrative institutions in Uzbekistan has not only been influenced by internal factors, such as circumstances of the Soviet disintegration and the political orientation of the elites, it has also been affected by some cultural and political traditions of the pre-Soviet and Soviet era. Historically, Uzbekistan, as well as other Central Asian countries, never had the independent state institutions in the modern sense. While Western European countries have developed their state and public institutions for many centuries, Central Asian states, including Uzbekistan, experienced stagnation. Immediately after independence, Uzbekistan did not have any clear picture in the way of organizing its state administration. Moreover, Uzbekistan, like all other Central Asian states, faced difficulties in obtaining expertise in developing its state administration. The government of Uzbekistan did not have enough specialists in state administration. The cadre problem has been solved primarily in two ways.

The first was the recruitment of representatives who had worked in public administration during the Soviet times. The second was the recruitment of locals from various academic and research institutions. The academic circle plays a very important role in the formation of Uzbek state and public administrative institutions by providing both important guidelines for public

administration and public policy, and professionals for governmental institutions. This practice is quite unique and different from the Soviet and Russian experience. From the very beginning, the leaders of Uzbekistan, who did not possess any experience in modern state and public administration, made extensive use of local academic expertise, although they sometimes recruited foreign experts as well. In general, Uzbekistan was able to mobilize all its human resources and existing expertise and create working state and other public institutions within a short period of time.

The formation of state and public administration is a complex process, which involves a number of political institutions and individual or group actors. As a part of this study, a survey was conducted in different regions of Uzbekistan on the formation and functioning of state institutions in Uzbekistan. The first question of the survey attempted to evaluate the experts' ⁷ opinion on how successfully the state institutions in Uzbekistan had been developed. The experts were asked: "In your opinion how successfully have state institutions been developed in Uzbekistan?"



The survey results show that in spite of different opinions on this question, one can conclude that the majority of local experts believe that Uzbekistan succeeded in the formation of its state institutions.

3. How is power shared between different state levels in Uzbekistan as a centralized state? and in practice ?

The Constitution of Uzbekistan contains many well-known features of a democratic state, i.e., the separation of state power into legislative, executive and judicial branches, the creation of a local-self government system, etc.

Constitutional Model of Democracy in Uzbekistan and Common Criteria of Democracy

Criteria of Democracy from Constitution ⁸	General Criteria of Democracy
"...affirming their commitment to the ideals of democracy and social justice" (from the Preamble)	
The people are the sole source of state power. State power in the Republic of Uzbekistan shall be exercised in the Constitution of the Republic of Uzbekistan and the laws passed on its basis. (Article 7)	Rule by people. Constitutions (written or unwritten).
The principle of the separation of power between the legislative, executive and judicial authorities shall underlie the system of state authority in the Republic of Uzbekistan. (Article 11)	Separation of power.
Democracy in the Republic of Uzbekistan shall rest on the principles common to all mankind, according to which the ultimate value is the human being, his life, freedom, honor, dignity and other inalienable rights. (Article 13)	Guarantee of liberties and freedoms. Protection of rights.
Part Two freedoms, rights and defined duties.	Guarantee of liberties and freedoms. Protection of rights.
Guarantee of freedom of association. (Chapter 13)	Guarantee of liberties and freedoms. Protection of rights.
The mass media shall be free and act in accordance with the law. It shall bear responsibility for trustworthiness of information in a prescribed manner. (Article 67)	Free media without censorship as realization of the freedom of speech.
Electoral system with equal, universal suffrage and direct secret ballot. (Chapter 23).	Electoral system with universal suffrage by secret ballots

The constitutions of four other Central Asian countries all have similar provisions, and in none of them were statements made that their democracies are specific and incomparable to Western democracies. The model of democracy presented in the constitutions is quite westernized. But in reality, the system of state and public administration in Uzbekistan, as well as in other Central Asian countries, has been keeping many features of the previous Communist (Soviet) regime. As a result, the administrative structure of Uzbekistan is still centralized and highly politicized. The constitution of Uzbekistan characterizes its political system as secular and democratic in which sovereignty resides only in the people. It also emphasizes the separation between church and state to avoid giving the state an Islamic flavor and provides a legal basis for banning rival political parties with religious orientation. The governmental system in Uzbekistan is republican and

closer to a presidential rather than parliamentary system. Although the constitution limits the period of presidential rule, it has been twice extended. Thus, Uzbekistan's president resembles Third World authoritarian presidents-for-life. A concrete example of this trend was the prolongation of the presidential term from five years to seven years at the recent popular referendum, which was conducted in January 2002 and considered by many international observers unfair and unnecessary.⁹ In this chapter we will look at the structure of state administration institutions according to the constitution and discuss the practice of their functioning.

The Executive Branch

The office of the president of the Republic, first established in 1990, is the central position in state administration and the keystone in the national political system. Presidential authority in Uzbekistan is considered a key element in the development of the new Uzbek State, a kind of warrant for stability in society and for the successful advance of Uzbekistan along the path of reforms¹⁰. According to article 89 of the Constitution; the president unites the powers of head of state and head of the executive branch. The president is therefore also chairman of the Cabinet of Ministers, the highest executive body. The president is elected for seven years, formerly five years, through universal suffrage. His executive powers are extensive. Included among them are the rights to form a government, direct the government and appoint and dismiss the prime minister and cabinet ministers; to appoint and recall diplomats; to establish and dissolve ministries; to appoint and dismiss the procurator-general and his deputies; to nominate appointees to the constitutional court, supreme court and board of the central bank; to appoint and dismiss judges of regional, district, city and arbitration courts; to appoint and dismiss hokims for violations of the law; to suspend or repeal acts of hokims; to sign all laws of the Oliy Majlis or return them for reconsideration; to declare a state of emergency; to serve as commander-in-chief of the armed forces; to declare war; to rule on matters of citizenship; to issue amnesties and pardons; and to appoint and dismiss heads of the national security service. The president also enjoys personal immunity. Parliamentary deputies also enjoy immunity from prosecution, but are subject to the sanction of the parliament. No such restriction is placed on the immunity of the president. After his state service, the president becomes a lifetime member of the constitutional court. Beneath the president, executive agencies no longer exercise the dominant power of their

predecessors in planning and distributions functions, but instead play more the role of coordinator and regulator of economic policy. Numerous ministries have been replaced by more flexible and market oriented economic amalgamations, associations, corporations and holding companies, while responsibility for regulating external relations is shared by such bodies as the Ministry of Foreign Affairs, the Ministry for External Economic Relations, the National Bank for External Economic Activity and other specialized institutions. In practice, the current system of government in Uzbekistan can be described as a presidentialship, mixing the elements of both republicanism and autocracy, with a strong presidential administration and a distinguishing leadership, institutionalized by the President's post and embodied by President Karimov. The most important matters in the Republic of Uzbekistan are determined not in Parliament or even in the government but by the president. Presidentialship explains why state and public administration changes are so slowly initiated and put into practice. The authority of carrying out important reforms rests in the presidential bureaucratic structure, almost unchecked, where the legislative and judiciary branches exercise a very weak control over their executive counterpart. As a consequence, there are no incentives or pressure to change, beneficial for the "presidential" people, public administration structure. There have been only two presidential elections in Uzbekistan. The decisions made by the president are implemented from top to bottom at the central level by government and his ministries and agencies; at the local level by heads of the local state administrations and their offices which represent the state power in the oblasts, rayons, cities and ayls.

The Legislative Branch

The supreme state representative body shall be the Oliy Majlis(the Supreme Assembly) of the Republic of Uzbekistan that exercises legislative power (Article 76)¹¹.Oliy Majlis of the Republic of Uzbekistan consists of two chambers - Legislative chamber (bottom chamber) and Senate (top chamber). Term of powers of Legislative chamber and Senate of Oliy Majlis of the Republic of Uzbekistan - five years.

The Oliy Majlis consists of deputies elected by territorial constituencies on a multi-party basis for a five-year term. The number of seats in parliament by the parties shows that coalition

of any two parties will not overcome the group of representatives of the executive. As the republic is a presidential one, parties do not form the government. In discussing the nominees for the offices in the government the party factions in Parliament do not form coalitions.

The political programs of all four current political parties essentially say the same:

1. Creation of market economy.
2. Establishment of a democratic state with rule of law (civil society).
3. Creation of class of property.

All the parties are concerned about environmental problems; they seem to take care equally of white-collar and blue-collar workers, businessmen and farmers. There is no class or group within a class specific to a party – what classically a party is supposed to be. Also, party programs do not differ essentially, parties do not form cabinets; they do not form opposition to the faction that consists of representatives of the executive. As a result, the executive branch controls the legislature. The Uzbek constitution outlines the powers of the Oliy Majlis (Chapter 17). It is charged with initiating and passing legislation, as well as executing policies through committee work. It meets twice a year plus special sessions, and holds both public and closed sessions. The constitution grants similar legislative authority to the president, thus throwing into question the actual powers of the legislature. In fact, the legislature spends most of its time in session discussing and passing presidential proposals and decrees, which suggests that it is not the effective rule-making body of Uzbekistan. Oliy Majlis adopts and amends the Constitution and laws of Republic of Uzbekistan; legislatively regulates customs, currency and credit systems, problems of the administrative-territorial structure, and alteration of frontiers of the Republic of Uzbekistan; and approves the state's budget. Oliy Majlis nominates elections to Oliy Majlis of Uzbekistan and local representative bodies; elects the Constitutional Court, Supreme Court, Higher Arbitration Court of the Republic of Uzbekistan, ratifies the decrees of the president on the appointment and removal of the higher officials of the country; ratifies modifications of organs of state management; ratifies international treaties and agreements; and realizes other activity. The right to initiate legislation in the Oliy Majlis of the Republic of Uzbekistan is vested in the President of the Republic of Uzbekistan, the Republic of Karakalpakstan through the highest body of state authority, the deputies of the Oliy Majlis of the Republic of Uzbekistan, the Cabinet of Ministers of the Republic of Uzbekistan, the Constitutional Court, the Supreme Court,

the Higher Arbitration Court and the Procurator General of the Republic of Uzbekistan. The Oliy Majlis of the Republic of Uzbekistan shall pass laws, decisions and other acts. Any law shall be adopted when it is passed by a majority of the total voting power of the deputies of the Oliy Majlis. The Parliament in Uzbekistan is considered by the constitution as the supreme legislative and representative body. In 2005 it was decided that Uzbekistan has a bicameral parliament, with competence more or less clearly divided between the two chambers. The lower chamber works out drafts and assembles in sessions, and the permanent upper chamber is to be made up of professional politicians. Two main reasons were presented to have a bicameral parliament: to have professional politicians in parliament and to protect interests of the regions (viloyats). It is proposed that the Lower Chamber be elected by popular vote and develop draft legislation, while the Upper Chamber is to be elected by local government bodies. The Central Government is supposed to report to the Upper Chamber. Given the strict control of the executive over local representatives' bodies, these regulations means that the Government will report to itself and is not accountable. The Lower Chamber is supposed to submit drafts to the Upper one to pass. That means that the executive branch strictly controls the legislature. The figures for the size of the Chambers were not given prior to the referendum, neither have they been provided until now. The Chambers will be slightly larger than the current parliament because the size of parliament has budgetary limitations. It is assumed that an elected member on the Upper Chamber will not hold offices, as a sign of their independence from the executive, and each of them will tend to his/her professional (business) responsibilities after the expiration of their parliamentary mandates. There are no essential differences in Uzbekistan, with the exception of Karakalpakstan, to justify the proposed structure for bicameralism. Besides, permanent efforts are being made to overcome "regionalism." Bicameralism may only be justified if the second chamber is not an "upper" one but both are equal, and the second chamber is formed of an equal number of representatives of Karakalpakstan and the rest of the territory of Uzbekistan, with likely representation of other ethnic, linguistic, and cultural minorities. That would mean the formation of a federation, or confederation.

However, Uzbekistan is not a federal state, and the bicameral structure may slow down the legislative process and does not necessarily improve the quality of legislation being passed. In reality, the supremacy of legislative power of the Uzbek parliament is restricted by "extra-

legislative procedures', such as presidential decrees that have the force of law, and the delegation of legislative rights of parliament to the President. The majority of draft bills in Uzbekistan are thus initiated by the President and his Cabinet of Ministers. In reality, the legislature spends most of its time in session discussing and passing presidential proposals and decrees, which suggests that it is not the effective rule-making body of Uzbekistan. The Constitution of Uzbekistan makes no mention of the parliamentary function of control over the government.

The Judicial Branch

The judicial system in the republic consists of a Constitutional Court, a Supreme Court and a Higher Economic Court, along with the Supreme Court and Economic Court of the Republic of Karakalpakstan. The judges of these courts are elected for a term of five years. The judicial branch also includes regional, district, town and city jurisdictions. Tashkent city courts and arbitration courts are appointed for a term of five years. The Constitutional Court hears cases relating to the constitutionality

of acts passed by the legislative and executive branches. The Constitutional Court judges the constitutionality of the laws of the Republic and other acts passed by the Oliy Majlis, decrees issued by the president, enactments of the government and ordinances of local authorities, as well as the obligations of the Republic of Uzbekistan under interstate treaties and other documents. It confirms the constitutionality of the Constitution and laws of the Republic of Karakalpakstan and the Constitution and laws of the Republic of Uzbekistan; and it interprets the Constitution and the laws of the Republic of Uzbekistan. The Supreme Court is the highest judicial body of civil, criminal and administrative law. It supervises the administration of justice by the Supreme Court of the Republic of Karakalpakstan, as well as by regional, city, town and district courts. Its rulings are final and binding throughout the republic. Any economic and management disputes that may arise between entrepreneurs, enterprises, institutions and organizations based on different forms of ownership are settled by the Higher Arbitration Court and other arbitration courts within their authority. Although some steps towards establishing a powerful judiciary and strengthening the independence of judges have been taken in Uzbekistan, this branch of power remains the weakest. The judicial system in Uzbekistan remains similar to the Soviet system, and modernization has not yet significantly changed the administration of justice in Uzbekistan. In theory, the judiciary is independent; in practice, however, its capacity to function as an

independent branch of government is limited. While the constitution describes the legislature as the highest organ of power, in fact Uzbekistan has a unitary, presidential form of government. In reality, the branches of government are not coequal or balanced; the executive branch, as mentioned above, is dominant in virtually all matters. The president acts as the head of state and the executive authority in the republic and there are no meaningful lower tiers of independent authority (i.e., federal divisions). Like all other components of its institutional system, the judiciary is affected by various informal practices in Uzbekistan, namely clan structure and the current political context. It would not be an exaggeration to say that justice still belongs to and serves the state.

Local Government

The structure and system of local government has been established according to the Law on Local Public Administration, adopted on September 2, 1993. The structure of government at local level consists of two systems: 1) the system of the local state administration and 2) that of the local self-government. Local governments are subdivided into regional, district and city administrations. In addition, self-governments also operate locally, although they are not part of the central state administration. Local government activities are detailed in the seven chapters and 20 articles of the law. Article 1 states that the local representative authorities at the regional, district and city levels are the local councils, whose full name in Uzbek is “Councils of People’s Deputies.” In relation to article 99 of the Uzbekistan Constitution, local councils at all levels are headed by a chairman, or hokim (hokim is translated as deputy ruler). Regional, district and city hokims also function as the head of the local executive branch, or hokimiyat. Setting up a new system of local government in line with constitutionally defined principles marked the final step in the process of government reform in Uzbekistan. Local government authorities are shared between local council and the hokimiyat. The institution of the hokim is the central part of the new system, combining executive and representative functions.

Major council functions include¹²:

- approve the local budget and report its execution;
- approve long-term social, economic and land development programs and plans for regions, districts or cities;
- establish tax privileges or exemptions on local taxes, duties and fees;
- approve the appointment or dismissal of hokims or deputy hokims and review reports on their activities;
- review reports from heads of divisions, departments and other structural units of the executive branch; approve and amend regulations concerning the local council reports and provisions on council commissions;
- establish or dissolve local council commissions and review reports on their activities;
- certify local council members or dismiss them from office before the end of their term;
- review and decide upon council member initiatives.

Major functions of the local hokim are:

- supervise economic, social and cultural activities in the region, district or city;
- develop and maintain social and development programs;
- mobilize territorial and intersectoral resources to promote efficiency in production and the resolution of social issues;
- submit local social and economic development programs to the local council for approval;
- submit major components of the local budget and budget execution to the local council for review;
- continue privatization and destatization efforts at the local level;
- promote foreign and inter-regional economic relations;
- provide for the enforcement of law, order and security;
- ensure protection of the environment.

The local government in Uzbekistan is enhanced by self-governing community organizations. The Law on Community Self-Government, adopted in 1993 and then revised in 1999, classifies community self-government as “independent activity by citizens, guaranteed by the Constitution and the Laws of the Republic of Uzbekistan, for the purpose of resolving issues of local importance according to their own interests and history, as well as to national traditions, spiritual values and local customs.”

The Community self-government exists all over Uzbekistan, founded on the principle of decentralization. Different types of territorial units engaging in self-government activities include villages, kishlaks, auls and mahallas. According to article 10 of the Law on Naming Administrative-territorial Units, the term “village” refers to localities with over 20,000 inhabitants which are located in the vicinity of industrial or construction enterprises, railway stations or other important objects. Kishlak is the Uzbek name for rural settlement. A kishlak or aul may comprise many neighboring localities and is represented by an assembly of its citizens. Localities are grouped together under a given rural assembly using the criterion of convenience for local inhabitants. Government bodies establish or abolish villages, kishlaks and auls and modify their territories or names with due regard for the opinion of the relevant self-governments. Mahalla (“local community”) refers to a community of people residing in a specific territory. Mahallas may vary in size from 150 to 1500 families. In cities, the residents of a particular residential quarter or suburb generally establish mahallas. According to Uzbek legislation and tradition, the mahalla level is local self-governing and is not considered part of the central government. In 1999 the government shifted greater emphasis to local public order activities by adopting a community-based approach to public law and order. Its novelty lies in the intensification of preventive measures in local communities and residential areas. This work is carried out by “prevention inspectors;” local officials who combine the duties of a neighborhood police officer, public health inspector and good Samaritan. In a short period of time these organizations have obtained a level of autonomy unknown for many years. According to Article 5 of the amended Law on Community Self-Government Bodies, local governments may establish, abolish, merge or divide mahallas and modify mahalla borders upon the initiative of mahalla self-government. Citizens exercise their constitutional right to self-governance through citizens’ assemblies. These assemblies, attended by resident citizens over the age of 18, are the highest body of community self-government and entitled to represent the interests of its inhabitants and make decisions on their behalf, which are effective on the respective territory.

According to the law on community self-government, citizens' assemblies in villages, kishlaks, auls and mahallas are usually responsible for the following functions:

- electing a chairman and committee, electing commission members and commission chairs for main areas of assembly activity and reviewing their reports on a quarterly basis;
- electing an audit and administrative commission;
- approving the action plan and expenditures of the community self-government as well as measures to improve local sanitary conditions;
- exercising control within the community over the implementation of national legislation as well as community government decisions;
- sending representatives to district election committees for presidential, parliamentary and local council elections;
- reviewing reports from the heads of district, city and regional hokimiyats on issues within the competence of community self-governments
- forming own local self-government funds and owning, managing and disposing of local government property;
- organizing control over expenditures;
- organizing voluntary financial collections from residents to improve
- public places or to assist low-income families to repair their housing;
- deciding upon the voluntary pooling of funds from legal entities and individuals for the development of local social infrastructure;
- sending representatives to the district commission on distributing plots of land.

Corruption Issues

Corruption is ubiquitous today. It can be found in every type of political system and at all levels, even at the highest level of government. Uzbekistan is a country with a high level of corruption. Transparency International put Uzbekistan in 2002 at 69th place according to the level of corruption out of 102 countries.¹³ Actual facts of corruption issues have been recently reported in the media: the reports of the removal of a state tax inspector and governmental ministers from power, for example, illustrate the recognition of these problems.²⁰ During the Soviet period, these problems were not acknowledged, or were considered as remnants of the feudal and/or bourgeois systems. In Uzbekistan and Central Asia, the practice is so widely accepted that it is

not even referred to as “corruption.” Instead, it is looked at as a long-established art of gift giving and gift taking, and is part of the hospitality culture that is an integral part of life and national pride in Central Asia. The tradition trickles down to nearly every aspect of life. A guest arriving for a visit is expected to bring a gift; when the guest leaves, it is the host’s turn to give a present in return. If your host is someone you are hoping to do business with, all the better – the gift-giving tradition may help seal the deal. Gifts can run from simple boxes of chocolate and bouquets of flowers to large sums of hard currency wrapped in a shiny envelope. Jobs in Central Asia some come with an unwritten price tag. The tradition of corruption is deep-seated in Uzbekistan and other Central Asian countries, a region that remains tied to the “hokim” system of rule. Hokims are territorial administrative heads, direct presidential appointees who command near-absolute authority in their regions. Through Soviet rule and the decade of independence that has followed, the hokim system has changed very little. All of a territory’s financial affairs pass through the hokim, making it a highly desirable position.

Throughout the region, such prices are determined by the individual area’s potential for corruption.

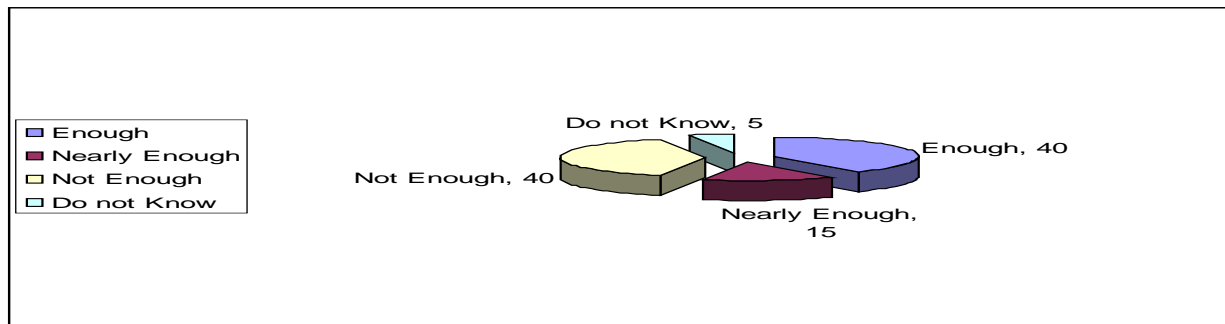
Central Asia is widely considered one of the most corrupt regions in the world. High-level officials in Central Asia acknowledge the problem but try to downplay its scale. In all five countries there are special committees or presidential commissions to fight corruption, but so far little has been done on a practical level to curb the problem. Uzbek President Karimov recently addressed the issue, citing the trials of two former hokims accused of abuse of power and corruption¹⁴. But independent experts believe that in Central Asia, such corruption trials are largely used by the government as a way of weeding out opponents. One sees that the fight against corruption is used as a political instrument. A lot of people claim they want to fight corruption, but it is more used as an instrument to combat their political opponents. In order to fight corruption Central Asian governments should liberalize their political and economic systems and establish a balanced distribution of government power, but ordinary Central Asians are pessimistic that anything can be done to change the central role of corruption. For them, life not only begins with a bribe, it ends with one as well: In order to assure a burial plot close to one’s family members, a “donation” must be given to cemetery authorities.

4. Democratization and Decentralization of the State Administration and the Role of Civil Society

The democratization and decentralization of the state administrative structures is one of the most important tasks of the political reforms in Uzbekistan. In Uzbekistan, the state has itself become the main initiator and coordinator of reforms, the principal disseminator of new ideas in the life of society and the most active participant in decentralization. In this environment, a primary task for the state authorities is to seek new forms of cooperation with political parties, non-governmental organizations and other emerging institutions of civil society. Today, one of the important tasks for the state authorities is to find new and effective ways to transfer some of the power from the center to local government, while maintaining the efficient performance of the central state institutions. Local government must in turn identify possibilities for enhancing its service and transferring to it some of the central government's functions and powers. The final goal of political reforms taking place in Uzbekistan is the transition to democracy and civil society. Civil society is essential for the well-being of democracy and the proper functioning of state and other public institutions in Uzbekistan. The democratic functioning of power structures in civil society reflects, to a large extent, the degree of the citizens' participation in state management. Procedures for this participation in legislative activities now exist in Uzbekistan. But it is still necessary to promote a climate in which citizens fully understand and use their right to participate in other areas of political activity and state management. Only then will state officials properly feel their responsibility toward society and its citizens and only then can the problem of corruption be solved. To foster and stabilize Civil Society, not only the external apparatus of society and government must change, so must the subjective outlook of many people. People of Uzbekistan must move from being passive subjects of the state – who are given directives – to becoming responsible citizens who exercise their rights and duties. In other words, people must be empowered. Only when following this subjective transformation in the mind of a society can the mechanisms of democracy function effectively. During the current transitional period, when the formation of civil society is under way, the role of the state is largely to eliminate obstacles that would impede the development of civil society.

There are at least three initial criteria for identifying the degree of democracy and existence of civil society: 1) the extent to which the public is informed about the decision-making processes; 2) the extent to which governmental decisions are under control of the public; and 3) the extent to

which ordinary citizens take part in state management. If there is no progress in these three fields, then all discourse about democracy is either mere populism or simply a political game. The survey study had some questions aiming to identify the degree of democracy and existence of civil society in Uzbekistan. One of the questions was aiming to elucidate the extent to which the public is informed about decision-making processes. The respondents were asked: “Do you receive enough information on the decision-making processes of state institutions in Uzbekistan”



The survey results showed the alarming situation about the extent the public is informed about the decision-making processes of the state institutions in Uzbekistan. It is not a secret that the mass media in Uzbekistan continue to be under strict control of the central government. Although some attempts were made to make the local sources of information more open, there is still a long way to go. If the situation does not change, it can pose a serious problem for the development of democracy and civil society in Uzbekistan.

5. Conclusion

After the collapse of the USSR, only a few scholars strongly believed that Uzbekistan as well as other Central Asian countries would be capable of developing a stable state administration. However, the leaders of Uzbekistan demonstrated their ability to meet the challenge of independence despite the difficult internal and external situations. They succeeded in stabilizing the political situation and conducted a relatively steady transformation of their national institutions. Two factors largely contributed to the formation of stable state administration in Uzbekistan: the legacy of the Soviet era and the circumstances of the Soviet disintegration. On the one hand, the Soviet system achieved a very high level of education among the population and created a large, highly qualified stratum of specialists in various fields of science, technology, etc. Also, the former Soviet system could be credited for creating a viable system of state administration and the system of local institutions that were not always perfect but could

generate some expertise locally. On the other hand, the former Soviet system of administration and management was quite inefficient and unwieldy, was created to function within the former all-union system and was practically dysfunctional as an independent entity. The Uzbek leaders faced challenging problems after the unexpected disintegration of the USSR. They had to find an acceptable formulation for a peaceful and sustainable economic, political and social transition, including the creation of decentralization. It was a difficult task for Uzbekistan. Almost 70 years of Soviet rule did little to accumulate enough local expertise in state administration. One of the ways to solve the problem of cadres in the first years of independence was to use the former Soviet bureaucrats and rely on the local academic expertise. However, due to a shortage of cadres and expertise in the formation of an independent state administration, the functioning of state institutions in Uzbekistan still largely depends on the personality of the president who often directly controls the work of the ministries. By and large, Uzbekistan was capable of creating a stable state administration, but it is still in a formative stage. Nevertheless, one may note that social, political and economic differences between Uzbekistan and developed countries, where the modern administrative reforms were first introduced, are immense. If Uzbekistan wants to succeed at transforming its economic and social life, it needs to undertake bolder and quicker reforms of the government body that is directly responsible for the success of decentralization. A path for successful administrative reforms has already been shaped by developed countries. Uzbekistan, while following these countries, can avoid various mistakes they made in implementing governmental changes. Transformation of the Uzbek state administration, as part of the political reform packages, has been under way. However, nowadays this transformation faces criticism for progressing too slowly and changing too little in the overall performance of government agencies. The current situation in the Uzbek state administration seems to be accurately characterized by the following statement “the former governance schemes are not effective any more, while modern western and eastern approaches and methods have not yet been mastered, nor thoroughly assessed regarding their relevancy.”¹⁵

Notes

Hokim– The chairman of the local council and head of local administration.

Hokimiyat– The executive branch of local governments.

Kishlak– A rural settlement, which may include many neighbouring localities and is represented by an assembly of its citizens.

Mahalla– A community of people residing in a localized area; these may range from 150 to 1,500 families.

Maverannahr– The Arabic name for the southern part of Central Asia – presently Uzbekistan.

Oliy Majlis– “Supreme Council,” or Parliament, the highest legislative body in Uzbekistan.

Viloyat– The Uzbek name for the province.

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⁶ Tashkentskaia Pravda, 9 July 1994, p.1.

⁷ The survey study targeted the local experts from governmental agencies, non-governmental organizations and academic institutions from six regions of Uzbekistan

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