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UZBEKISTAN'S POLITICAL PARTIES BETWEEN THE GOVERNMENT AND SOCIETY

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Introduction

U zbekistan's official¹ political parties have become an important institution in the republic's political life, but they function very differently from parties in democratic countries.

If we were to make a schematic drawing of Uzbekistan's political system, the head of state would be in its center as a powerful nucleus, and all the rest—the government, parliament, parties, judicial power, mass media, and society as a whole—would revolve around him, protecting and attending to the country's leader. Although their proximity to the center (that is, to the nucleus) and rotation rate around it differ, there is essentially not one political party that would be willing to leave its orbit and exist in free flight or swim against the current, claiming, in so doing, to be creating its own alternative system.

This is legitimate, since the nucleus has always feared any deviations in rotation around it, never sparing any resources to increase people's disposition and sympathy toward it and always confidently applying negative sanctions, that is, punishing those who tried to launch into free flight or go against the grain.

There is no doubt that this primarily applied to political parties. The president has always had biased opinions regarding many of the democratic values and institutions, including the opposition, mass meetings, free mass media, political parties, and democracy as a whole. He has never had any particular confidence in society and the above-mentioned institutions, always considered it necessary to keep control over them, and essentially seen them as threats to stability and security, as well as to his power.

A vivid expression of the president's nonconfidence in a civil society was his proclamation during the first years of independence of five principles of the transition period. The first of them said: "The state is the main reformer," which for all intents and purposes entirely contradicted the Constitution of the Republic of Uzbekistan. This principle, which had defined Uzbekistan's entire era of sovereignty, de facto established an etatist system of statehood and greatly strengthened authoritarianism. The "state is the main reformer" thesis defined the government's unconditional

¹ Uzbekistan's political parties can be divided into "officially registered" and "those not registered by the state." The latter include such democratically oriented parties as Erk, Birlik, the Party of Agrarians and Entrepreneurs, as well as the Party of Free Peasants. The Erk (Will/Freedom) Democratic Party and the Birlik (Unity) National Movement Party were set up at the beginning of the 1990s; the first of them was registered by the Republic of Uzbekistan Ministry of Justice on 3 September, 1991, but when the government gained in strength (or for the purpose of strengthening it), their activity was ceased not only de jure. but also de facto. Two more opposition parties, which define the agrarian-entrepreneurial problem as the most important, were founded in 2002: the Party of Agrarians and Entrepreneurs and the Party of Free Peasants. One of the main reasons for the activation of opposition parties was the Declaration on Strategic Partnership between the U.S. and Uzbekistan signed by the Republic of Uzbekistan and the United States, which was perceived by the opposition parties as a new way to legalize their activity. In the past four years, all the opposition party projects submitted documents repeatedly to the Uzbekistan Ministry of Justice. For example, Birlik alone submitted documents for state registration five times, but not one opposition party project has yet to obtain an official status.

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supremacy with respect to other branches of power and a civil society.

It goes without saying that political parties were created and their activity carried out with this principle in mind. It was against the background of the "state is the main reformer" thesis that the political culture of the leaders and political party activists formed, their attitude toward society, the government, and politics developed, and stereotypes and forms of thought were elaborated. As a result, political parties became important tools of the president's policy.

On the other hand, the parties themselves were amorphous enough to gradually create their own independent policy and own game rules within the established game rules in order to expand the sphere of their activity.

At the end of the 1990s, the president announced another thesis that essentially contradicted the "state is the main reformer" principle: "from a strong state to a strong society," thus giving the go ahead for making a gradual transfer to a civil society. Nevertheless, in reality the political system became liberalized relatively slowly, and this principle was essentially ineffective with respect to turning political parties into genuinely independent institutions.

Whatever the case, political parties understand that the nucleus of the republic's political system currently faces difficult political, legal, and physical problems, while the republic as a whole is entering a period of hyper-transformation, during which changes in the nucleus will legitimately lead to a review of the entire politico-legal system.

In light of this, some of the parties, for different reasons, are trying to come closer to the nucleus by speeding up their rate of rotation around it, while others are slowing down and showing restraint.

Political Parties and Their Classification

From the first days of independence until the present, the Ministry of Justice has officially registered seven political parties. Five of them are functioning today: the National Democratic Party of Uzbekistan, the Erk Democratic Party,² the Vatan Tarakkieti Democratic Party, the Adolat Social-Democratic Party, the Milliy Tiklanish Democratic Party, the Fidokorlar National Democratic Party, and the Liberal Democratic Party of Uzbekistan.

The first of them (the NDPU) was founded on 1 November, 1991. The party's history was part and parcel of the history of the Communist Party of Uzbekistan itself. We know that the last, 23rd, special congress in the history of the Uzbekistan Communist Party was held on 14 September, 1991, at which a resolution was put forward on its withdrawal from the C.P.S.U. and on the need to set up the National Democratic Party of Uzbekistan.

On 1 November, 1991, a founding congress of the NDPU was held in Tashkent, at which its Charter and Program were adopted.³

The Vatan Tarakkieti Party (Progress of the Homeland) was created in 1992, but this structure no longer exists, since after the parliamentary election held in April 2000, it united with the new Fidokorlar (Self-Sacrificers) National Democratic Party.

² The Erk Democratic Party was an opposition party registered on 3 September, 1991. It was headed by poet and politician Muhammad Solih, who currently lives abroad. The party's activity was halted by the Ministry of Justice in 1993. But according to the legislation, a party's activity may only be halted by a court order. This situation, according to the party's activitys, gives legal grounds to say that the party exists.

³ See: V. Tiurikov, R. Shaguliamov, *Nezavisimaia Respublika Uzbekistan: Pamiatnye sobytiia i daty*, in two volumes, Vol. 1, Uzbekiston Publishers, Tashkent, 1997-1998, p. 8.

The history of the creation of the Adolat Party contains many interesting facts and events that occurred during the first half of the 1990s. According to official sources, the Adolat Social-Democratic Party was set up in February 1995.4

But, according to independent observers and political scientists, the creation of the Adolat Party in Uzbekistan was publicly announced for the first time on Radio Ozodlik (Freedom) in November 1994 by former vice-president of the Republic of Uzbekistan, Shukrullo Mirsaidov,⁵ who drew up the charter and program of this formation along with his associates. They later began creating provincial party organizations. Later, in 1997, at the 2nd congress of the Uzbekistan Human Rights Society (UHRS) held at the Republican House of Knowledge (Tashkent), Shukrullo Mirsaidov announced from the congress rostrum that his party had approximately 15,000 members!⁶

This gives observers grounds to claim that the idea of creating the Adolat Party with a socialdemocratic bent was possibly "abducted" to prevent the formation by a group of politicians of a party headed by then vice-president that was not controlled by the head of state.⁷

In 1995, a new structure was created called the Milliy Tiklanish (National Revival) Democratic Party of Uzbekistan. Its charter and program were adopted at the MT congress, which was held at the House of Cinema on 3 June, 1995. Aziz Kaiumov, then director of the Institute of Manuscripts of the Academy of Sciences, was elected the chairman of MT, and on 9 June of the same year, the party was registered with the Ministry of Justice.8

In 1996-2004, writer Ibrokhim Gafurov was chairman of the Central Kengash (Council) of MT; what is more, he was editor-in-chief of the Milliy Tiklanish newspaper, the party's printed organ. At the 3rd MT congress, which was held on 31 October, 2004 at the House of Cinema (Tashkent), journalist and writer Khurshid Dustmuhammad was elected chairman of the Central Kengash.9

At the end of 1998, a new national democratic party of Uzbekistan called Fidokorlar¹⁰ was set up. Its founding congress was held on 28 December, 1998 in the building of the Kamolot Republican Youth Organization.

After the parliamentary election, the Fidokorlar NDP joined the Vatan Tarakkieti Party. The new structure was called the Fidokorlar NDP, and Akhtam Tursunov became its leader (he led the Vatan Tarakkieti Party before the merger).

This merger led to the formation of the largest parliament faction-Fidokorlar, which had 52 deputies out of the 250 parliament members. In so doing, the party, which nominated Islam Karimov from among its members as presidential candidate in 2000, acquired more influence after the merger and began to correlate more with the president as "the party in power supported by the electorate."

⁴ See: Mustakillik: Izokhli ilmiy-ommabop lugat (Independence: Scientific-Public Dictionary with Commentaries), Shark Publishers, Tashkent, 1998, 320 pages.

⁵ The post of vice-president existed in the history of independent Uzbekistan for a very short time. This institution was abolished after the new Constitution was adopted in 1992. Shukrullo Mirsaidov was the only person who worked as vice-president of the Republic of Uzbekistan.

⁶ See: Sh. Akhmajonov, "O shesti zaregistrirovannykh i odnoi 'skrytoi' propravitelstvennykh politicheskikh partiiakh Uzbekistana," available at [http://www.jahongir.org/Russian/opartiyax.html].

⁷ Ibidem

⁸ See: Uzbekistonning iangi tarikhi (History of Independent Uzbekistan), Compiled by N. Zhuraev and T. Fayzullaev. Board of editors: A. Azizkhuzhaev (chairman), B. Akhmedov, S. Kamolov, et al., Shark Publishers, Tashkent, 2000, 560 pp. ⁹ See: Sh. Akhmajonov, op. cit.

¹⁰ The word "Fidokorlar," which means "Self-Sacrificers," was possibly borrowed from the national movement "fidaiyyun" (Arabic for "self-sacrificers," "self-sacrificing") of Egypt during the time of President Gamal Abdel Nasser as the idea for a new party. This is evidenced by the head of state's speeches at this time and articles in the country's central newspapers, the authors of which were government officials and political scientists. What is more, the idea of "fidoyilik" ("selfsacrifice") became one of the most important values the country's president called on civil servants, party members, and society as a whole to observe, particularly after the end of the 1990s (see: I. Karimov, Milliy davlatchilik, istiklol mafkurasi va khukukiy madaniiat tugrisida (I. Karimov, On National Statehood, Ideology of Independence and Law-Based Culture), Academy of the Uzbekistan Ministry of Internal Affairs, Tashkent, 1999, p. 158).

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Uzbekistan's last political party was set up in mid-November 2003. Its full name is the Movement of Entrepreneurs and Businessmen, the Liberal-Democratic Party of Uzbekistan (UzLiDeP), and it remains the last party to be officially registered with the Ministry of Justice.

It is difficult to classify the political parties according to their political and philosophical trends for several reasons. First, the parties themselves are still going through the process of self-identification (from the viewpoint of political-philosophical vectors). Discussions about which party is leftist and which rightist began not that long ago. These discussions became particularly lively after the NDPU declared itself to be the leftist opposition at the beginning of 2004 in the newly formed Legislative House of the Oliy Majlis (the Lower House).

Each party acquired a few vivid "central" slogans and epithets indicating its main values. But the problem is that parties, while sometimes having a well-structured scale of values, goals, and assignments, frequently do not have programs of action, according to which the mentioned goals and assignments could be put into practice.

What is more, Uzbekistan's parties suffer from populism. They are very glib, make very good points about their main values, and often repeat their own slogans and epithets. However, the party activists and leaders hardly ever answer the following questions: "Who and what threatens those values you are focusing your attention on; and what problems exist in those strata of society you intend to protect?" The caution that the parties demonstrate in this respect might be related to their status in the system of power relations.

It should be noted that the many contradictions contained in the programs of the parties themselves make it very difficult to classify them. The economic bloc of issues frequently focuses more on economic liberalism and the protection of private property, while the social bloc concentrates on concern for the low-income and poverty-stricken members of society. As for cultural policy, the programs are entirely devoted to national cultural values and their revival.

The universalism of values and the absence of vivid anti-theses in the parties' programs show their striving to correspond to the viewpoints of the country's president in the questions being raised, as well as to avoid conflicts and manifestations of conformism.

All the same, all the parties have a central idea, slogan, and reference points that are considered higher and more important than other values.

The NDPU regards itself as a leftist, social-democratic party. It believes its social base to be large families, invalids, the poverty-stricken, and people without education and special qualifications.¹¹

In addition to spurring on its leftist ideology, the NDPU explains its attitude toward liberalism as follows: "One of the key principles of liberal democrats is placing priority on personal freedom ensuing from the conception of individualism. But just how acceptable is this idea in our country, just how well does it correlate with the historically developed traditions of the mahallia (neighborhood) community? Under these specific conditions, we believe the principles of collectivism and social solidarity to be more attractive and closer to the mentality of our people."¹²

The party also raises several objections to other liberal viewpoints: "Our party considers a serious shortcoming of the liberal-democratic ideology to be its attitude toward sources of social prosperity. Restricting itself to the claim that social prosperity is based on the prosperity of property-owners, liberal democracy does not offer adequate solutions for ensuring the social equalization of incomes and for preventing stratification of the population into the rich and the poor."¹³

¹³ Ibidem.

¹¹ On the new NDPU program and the party's tasks for democratizing and renewing society, see: Speech by Chairman of the Central Committee of the NDP of Uzbekistan Asliddin Rustamov at the 5th NDPU Congress on 2 July, 2005, Tashkent, 2005.

¹² Ibid., p. 9. All the same, with respect to individualism, the NDPU expresses its objections not to a specific liberal-democratic party, but to the general theory of liberalism, since the UzLiDeP, which regards itself as a liberal-democratic party, also, paradoxically, criticizes "individualism."

During the last election campaign to the Legislative House (December 2004), the NDPU raised several rather urgent social and political problems, as a result of which it acquired substantial public support and also put the government on the alert. Unemployment became one of the problems frequently raised by the NDPU, which was reflected in the party's program: "We are not entirely happy with the ways the liberal democrats suggest for overcoming unemployment. Can this problem only be resolved by involving the unemployed population in business activity? And will all of the unemployed able-bodied population (primarily rural) without exception want and be able to engage in business? For it is no secret that today quite a number of people in search of work are resorting to 'mardikor markets' or leaving the country."¹⁴ In this respect, the NDPU cannot be viewed as an anti-liberal party in the political sense of this word; it believes that a more responsible socioeconomic policy should be conducted.

The Adolat Social-Democratic Party has established itself in the political system as a leftist political force (just like the NDPU).

The Adolat SDP also considers itself a leftist party, but it is in the Democratic Force bloc created at the beginning of 2005 in the parliament's Legislative House.¹⁵

Nevertheless, the Adolat SDP is not as laconic in its political statements as the NDPU; it does not focus so intently on its social-democratic orientation, but under the supervision of skilful female politician Dilorom Toshmukhammedova, this structure is gradually acquiring the image of a feminist party in the positive sense of the word. There can be no doubt that a party with this image is very important in the formation of a civil society. The viewpoints of people who think that "politics is not for women" are still strong in public opinion and the mass consciousness of Uzbek society.¹⁶

The Fidokorlar NDP is also quite a respectable party, its place being between two large and two relatively compact parties; it has experienced politicians. It is difficult to classify the Fidokorlar NDP because it is liberal in the economic sphere, believing that the country's progress should be based on the development of small and medium business, as well as of private property. All the same, the party is conservative in the cultural sphere. The very idea of "self-sacrifice" contradicts the ideas of liberalism, since the party in this case raises public interests higher than individual concerns.

But such a hybrid ideology could, due to the flexibility and skills of the party's politicians, guarantee its success. Conservatism in the cultural sphere and an inclination toward liberal values and principles in economic issues make it logical to regard the Fidokorlar NDP as a rightist party.

The Milliy Tiklanish (National Revival) Democratic Party (DP) has the image of a party of the intelligentsia; its founders and current leaders are national-conservative scientists, writers, and poets. The party believes the source of its inspiration, as well as the reference points promoting an understanding of national revival, to be the Jadids and those who fought for the country's independence: "The party feeds on the ideas of national independence and national revival formed in the conscious-

¹⁴ Ibidem. Mardikor markets—traditional markets of short-term hired workers. In Tashkent, such mardikor bazaars exist in almost every region and next to large markets. What is more, in the last 5-6 years, women's mardikor bazaars have appeared. Mardikors are mainly people who come from the country's provinces; among them are both skilled (carpenters, mechanics, welders, etc.), and unskilled workers. The problem of migration in contemporary Uzbekistan is a very urgent and painful issue for society. There are still no precise statistics on how many Uzbek citizens travel to neighboring and more distant countries in search of work, but it is known that most migrants go to the Russian Federation and Kazakhstan.

¹⁵ The Democratic Bloc created by the UzLiDeP, Fidokorlar NDP, and Adolat SDP factions constituted the majority, 57%, of the Legislative House at the beginning of its new convocation. The NDPU declared itself to be the parliamentary opposition with respect to UzLiDeP and the Democratic Bloc that is headed by the latter. Milliy Tiklanish NDP and independent deputies do not belong to any bloc. The Democratic Bloc is considered rightist from the viewpoint of political-philosophical categories, but it also represents the government's interests, since it is headed by UzLiDeP, and one of the members of the UzLiDeP political council is the country's current prime minister.

¹⁶ For example, according to the surveys by the Izhtimoiy fikr Sociological Center in 2004, 79% of the respondents expressed their support of male politicians, and only 19% were willing to support female politicians. What is more, it is known that 52% of the republic's population is composed of women.

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ness of the self-sacrificing sons of the people who fought against the yoke of czarist Russia and the totalitarian Soviet system."¹⁷

The Milliy Tiklanish DP's program has several specific aspects that essentially define the party's main reference points and central values. MT's highest purpose is national revival, and it defines several parameters to achieve it: "Spiritual unity of the nation (Millatning Maanaviy birligi); the Homeland (Turkestan) is one family; a strong democratic state; national values; scientific-technical progress and global integration; contemporary man; and national independence."¹⁸

The Milliy Tiklanish DP is not considered a very strong party, it suffers from a shortage of resources; nevertheless, this structure is unique from the viewpoint of its ideology. It is the only party that focuses great attention on retaining and multiplying ethnic values and the values of the traditional family, with respect to which it can be called conservative. Under globalization and information technology conditions, when issues relating to the preservation of culture, language, and traditions are becoming more urgent, this party can help to preserve ethnonational values and counteract assimilation of the titular nation in this sphere.

But like the Adolat Party, MT also needs resources, which increases its activity to protect the interests of those strata of society it is oriented toward. If elections to the parliament's lower house are held according to the proportional system, the Adolat SDP and Milliy Tiklanish DP could have had difficulties in overcoming the minimum barrier.¹⁹

The UzLiDeP is without doubt considered a rightist party, although it does not accept and sometimes even rejects certain fundamental values and principles of liberalism, for example, "individualism." The party is a movement of entrepreneurs and businessmen. In the economic sphere, it sees its main task as follows: "The party is in favor of creating economic, organizational, and legal conditions, as well as guarantees of freedom for entrepreneurs, comprehensively encourages their business activity and the economic independence of managerial entities, and removes any barriers in the development of business activity. Government control structures should gradually move away from directly interfering in the management of enterprises, primarily in the private business sphere."²⁰ The UzLiDeP's main slogan is as follows: "One enterprising, capable, active person is better than thousands of unskilled and lazy people."²¹

Although the party also tries to be consistent in issues concerning liberalization of the economy, it believes the development of private property to be an essential condition of individual freedom. But in practice it systematically supports the policy of the government and head of state.

Of course, there is not one official party of Uzbekistan that would not openly support the policy of the country's president. However, if we arrange the parties with respect to the level of their support of the government and president, we can see the following hierarchy: the UzLiDeP—the most progovernment, the NDPU—the opposition (as it claims itself to be), and the other three parties are somewhere in-between.

Created the last, the UzLiDeP has become one of Uzbekistan's two strong parties. It has the best republican office and branches in almost all of the regions and cities of the country; and its activists receive a good salary.

¹⁷ For example, according to the surveys by the Izhtimoiy fikr Sociological Center in 2004, 79% of the respondents expressed their support of male politicians, and only 19% were willing to support female politicians. What is more, it is known that 52% of the republic's population is composed of women.

¹⁸ Program of the Milliy Tiklanish DP of Uzbekistan, available at [www.uzmtdp.uz] The party's website is set up exclusively in Uzbek.

¹⁹ In order to create a faction, parties must have 9 places out of 120; this corresponds to 13% of the total number of places in the parliament's lower house.

²⁰ Program of the Movement of Entrepreneurs and Businessmen Party—Liberal-Democratic Party of Uzbekistan, available at [http://www.uzlidep.uz/program.php].

²¹ The UzLiDeP is the leader with respect to self-advertisement. Its slogans and emblems can be found almost all over Uzbekistan—beginning with large billboards on the streets and ending with small posters in the capital's metro.

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If we take a look at the politico-philosophical orientation of all the parties, there are two leftist parties in Uzbekistan (the NDPU and the Adolat SDP), two rightist (the Fidokorlar NDP and the UzLiDeP), and one strictly conservative (the Milliy Tiklanish DP). All the same, it should be noted that not all the parties have become fully established from the viewpoint of politico-philosophical trends. Perhaps the political orientation of the parties will also change under the new political conditions or with a change in leadership (as usually happens in transition countries).

Uzbekistan's Legislation on Regulating the Activity of Political Parties

Uzbekistan's legislation on regulating the activity of political parties evolved along with the latter and reflects the complex history of interrelations between the government and the political parties, on the one hand, and the understanding by the country's highest leadership of the role of political parties in society, on the other.

Here we should say in advance that legislation as such has not played a decisive role in defining the conditions for creating and implementing the activity of political parties. In addition to legislation, there are several unofficial political rules which are usually not talked about, but which are strictly observed.

Most of the officially registered parties were created with the participation or with the public support of the president—these are the NDPU, the Fidokorlar NDP, and the UzLiDeP. The president balloted at the 1992 election as a candidate from the NDPU, and in 2000 as a candidate from the Fidokorlar NDP. When the UzLiDeP was set up, however, the head of the republic received the party's initiative group and expressed his support of the new structure.

As for the Adolat SDP and Milliy Tiklanish DP, they were also set up with the president's consent. So there can be no doubt that submitting documents to the Ministry of Justice for official registration requires the head of state's public or tacit consent and approval (in addition to legislation). In so doing, the law does not set forth regulations for setting up parties, but helps to register the adopted decision. This situation is confirmed by attempts to register opposition parties not controlled by the government, which have had to repeatedly submit their documents to the Ministry of Justice.²²

What is more, the legislation itself is characterized by muddle, unclearness and quite a number of unfeasible demands. This might not simply be due to omissions, but the result of deliberate considerations.

The law on Political Parties of 26 December, 1996, which regulated the creation and activity of political parties in Uzbekistan until the amendments of 12 December, 2003, set forth the following demands:

No fewer than five thousand signatures of citizens living in no fewer than eight territorial entities (provinces), including the Republic of Karakalpakstan and the city of Tashkent, and with the intention of uniting into a party are required to set up a political party.²³

²² Beginning in 2002, all the opposition parties submitted documents to the Ministry of Justice to obtain an official status. The Birlik National Movement Party became the absolute record-holder in this matter, which in the last four years submitted the necessary documents five times. But the Ministry of Justice refuses to register the party and often does not indicate why the submitted documents do not correspond to the law, although according to clause 2 of Art 9 of the Law on Political Parties, the Ministry of Justice must explain in writing the reasons for its refusal to register.

²³ Law of the Republic of Uzbekistan on Political Parties of 26 December, 1996, No. 337-I, Art 6 (the first part).

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Documents confirming that the requirements of this Law have been fulfilled, including a list of five thousand citizens of the Republic of Uzbekistan expressing a desire to unite into this party, with their signatures, information on the members of the election bodies (surname, first name, patronymic, year of birth, place of residence and work, telephone number), a decision by the party's highest body on investing powers in the members of the leading body and endowing them with the right to represent the party during registration or in the event of disputes in court.²⁴

But in December 2003, some provisions of this Law were amended. For example, according to the new edition, the expression "no fewer than five thousand signatures" was replaced with the words "no fewer than twenty thousand signatures."²⁵

This new approach to the activity of public associations, political parties, and the branches of international formations coincided with the events in the countries of the post-Soviet space—the so-called Color Revolutions. At that time, under the effect of the Georgian syndrome,²⁶ a significant portion of the republic's legislation concerning a civil society was reviewed.

Beginning from the end of the 1990s (and particularly since 2002), the government's attitude toward officially registered parties underwent significant changes. This was promoted by the permanent demands of the international community to liberalize the country's sociopolitical life, for example, the registration of opposition party projects, the understanding that the opposition parties kept away from active political life at the beginning of the 1990s have not disappeared, but still exist as such; the wave of Color Revolutions in the CIS countries; and the increased confidence in registered parties. As a result of all this, the government reconsidered its attitude toward official political parties, as well as toward party-building.

The new approach provided for two fundamental clauses. The first concerns the creation of new parties: here, as mentioned above, new legal barriers are being erected that prevent the formation of new parties. This clause, it seems to us, is aimed at unregistered parties not controlled by the government.

The second clause concerns officially registered parties: the increased role of the latter and the removal of limits on their financing, which was stipulated in the old wording of the Law on Political Parties.

The Law on the Financing of Political Parties adopted on 30 April, 2004, is an example of the latter clause. This normative legal act, which was very welcomed by the officially registered parties, envisages three ways to finance their activity: state financing of the statutory activity of political parties (Art 7); state financing of the participation of political parties in elections to the Legislative House and other representative government bodies (Art 8); and state financing of the activity of factions of political parties in the Legislative House (Art 9).²⁷

The main innovations of this Law are the following: the financing of the election campaigns of candidates for deputies to the Legislative House, and the annual financing of the statutory activity of political parties in correlation with the number of seats acquired in the lower house of parliament, as well as donations by legal entities.

A party faction had to be formed in order to receive annual funds for statutory activity. In compliance with Art 9 of the Law on the Rules of Procedure in the Legislative House of the Oliy Majlis

 ²⁴ Law of the Republic of Uzbekistan on Political Parties of 26 December, 1996, No. 337-I, Art 8 (the second part).
²⁵ Narodnoe slovo, No. 30, 13 February, 2004.

²⁶ The term "Georgian syndrome" was used by the author to describe the situation when the authorities in many post-Soviet countries (including Uzbekistan) began to regard the activity of national and international public associations through the prism of the Color Revolutions in Georgia and Ukraine (see: "West Presses for Uzbek Reform," available at [www.csmonitor.com], 7 April, 2004).

²⁷ See: Law on the Financing of Political Parties, 30 April, 2004, available at [http://ngo.uz/zakon1.php?Lang=ru#8].

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of the Republic of Uzbekistan, parties must get at least nine deputy seats to create a faction.²⁸ Parties unable to overcome the minimum barrier shall return all the funds received from the state for their election campaign.²⁹

A party that passes the minimum barrier and creates its own faction annually receives funds in the following amount:

The annual amount of state funds allotted for financing the statutory activity of political parties shall be formed at the rate of two percent of the minimum salary as of 1 January of the year preceding the allotment of these funds multiplied by the number of citizens on the list of voters at the last election to the Legislative House.³⁰

Before this Law was adopted, political parties had rather meager financial resources stipulated in the second and third parts of Art 15 of the Law on Political Parties:

- Political parties, as stipulated by the law, may only carry out such activity as is required for executing their statutory assignments.
- The monetary funds of political parties shall be formed from membership dues, revenue from publishing activity, donations by citizens and public associations, as well as other revenue received by lawful means.

The new Law stipulated that now parties have the right to receive donations from legal entities as well, which was regarded as a crime before this Law was adopted:

The amount of donations received by a political party from one legal entity of the Republic of Uzbekistan during a year shall be no more than five-thousand times the minimum salary or wage as of 1 January of the year the donations are made.³¹

This is a very impressive amount by Uzbekistan standards: today the minimum wage in the country amounts to 12,420 soms, which is equal to \$10. In so doing, every legal entity may donate an amount in national currency equal to \$50,000 to political parties every year. The above-mentioned article makes it possible to provide parties with unlimited financing, and this is primarily a great opportunity for pro-government parties among the registered parties themselves.³²

What is more, this Law also reflects the fears of the government associated with the activity of international organizations. The notorious Art 15 of the Law sets forth a policy of isolationism for officially registered political parties with respect to the outside world:

Donations to political parties in the form of monetary resources, the transfer of property, rendering services, carrying out works (including by means of allotting grants, rendering technical assistance, paying for trip expenses, as well as for training sessions, seminars, and conferences held in the Republic of Uzbekistan and abroad) shall not be permitted from:

foreign states;

legal entities of foreign states, their representative offices and branches;

²⁸ See: Law on the Rules of Procedure in the Legislative House of the Oliy Majlis of the Republic of Uzbekistan, Art 9.

²⁹ See: Law on the Financing of Political Parties. 30 April, 2004, Art 8.

³⁰ Ibid., Art 7.

³¹ Ibid., Art 13.

³² Today, among the five officially registered parties, the UzLiDeP is considered the party in power. The country's prime minister Shavkat Mirziiaev (as a member of the UzLiDeP's political council) participates in its conferences and congresses. The party, in contrast to other similar structures, has huge financial and material-technical resources (see: A. Saidov, "Parlament Uzbekistana razdelilsia na 'partiiu vlasti' i 'oppozitsiiu'? available at [http://www.CentrAsia.org/ newsA.php4?st=1109713020]).

international organizations, their representative offices and branches;

enterprises with foreign investments;

foreign nationals;

stateless persons.

Nor shall be donations to political parties permitted in the form of monetary resources, the transfer of property, rendering services, carrying out works by self-government bodies of citizens, religious organizations, anonymous persons, or persons using pseudonyms.³³

On the whole, the adoption of this Law was a giant step toward the financial independence of political parties, but party activists and legislators had a rather reserved reaction to Art 15. Although it did not meet the interests of the parties, the deputies adopted this article of the Law without any objections. Such strictly political normative legal acts and articles are usually adopted unanimously, since no deputy wants to play with fire. According to the available information, the initiators of this article are not the parties themselves, but high-ranking government officials. There can be no doubt that Art 15 is also the result of the concern aroused by the Color Revolutions.

As a result, direct cooperation in the form of seminars, conferences, and trips abroad, which takes place among various countries, parties, and international organizations, has come to an end.³⁴

Cooperation is continuing under the new conditions, however, not on a direct basis, but through several trustworthy republican nongovernmental organizations, for example, the Institute for Civil Society Studies.

This structure, which has the status of an NGO, was created in 2004 and became a kind of bridge joining four parties: society, international organizations, political parties, and the government.

The president's new initiative gave rise to significant changes in the republic's legislation on the development of political parties. The bill called "The Constitutional Law of the Republic of Uzbekistan on Strengthening the Role of Political Parties in the Renewal and Further Democratization of State Administration and Modernization of the Country" was regarded by the political parties and the public as a real step toward democratization after a difficult eighteen months in the country's development.³⁵

The new bill sets forth the following aspects regarding the activity of political parties (we will note that the concept "parliamentary opposition" was introduced into Uzbek legislation for the first time; the latter was endowed with certain rights, but in the Constitution there was always the definition of "the opposition minority"):³⁶

Factions of political parties, as well as deputies elected from initiative groups of voters not sharing the policy and program of the newly formed government or its individual vectors, may declare themselves to be the opposition;

³³ Law on the Financing of Political Parties. Article 15. Limits on Making Donations to Political Parties. Adopted on 30 April, 2004.

³⁴ For example, when this Law was adopted, the cooperation project with political parties that existed within the framework of the German Konrad Adenauer Foundation in Tashkent closed down. Many Western international organizations, such as the Friedrich Ebert Foundation (Germany), the National Democratic Institute (U.S.A.), the International Republican Institute (U.S.A.), and the Konrad Adenauer Foundation can now cooperate with parties through the Institute for Civil Society Studies.

³⁵ The president's unexpected initiative was announced on 9 November, one week before the discussion in the Council of Ministers of Foreign Affairs of the EU of the sanctions adopted a year earlier with respect to Uzbekistan after the well-known Andijan events of 13 May, 2005, which many perceived as a signal to the West that Uzbekistan was ready to continue democratization, and this process could be more intensive if the sanctions were halted (see: [http://www.uza.uz/doc-uments/index.php?idl=14262]).

³⁶ The second part of Art 34 of the Constitution reads: "No one may infringe on the rights, freedoms, and dignity of persons comprising the opposition minority in political parties, public associations, mass movements, or representative government bodies." Chapter on Political Rights.

A political party faction that declares itself to be the parliamentary opposition, along with the powers stipulated by the law for factions, shall have the right:

to submit an alternative version of a draft law at the same time as the report on the corresponding issue by an executive committee of the Legislative House;

to enter its own special opinion on the issues being discussed in the minutes of a plenary session of the Legislative House;

to the guaranteed participation of its representatives in a conciliation commission regarding the law rejected by the Senate of the Oliy Majlis of the Republic of Uzbekistan.

*The rights of the parliamentary opposition guaranteed by the law may not be infringed upon by the parliamentary majority.*³⁷

Art 4 of the new draft law sets forth a new procedure for appointing the prime minister. It suggests strengthening the consultative functions of political parties:

The nomination of the prime minister of the Republic of Uzbekistan shall be presented by the President of the Republic of Uzbekistan for approval by the Legislative House and the Senate of the Oliy Majlis of the Republic of Uzbekistan after consultations have been held with each of the factions of the political parties represented in the Legislative House of the Oliy Majlis of the Republic of Uzbekistan and the deputies elected from initiative groups of voters within one month after the election of the officials and the formation of the bodies of the Uzbekistan Oliy Majlis Houses.

The nomination of the prime minister of the Republic of Uzbekistan that gathers the majority of votes from the total number of deputies of the Legislative House and members of the Senate of the Uzbekistan Oliy Majlis shall be considered approved.³⁸

But, as before, in the case of three rejections by the Legislative House or the Senate of a candidate for prime minister presented by the country's president, the head of state appoints an acting prime minister, disbands one or both of the parliament Houses, and announces the date of a new election.³⁹

The constitutional bill mentioned offers to political parties additional "restraining mechanisms" with respect to the country's prime minister, as well as to khokims (governors) of the provinces and city of Tashkent. Now the parties and their factions may initiate dismissal of the prime minister or khokims of the provinces and Tashkent:

On the initiative of the factions of political parties in the Legislative House presented for review by the President of the Republic of Uzbekistan, he shall make a decision on dismissal, if such an initiative with the necessary substantiation is supported by the leading factions of the political parties in the parliament and if he puts it to the vote and it receives more than two thirds of the votes of the total number of deputies of the Legislative House and members of the Senate in the Legislative House and the Senate of the Oliy Majlis of the Republic of Uzbekistan, respectively.⁴⁰

⁴⁰ Ibid., Art 5, clause "d." Before that, the Law envisaged three ways of dismissing the prime minister from his post: based on a personal retirement statement; in the event the prime minister cannot perform his duties; in the event of insur-

³⁷ Art 2 of the draft of the constitutional law on Strengthening the Role of Political Parties in the Renewal and Further Democratization of State Administration and Modernization of the Country.

³⁸ Ibid., Art 4.

³⁹ Ibidem. The country's political practice shows that there has never yet been a situation when a nomination for prime minister or a regional khokim presented by the president was "objected to" by any faction, part of the Legislative House, or the local Kengashes (Councils) of the provinces. The deputies always vote unanimously in favor of supporting the indicated candidate. In so doing, the retention of this clause on disbandment of the parliament after three refusals to accept a candidate nominated by the president in the new version of the Constitutional Law is a strictly psychological aspect, which will probably not be implemented during the current generation of politicians.

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Party groups of the provincial and Tashkent city Kengashes of People's Deputies shall have the right to submit justified opinion to the Uzbekistan President in order to raise the efficiency of the control functions on the unsatisfactory activity by persons approved to the post of khokim of a province or of the city of Tashkent. In the event that this initiative is supported by the leading party groups, the President of Uzbekistan shall schedule a discussion of this initiative in the Kengash of People's Deputies and make a decision in keeping with the results of this discussion.⁴¹

All of these presidential initiatives were regarded by experts and the political parties themselves as a "worthy" step in the direction of strengthening the position of the latter, which means of the country's parliament as well. What is more, many more laws that regulate the activity of political parties and the republic's parliament must be reconsidered in the future. There is no doubt that very important politico-legal decisions exist, the implementation of which will be more radical than the mentioned draft law to promote the strengthening of parliamentarianism and efficient representation.

For example, review of the country's electoral system: the majority two-stage electoral system is in effect at all the election levels. The transfer to a mixed or full proportional system would significantly increase competition among parties, lead to a weakening of the effect of administrative resources, and help candidates to win who have a strong program on urgent social issues and small resources.

Art 15 of the Law on the Financing of Political Parties should also be cancelled, since it contains the "spirit of isolationism" and mistrust of Uzbekistan's parties. There can be no doubt that the salaries of parliament deputies and senators should be increased manifold,⁴² and deputies should be granted the right to have at least one assistant.⁴³

In the past few years, the executive power has concentrated all the levers of administration in its hands, based on the principle of "the state is the main reformer." The parliament and the political parties have become completely dependent on the executive power, not only politically and economically, but also at the level of the country's legislation. Here it seems prudent to take a look at the most important aspects where the parliament and political parties are juridically under the strong influence of the executive power, which is when the principle of division of powers is violated, as well as the system of checks and balances:

The Senate consists of 100 senators, 16 of which are appointed by the president, and the other 84 are elected from the provincial Kengashes (Councils) of People's Deputies. In Uzbekistan, there are 14 territorial constituents, and each of them must elect six senators.⁴⁴ The awkward situation consists in the fact that the chairmen of the local (be they provincial, urban, or district) Kengashes under the legislation is the khokim who is directly appointed by the president.⁴⁵ In so doing, the Senate is officially formed under the control of the executive power.

mountable disagreements arising among the members of the Cabinet of Ministers that threaten its normal functioning, as well as repeated adoption by the Cabinet of Ministers of decisions contradicting the Constitution, Uzbekistan laws, decrees, and orders of the President of Uzbekistan.

¹ Ibid., Art 7.

⁴² The monthly salary of a deputy of the Legislative House currently amounts to around 100,000 soms (before income tax), which is approximately equal to \$80. This sum is insignificant even compared to the salaries of many state enterprise employees. It is expedient to pay the said persons a minimum of \$300-400 for carrying out normal legislative activity and concentrating on urgent sociopolitical problems and their financial independence.

⁴³ Only the heads of committees and factions, as well as the house speaker, have the right to have assistants; ordinary deputies do not have such. It seems particularly urgent for the latter to have assistants, if we keep in mind that there are only a total of 120 assistants for the 27 million population of Uzbekistan.

⁴⁴ See: Uzbekistan Law on Elections to the Oliy Majlis of the Republic of Uzbekistan, Art 50.

⁴⁵ See: Constitution of the Republic of Uzbekistan, Art 102; Law of the Republic of Uzbekistan on State Power in the Provinces, Art 1.

The president may disband one or both houses of parliament under certain conditions.⁴⁶ But Uzbekistan's legislation contains no concept of "impeachment" with respect to the head of state, and the parliament does not have any mechanism for restraining the executive power of the president.

If Uzbekistan legislation is conscientiously analyzed, it is possible to find many provisions due to which the executive power is beyond the reach of many of its branches, and the parliament and judges are literally in the hands of the executive power.

Of course, a strong presidential power and executive vertical are possible in democratic states, but when strong authoritarian thinking is preserved in society and a liberal mindset has not yet formed, there is a high sociocultural deficit of democratization of society, the political culture of the bureaucracy is entirely imbibed with values of etatism and leader worshiping, and all the above-mentioned legislative provisions acquire a Draconian nature.

Political Parties through the Prism of their Functionality

Public opinion about political parties is directly related to their sociopolitical functions and the duties they perform in society.

In turn, the assessment by political parties of their activity depends on honest and free elections, free mass media, the role of parliament in the system of state power, the electoral system, and on the extent to which the parties depend on society or how decisive a role society plays in their destiny in general. In other words, who plays the main role in the fate of public associations, including of political parties: society or the government? In Uzbekistan's current reality, this question is rhetorical.

When describing the situation that has currently developed around political parties, there can be no doubt that official parties find themselves between two fires.⁴⁷ On the one hand, the government wants to control the situation, which is why it continues to retain tough control over the political parties.

But, on the other hand, public opinion forms its ideas about political parties based on the activity of Russian and Western similar structures.⁴⁸ It stands to reason that domestic political parties cannot correspond to the ideas society has about them. There are many reasons for this, primarily, the lack of independence, which in turn leads to Uzbek society's deep dissatisfaction with the activity of the country's political parties.

Non-confidence is due to the lack of full-fledged cooperation, support, and dialog. Society is not passing on its "social energy" to the political parties, as a result of which they are suffering from an acute shortage of human resources and ideas.

As American writer Michael Novak put it, all crises and shortages stem from a dearth of ideas, and authoritarianism undoubtedly gives rise to its emergence, since society gradually stops reproducing social energy and ideas, as well as engaging in creative work and innovation, not seeing the appropriate conditions for this.⁴⁹

⁴⁶ See: Constitution of the Republic of Uzbekistan, Art. 95.

⁴⁷ This definition was also used by the author at the conference on the development of parliamentarianism and political parties held in Vienna on 2-3 November, 2006 and organized by the OSCE/ODIHR.

⁴⁸ In Uzbekistan, such Russian television channels as Channel One, NTV, and Rossia are very popular. What is more, the satellite information channel Euronews has quite a large audience. Uzbekistan's electorate is more informed about the politicians and party activists of the Russian Federation than they are about their own.

⁴⁹ See: M. Novak, *Dukh demokraticheskogo kapitalizma* (The Spirit of Democratic Capitalism), Transl. from the English by V.G. Marutik, Luchi Sofii Publishers, Minsk, 1997, p. 544.

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The self-assurance of authoritarianism is becoming a burden, since it legitimizes the deficit in all spheres of activity, and primarily in the sphere of making correct political and economic decisions. Under authoritarianism, the people (including political parties) are always aware that someone is in control of the situation: the citizen does not always mobilize all his energy because there is no competition and pluralism. The absence of honest elections, as well as of free and independent mass media, promotes the conservation of people's inner potential and makes it impossible to identify talented people, who are always a great rarity in all societies. Authoritarianism gradually centralizes the government, and the entire government becomes personified. Although an increase in economic productivity may also be observed in authoritarian countries (under some conditions), there is eventually a steady decrease in the corresponding indices.

Authoritarianism, which is guided by "order and stability," gives rise, as the result of its selfassurance, to such social diseases as anomia, apathy, alienation, desperation, loss of the meaning of life, etc.

Public opinion has a legitimately low assessment of political parties because they are controlled by the government and due to the lack of honest and free competition, since it is the government, and not society, that is the arbitrator in this.

The law-governed social development can be analyzed by using the concept of "social shock absorbers." 50

Social shock absorbers are sociocultural institutions capable of intercepting signals testifying to the development of sociocultural contradictions, of taking measures to overcome them, as well as of stimulating society's ability to follow sociocultural laws. Social shock absorbers register an increase in latent or blatant public dissatisfaction or a deterioration in the mass comfort level, and launch urgent programs for taking corresponding measures.

In a liberal civilization, such social shock absorbers are freedom of the press, parliament, and political parties, including the opposition, as well as those participating in demonstrations, elections, and so on. Social shock absorbers channel (realistically or potentially) dangerous processes into matters of society's everyday concern, reducing the hope that everything will go right by means of the "totem," under the effect of objective laws of history, the bureaucracy, and so on.

The absence of corresponding social shock absorbers is leading to the phenomenon that can be described as "withdrawal of the disease within."

Now legitimate questions arise: which Uzbekistan institutions are currently carrying out the functions of social shock absorbers, on which values are these institutions based, in what way and how efficiently are these social shock absorbers working, and whether the political parties and the Uzbekistan parliament are social shock absorbers?

There is no doubt that political parties understand that they are the ones that should be the social shock absorbers, should channel society's protest potential, and register the increase in society's latent or blatant discomfort level. Within a certain framework, political parties play the role of social shock absorbers, but the latter's function is to monopolize the bureaucracy. The contradiction consists of the parties nevertheless carrying out certain functions, but the reason for this is that a deep mutual understanding has developed today between the government and the parties on the basis of the government's conditions, and in this sense the parties play the role the government has given them.

There are two more dimensions of political parties; the extent to which they are able to control the executive and judicial powers, as well as create constructive tension for the government, since such functions are classical in liberal societies, and without them it is impossible to talk about democracy.

⁵⁰ The term used in A.S. Akhiezer's book *Rossia: kritika istoricheskogo opyta*, Philosophical Society, Moscow, 1991 (*Sotsiokul'turniy slovar'*, Vol. 3, 471 pp.).

The reproduction of the functions of constructive tension is one of the important sociocultural mechanisms of democracy.⁵¹ By observing the experience of developed democratic countries, we can convince ourselves that the political system's main concern is political pluralism, where there are definitely institutions (in this case, political parties), a parliament (including the opposition), independent mass media, demonstrations, and other forms of protest, the main assignment of which is to create "constructive tension" not only with respect to the government, but also to the other actors in the political processes. Constructive criticism and opposition policy are the products of a normal and healthy political system.

Unfortunately, political parties are still unable to reproduce "constructive tension" with respect to the president and the government. On the contrary, in Uzbekistan, the country's president always expresses dissatisfaction with the activity of the political parties. This may seem paradoxical, but there is something legitimate here: the more the president calls on political parties to be independent, the more dependent they become. This is probably an expression of the double standard characteristic of many politicians: when political parties are criticized for their inactivity, a viewpoint corresponding to public opinion can be expressed. But the very fact that the government is critical of passivity directly indicates its attitude toward the parties, which simultaneously increases the dependence of the parties themselves. If political parties were independent, along with free mass media and honest elections, it would not be so easy for the government to criticize the parties unilaterally; on the contrary the government in power would be afraid of parties capable of winning at elections and taking away its power.

Honest and free elections against the background of free mass media are capable of dynamically transforming the political processes in society. Under authoritarianism, the mass media are the first to fall under the government's control, and various manipulations are carried out at elections, since the government's main concern is to retain power and its comfortable position, and not concern itself with the comfortable position of society.

Uzbekistan's political parties are deprived of the possibility of carrying out supervisory functions with respect to the executive power; on the contrary, they have accepted the fact that they are controlled by it. Political parties and their parliamentary factions are not even claiming to participate in the development of the country's policy, since the practice that has developed does not place this responsibility on them.

Conclusion

Uzbekistan's political parties are an important institution of the republic's political life, but they are not free enough to manifest themselves fully.

There is no doubt that the president wants to increase the role of parties in society. It turns out that society's problems are too much for one leader to deal with, while society is inclined to get excessively tired of one politician. The head of state's image is also retained when parties carry out certain political functions.

Nevertheless, when the president talks about strengthening parties, he in no way means encouraging their independence or full-fledged opposition—he is striving to acquire them as assistants for resolving common problems, but in no way as opponents who act willfully and make claims to power.

The financial status of political parties and their factions in the Legislative House of the Oliy Majlis corresponds to the functions placed on them by the state. Although the Law on the Financing

⁵¹ Ibidem. "Vector of constructive tension."

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of Political Parties has helped to change their material and financial status, they are generally experiencing quite a serious shortage of funds.

The state, after reconsidering the financial side of the parties' activity, did not reconsider the political component of their activity. In other words, the state, after increasing the subsidizing of the parties, also increased its political control over them, and not vice versa. It is believed that independent political parties actively representing the interests of society are capable of more efficient self-financing.

Each and every party taken together is the nation's wealth. Their amorphousness and inefficiency result from the nature of the transitional political system, as well as from the absence of historical experience in this sphere. It can be presumed that the era of hyper-transformation of Uzbekistan's political regime is not too far away, and that it will probably begin in at least three of four years.

Intensified modification could gradually create circumstances for free political competition, under which the parties will most probably significantly reconsider their thinking and behavior and concentrate more on society than on the government. This may jeopardize the existence of some of the currently existing parties due to weak public support, but these developments of events does not meet the long-term interests of society.

Under conditions of free political competition, the role of parties in society significantly grows and the most active politicians and very influential people will show greater interest in them. This could lead to a change in leaders of relatively small parties and to energetic political players, who used to engage in politics in the corridors of the executive power, taking their place.

Nevertheless, the beginning of serious political transformations could put an end to the five-party system and lead to the appearance of a significant number of new political parties, as well as to the registration of opposition party projects.

Summing up the aforesaid, we can present the thought of Russian sociologist A.S. Akhiezer, who indicates that several problems relating to sociocultural thinking are encountered on the road to democracy:

- "Misconception of mass consciousness," when public faith in the leadership is so strong that the leaders can do everything. Anyone can essentially take the lead, but the leaders are frequently subjected to attacks, and so on, which requires their urgent replacement by another totem.
- "Misconception of the intelligentsia," according to which the population is always willing, mature, and perfect, only the old state order must be destroyed in order for the people to immediately (as soon as the government is replaced) have the possibility of carrying out radical reforms; everything immediately falls into place and democracy will come.
- And, finally, "misconception of the bureaucracy," according to which the people are not ready for democracy, they should only manage and control it.⁵²

Unfortunately, in Uzbek society, all the above-mentioned misconceptions exist and they are extremely polarized.

⁵² Terms used in: A.S. Akhiezer, op. cit.