

***Ikromjon B. Masharipov,**
PhD,
Tashkent Financial Institute*

Transforming Civil Society in Transition Period and Its Certain Issues

Key words: *traditional society, market-based civil society, society transforming, radical era of civil society, transition period.*

Annotation: *the article analyzes the features of transition from traditional society to market-based civil society, problems that arise in this sector's reform, as well as scientific analysis of the radical era of civil society over the next two years in Uzbekistan.*

It is not fair to apply the same principles of development measurements of civil society for various countries of the world while comparing the degree of progress of such society in every country. The reason is that, some countries as Japan, Australia and some countries of North America and Europe approach to building civil society basing on their hundreds of years old experiences and challenges. Moreover, the class of property holders had become the main factor for the development of society in these countries in the late XVIII and the middle of XIX centuries. It is obvious to the publicity of the Globe that in the third world states and the states of CIS that are undergoing the transition period, in particular, certain states of Central Asia that have recently began building the modifications of civil society faced number of issues in this field since they barely entered the initial period. However, the modifications of forming institutions of civil society have intensively progressed in the Republic of Uzbekistan since 2017. It is clear that the aforementioned process was stimulated by the adoption of “Five solid sections of Actions strategy for development of the Republic of Uzbekistan in the period from 2017 to 2021” and “The Conception of financial modifications of the Republic of Uzbekistan” by the initiative of the President of the state – Sh.M. Mirziyoyev and implementation of their ideas to the society. The modifications of building civil society that had intensively started in 2017 has now required further and deeper study of foreign experiences of the field.

The following certain issues have been faced on building and developing civil society:

1. The process of enriching national traditions the controls of society and state through advanced foreign experiences have been done slowly in the land. Although central state departments have been succeeding in achieving the implementations of the legal fundamentals of the development of civil society and other socio-political modifications, it seems that the lower degree of state executive does not sufficiently support these movements. The reason for this issue can be pointed out as the lack of efficient mechanisms of modification and democratization in practice for management class's horizon and management methods;
2. The economic support and the main initiator of building such society – property holders have not independently formed as a social class yet in countries which are undergoing milestone period of transition period like Uzbekistan and others. This class makes up minority of population when it comes to the size of property owned and the scale in the land (the property holders make up 30-35% of the total population in the developed countries, whereas this figure constitutes for 5-6 per cent in the countries that are undergoing transition period; their capital is also 50-100 times less than compared to the western countries).

3. Non-governmental non-profit organizations that stand for the rights of various social classes of society have not reached to the degree of the institute of civil society in social and financial terms. Similarly, the self-control departments have also not been able to give up its characteristics which are peculiar to the national mentality and traditions. The institute of family is the only institute that has been living as an independent social institute.

4. The states of the period have barely seen the gathering of population as a nation and meeting their demands through the NGO. This situation shows that the NGO has not accumulated enough power to influence over executive departments of the government. Traditional components are still prior in the political and legal culture of citizens that the processes of their emergence basing on democratic principals have been going on too slowly. This case can be clearly seen in the activity of NGO.

5. Demographic processes (particularly in Central Asian countries) have been strongly taking place in many countries. This process has blocked the progress of economic power of countries. For instance, the number of people of Uzbekistan increases by 10-13 per cent every year in Uzbekistan while Gross Domestic Product grows 5-6 per cent. In other words, economic growth is surpassed by demographic growth. This case has been appeared to be disturbing factor for development rate of prosperity and social activity of citizens.

6. Traditional customs and economic issues have been negatively impacting on the improvement of social-political activity of population that certain layers of the population is under the mood adjusted to lead paternalistic political culture. This case is considered to be a block for political parties to turn into the institutions that stand for rights of social classes that they have become unable to influence society and state.

The parliament of the Republic of Uzbekistan set the main strategic task of building civil society and legal state in 1995. The legal foundations and institutions of civil society have formed over the past twenty year. The number of NGO has reached to 9200 from 500. If the system of single party spirit was reigning in the country, four political parties have been running in the country now. 16 major branches of professionals' union have been attempting to meet the social demands of citizens. Almost 10 000 self-control departments and 1 500 mass media means (most of which are private and independent) have been working. However, the international index points related to the civil society have not been escalating so well.

It has been getting more and more difficult for NGO, political parties and self-control departments to reach the degree of independent social institutes excluded from state department during the period of time that has left behind. Indeed, the main reason of failure of efficient results of building strong executive institution in the country might be pointed out either as the economic-financial condition of the country or the lack of being active of citizens in terms of social-political performance. For instance, until 1991 (prior to the independence) the control of the cities were relied on cities control departments (the committee of city party and public deputies executive committee) which were the center of the regions with 200-250 control staff (their lower parties and komsomol establishments with the assistance of almost 1000 committee secretaries) was responsible for the city. Their approximate number might have been as following: 40-60 in the committee of city party, 70-110 in the executive committee of city, if 30-40 leader control staff in the komsomol committee of city controlled the city through nearly 1000 secretaries of komsomol committees who were free of doing other tasks (who got their

salaries from the party and komsomol establishments) at the enterprises, establishments and major educational institutions, the current number of officials in charge of the control of the city control at the city hall has been reduced to just only 22-25 individuals on average in the independence (1). City and district branches of NGOs and political parties do not participate enough in governing process. This case has been staying as a block on the way of development of civil society.

Truly, local governing staffs in the cities of centers of regions (also in every districts and cities) have been reduced significantly. This is the reason why the gap in the field on the development of civil society institutions and preserving their independency from state departments should be filled which will ensure complete governing.

It should be stated that the year 2017 has been marked as the milestone for modifications on building civil society in Uzbekistan. The election of the President of the Republic of Uzbekistan – Sh.M. Mirziyoyev who was former Prime Minister on December 4, 2016 simulated changes in the field of building civil society which would otherwise take a decade. Initially, the main block for the development of civil society – a great deal of attention was paid to reform executive government system in terms of demands of legal state. It should be noted that civil society can be developed only in the state that is ruled under democratic principles.

In other words, modifications were crucially important to change formation of state executive governing system which was the main block on the way to establish a civil society to the department that offers official state services to the people. The modifications of the field were done under the motto of “the public not to state organizations, but state organizations to the public service” which was the main principle. The year 2017 was named “Communicating with public and the benefits of humans”. The Decree of the President of the Republic of Uzbekistan “On measurements and means of complete modifying working with compliments of physical and judicial face” was announced on December 28, 2016. In accordance with aforementioned document, the Reception of the President of the Republic of Uzbekistan for Public, and virtual receptions of the President of the Republic of Uzbekistan were established in the Republic of Karakalpakstan, Tashkent city and each region, and also in every district and cities (the cities that are under the command of districts are exceptions). The benefits the reception have been since seen in various fields of life ranging from the sufferings of citizens from diverse bureaucratic challenges related to various fields, the rejection of many official instructions that does not compete with laws, the separation of optimal bank loans to putting an end to illegal investigations into business career and complete changes towards duty of law and order institutions (2). More than 1.5 million of letters were received at the receptions. It was approved by the discussion of public and the decree of President on February 7, 2017 (3). 15 legislatives and over 700 normative-legal documents concerning development of state and the life of society covering all aspects of life were passed on implementation of Actions strategy within six months. In particular, the infrastructure, duties and functions of 16 ministries, department and other organizations considering modern requirements and prior principles for modification of construction system of state and society, 20 State and economy government organizations and other establishments were re-founded.

It should be noted that in order to support self-control organization, which is the main institution of civil society, by the government the decree of the President of the Republic of Uzbekistan “On measures and means of further modification of Neighborhood (Mahalla) institution” was adopted on February 3, 2017. The decree was distinguished through its distinctive feature that it did not look at the Neighborhood as “an object of surrender”, but as a cooperative organization in relation to local executive government organizations. The decree of the President on July 5, 2017 “On improving efficiency of the policy concerning the youth and supporting the activity of the Union of the Youth of Uzbekistan” stimulated to establish The Youth Union of Uzbekistan so as to protect the young generation, engaging them with some sort of employment, and help them too broaden their legal culture and social mind in the transition period which is adjusted to the marketing policy.

The position of modifications done by executive government concerning forming aspects of legal state was of great importance when it comes to establishing civil society in Uzbekistan. These modifications began immediately after the adoption of the resolution of the President of the Republic of Uzbekistan “On the confirmation of the conceptions of administrative modifications in the Republic of Uzbekistan”. “The conception of administrative modifications in Uzbekistan” embodied both legal basis and strategic conceptions of the modernization of the system of executive government in the country. Indeed, turning the executive government into the government organization which serves for the benefits and needs of the public, in other words, it meant the formation of signs and characteristics unique to civil society and legal state in the country. The resolution confirmed the adoption of “the conception of administrative modifications in the Republic of Uzbekistan”. The resolution was not only concerned about how to apply administrative modifications, but it did also point out aftereffects of former governing methods that are barring the development of these modifications, how to get rid of them and how they are putting stumble on the modernization of state government in detail.

The essence-quiddity of the concept and the goals set ahead harmonized national traditions and experience on modernization of state executive government system of advanced countries. In accordance with the conception the President of the Republic of Uzbekistan announced the adoption of the resolution “On measures and means of complete modifying the national system of offering state services for the inhabitants”. It is obvious that in the short period of time various conveniences such as the improvement of the quality of activity of state organizations on offering service, offering state services to the businessmen basing on the principle of “single door” and many other set of conveniences established within a year in the country. In particular, transition of control of centers for offering state service to the businessmen subjects basing on the principle of “single door” from the city halls of cities and districts to the Ministry of Justice of the Republic of Uzbekistan on February 1, 2017 is considered to be an important step taken towards progress of the field that it opened the doors for forming vertical management and establishing its efficient activity. Consequently, the state services offered by these institutions have reached to the number of 33.

The positive aspect is that the resolution of the President on December 12, 2017 “On measures and means of complete modification of the national system of offering state services to the inhabitants” meant set of organized-legal measures and means on faster, more transparent and wider access to the customers which was the proof of establishment of principle which states

“the public not to the state, but the state departments for the public” in real life through main ideas implemented to everyday life of the common people. In order to modernize the system of offering state services to the inhabitants a new state department – State services agency and its regional branches was established under the cabinet of the Ministry of Justice of the Republic of Uzbekistan (4).

The resolution of the president of the republic of Uzbekistan adopted on May 4, 2018 “On measures and means of complete improvement of role of civil society institutions on the democratic renewal period of the country” set various tasks on establishing civil society ahead through exposure of several systematic issues and drawbacks “on the way of non-governmental non-commercial institutions’ active performance on the implementation of wide scale modifications to the field, on improving political culture outlook of inhabitants, meeting their non-financial and spiritual requirements” that the following tasks should be achieved “the modification of economic and organizational-legal foundation of the activity of civil society institutions, the implementation of social companionship and community control, the creation of convenient atmosphere for wider participation of these two institutions in control of society” (5). Indeed, these tasks make it clear that plenty of the functions and power committed by state executive government organizations these days to be assigned to NGOs and self-control organizations in the period of implementing administrative modifications.

In other words, in accordance the aforementioned resolution “single door” principle can now be applied to both businessmen subjects and to the citizens directly as well, as it is pointed out in the resolution. The citizens now have the chance of directly contacting to state executive organizations without communicating with civil servants, the mechanism for inhabitants to communicate with state department has been established, the opportunity to serve inhabitants fast and without corruption has been created, the lifestyle suitable for better life of inhabitants to lead without bureaucratic stumbles has been created. The short period passed proved that the unique institution established to offer state services – active participation of the public reception of the President of the Republic of Uzbekistan is considered to be one of the unrepeatable most important news. The decree stated that state services centers should operate intact in district and city scales, and the factors to improve efficiency of offering state services.

The President in his resolution confirmed establishment of mechanism for measures and means of quickening and improving the quality of offering state services, for instance, healthcare, getting license, customs and other fields, similarly, inventing mobile applications on state services, doing the service going to remote areas, and establishing efficient system for both sides with the help of official web-sites and social networks. Similarly, the list of 58 state services offered at State services agency basing on the “single door” principle during the years of 2018-2020 has been declared. The examples of the services can be seen in a number of services such as the supply of water for houses, connecting them to canalization, heating system and other communication systems, getting written permission for constructing housing individually, registering members of the accommodation (residence permit), excluding and including from registration, various archive documents, patents, obtaining various certificates and duplicates of official documents (5).

The resolution of the head of the state on April 11, 2018 “On additional measures and means for intensive development of the system of offering state services” opened new phase of modernization of executive government and its local infrastructure. In the resolution, first of all, the modification tasks to adjust main activity of executive government and its local structures to serve for inhabitants were declared. It meant the formation of “the monitoring of common people” through delivering information about appeals to the state service agencies, information concerning activities of high-ranking officials, the information related to misusing their own position. Consequently, not only the society, but citizens also gained supervision over activities of executive government.

In a two-year period of time starting from September of 2016 to September of 2018 as the implementation of the decrees and resolutions of the President the power of the high-ranking officials of the system of executive government new national system of application for only benefits of inhabitants was established basing on the former experience. The legal-sanction standards and documents against misuse of position of high-ranking officials, their vulnerability towards corruption, and the social disease of pretending to be superior to others started to give its fruits. The modifications achieved began to create an atmosphere for the development of civil society in the country.

The important aspect of the modifications being applied in the country is that the limitation for the state government to control society resulted in more active aspiration and initiatives of society on self-control. Importantly, the lifestyle of citizens has become better through rising chances of self-control, freedom of thinking and independent performance.

To conclude, the main goal of application of administrative modifications in Uzbekistan set the goal of forming executive government system’s function like it was done in the experience of advanced states so as to progress civil society. The decentralization of executive government system through administrative modifications also desires to form civil society. The civil society should not be only a part of horizontal division of state department governments, but it also should be a part of vertical division, in other words, it can only progress in an atmosphere where there is mutual balance of elected state departments. When the benefits of both state and society harmonize, the citizens are also highly likely to unite for their rights and benefits into social units and this way their enthusiasm to supervise government departments and attending their supervision will form and increase. Such partnership of citizens and state maintain shared consensus and the stability of society. The most important aspect is that, as the result of possessing the emotion to freely express one’s own will and benefits, he will naturally develop the instinct towards prosperity.

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