



## THE ROLE OF CIVIL SOCIETY INSTITUTIONS IN THE FORMATION

Кодирова Шарифахон Асратуллоевна  
старший преподаватель кафедры «Искусство управления»  
Академии государственного управления при Президенте Республики Узбекистан

### Abstract

This article is devoted to the scientific and theoretical analysis of the role of civil society and its institutions in the formation of a positive image of power, the current situation in the functioning of civil society institutions in Uzbekistan. The article also describes the results of an empirical study of the activities of non-governmental non-profit organizations (NGOs), which shows a number of difficulties that require attention. In solving these difficulties, the role of NGOs in today's society Uzbekistan will be further strengthened, and will affect the formation of a positive image of power in the minds of citizens.

**Keywords:** civil society, civil society institutions, the role of civil society institutions, a positive image of power, the activities of civil society institutions, non-governmental non-profit organizations (NGOs).

### Introduction

Today, we understand that the state authorities and state bodies create strategies and implement policies for the benefit of society – citizens. But in order for the connection between the state and citizens to be indissoluble, and for the programs that are drawn up to really solve the problems of citizens, it is necessary to ensure the effective functioning of civil society institutions. This factor plays a key role in the formation of a positive image of power in the minds of citizens.

It should be noted that civil society in each state has its own characteristics, which are related to the history of the state, geographical location, main religions, style of governance, economic, legal and political foundations of the state, the structure of society and the degree of awareness of citizens, which have been formed over many centuries and will determine its fate in the future<sup>1</sup>. It can be said that the institutions of civil society are the result of the historical development of citizens' awareness. This is also reflected in Hegel's definition of civil society, namely as the common spiritual existence of the people, "to which individuals have confidence and become accustomed from birth, and in which their essence and their activity are expressed<sup>2</sup>."

It is important to note that civil society provides a link between the state and society and cannot exist outside the state. But at the same time, the state and civil society are a direct product of culture, and therefore determined by society<sup>3</sup>. This speaks of the mutual influence of society and

<sup>1</sup> Montesquieu S. On the Spirit of the Laws // Montesquieu S.L. Selected Works. Moscow, 1955. – p. 25.

<sup>2</sup> Hegel G. Philosophy of History. Moscow, Mysl Publ., 1990, p. 98.

<sup>3</sup> Bazarkulova T.A. State and Civil Society. International Scientific Journal "Innovative Science" No. 12-2/2016. – p. 150.



civil society, as well as its institutions. Based on this, it can be said that the development of civil society institutions is related to the history, values and culture of the people, which is reflected even in the differences in civil society institutions between the regions of one state.

According to the English scholar T. Hobbes: "Civil society is a union of individuals, a collective, in which all its members acquire the highest human qualities<sup>4</sup>." In other words, due to this union, the citizen realizes his role in solving important social problems.

In turn, J. Locke, defining the leading role of the state, wrote: "Civil society is a political society, that is, a public sphere in which the state has its own interests<sup>5</sup>." This suggests that the state benefits from the functioning of civil society institutions.

The French philosopher C. Montesquieu noted that "Civil society is a society of enmity between people, which is transformed into a state in order to stop it<sup>6</sup>." We believe that this is related to the existence of various institutions of civil society, which represent the interests of various social groups of society and are united by one social order. In the same direction, one can understand the opinion of the German scientists K. Marx and F. Engels<sup>7</sup>, who defined civil society through socio-economic processes, namely, as "the sphere of material, economic life and activity of people, which is primary in relation to the state, civil life as the sum of various interests binds the state." That is, we see that despite the fact that society consists of various social groups, whose interests do not correspond to each other, and sometimes contradict each other, they express their interests in the necessary form with the help of civil society institutions and are united by the state.

According to R.N. Lapidus, civil society is the most important element in the system of checks and balances of modern society, which makes it possible to control and limit the activities of state institutions and business, preventing violations of the law and their excessive interference in the private life of citizens. Civil society makes it possible to effectively promote the interests of various social groups and protect their rights, including through the advancement of legislative initiatives<sup>8</sup>. Thus, it can be said that the institutions of civil society, through their activities, level out social contradictions and harmonize social relations.

If we talk about the difference in the institutions of civil society in Western and Asian countries, then, according to T.A. Bakharkulova, the industrially developed states of Asia have a fairly high level of development of civil society institutions, but they arose and were formed due to the influence of the West and the implementation of reforms according to the Western model. This is the result of the fact that the state in the East is oriented towards stability and was itself the owner of land. And the absolute power of the monarchy contributed to the collective form of existence of society, and therefore civil society developed at a low level. In this regard, the people were not interested in individual hard work, but rather focused on the preservation of collective ties, which leads to the preservation of corporatism and clannishness as characteristics and values to this day. And the state in the West from a certain period passed into the environment of capitalist socio-

---

<sup>4</sup> *Hobbes T.* On citizenship. *Leviathan* // Selected Works: in 2 vols. / T. Hobbes. Moscow, Mysl Publ., 1964. T. 2. - p. 395.

<sup>5</sup> *Локк Дж.* Два трактата о правлении // Сочинения: в 3 т. / Дж. Локк. Т. 3. М.: Мысль, 1988. - С. 338.

<sup>6</sup> *Montesquieu S.* On the Spirit of the Laws // Montesquieu S.L. Selected Works. Moscow, 1955. - p. 25.

<sup>7</sup> *Davletshina R.R.* Legal Doctrine of Civil Society: History of Ideas and Modernity. *Eurasian Law Journal*. 2009. №3 (10). - p. 21.

<sup>8</sup> *Lapidus R.N.* Civil Society Institutions as a Legal Category. *Vestnik Moskovskogo universiteta MVD Rossii*. 2018, No2. - p. 125.



economic relations, from this stage dynamism and individualism appeared as an important feature and value of Western countries. In this regard, civil society and its institutions have been most developed in Western countries<sup>9</sup>. We, in turn, believe that the institutions of civil society in the East do not have the generally accepted habitual Western form, and today there are specific historically formed forms of regulation and functioning of civil society institutions in Eastern countries. For example, based on the characteristics of formal and informal public organizations in Uzbekistan, there are Institutions such as mahallas, mosques, communities, guilds, united by various types of activities.

Based on the above analysis, we can conclude that at present, we feel the importance of the effective functioning of civil society institutions in Uzbekistan today, as it is required by the time and awareness of citizens. At the same time, we can say that civil society institutions are quite an effective "assistant" to the state in several senses: 1 – the state "delegates" a number of its functions to civil society institutions, 2 – it is a link between the state and citizens, articulating people's opinions, 3 – it exercises public control, which contributes to ensuring the rule of law. These aspects of the activities of civil society institutions directly affect the increase in the level of satisfaction with the life of citizens, which forms a positive image of state power in the minds of citizens.

Earlier, we noted about the essence, role and historical aspects of civil society and its institutions, then we will turn to the analysis of the current situation related to the functioning of civil society institutions in Uzbekistan today.

The activities of civil society institutions are guaranteed by the Constitution of the Republic of Uzbekistan<sup>10</sup> and are regulated by the following laws: the Public Associations Act<sup>11</sup>, the Political Parties Act<sup>12</sup>, the Citizens' Self-Government Bodies Act<sup>13</sup>, the Non-State Non-Profit Organizations Act<sup>14</sup>, the Mass Media Act<sup>15</sup>, and the Guarantees of the Activities of Non-State Non-Profit Organizations Act<sup>16</sup>, the Resolution of the President of the Republic of Uzbekistan "On measures

---

<sup>9</sup> *Bazarkulova T.A.* State and Civil Society. International Scientific Journal "Innovative Science" No. 12-2/2016. – p. 158.

<sup>10</sup> Constitution of the Republic of Uzbekistan. [Electronic resource]: <https://constitution.uz/ru> (accessed: 18.09.2022).

<sup>11</sup> Закон Республики Узбекистан «Об общественных объединениях в Республике Узбекистан». [Электронный ресурс]: [https://nrm.uz/contentf?doc=421526\\_zakon\\_respubliki\\_uzbekistan\\_ot\\_03\\_07\\_1992\\_g\\_n\\_664-xii\\_o\\_vnesenii\\_izmeneniy\\_i\\_dopolneniy\\_v\\_zakon\\_ob\\_obshchestvennyh\\_obedineniyah](https://nrm.uz/contentf?doc=421526_zakon_respubliki_uzbekistan_ot_03_07_1992_g_n_664-xii_o_vnesenii_izmeneniy_i_dopolneniy_v_zakon_ob_obshchestvennyh_obedineniyah) (дата обращения: 18.09.2022).

<sup>12</sup> Law of the Republic of Uzbekistan dated 26.12.1996 No. 337-I "On Political Parties". [Electronic resource]: <https://lex.uz/docs/57033?ONDATE=07.01.1997%2000> (accessed: 18.09.2022).

<sup>13</sup> Law of the Republic of Uzbekistan dated 22.04.2013 No. ZRU-350 "On Citizens' Self-Government Bodies". [Electronic resource]: <https://lex.uz/acts/2156897> (data obrashcheniya: 18.09.2022).

<sup>14</sup> Law of the Republic of Uzbekistan dated 14.04.1999 No. 763-I "On Non-State Non-Profit Organizations". [Electronic resource]: <https://lex.uz/docs/10863> (accessed: 20.09.2022).

<sup>15</sup> Law of the Republic of Uzbekistan dated 15.01.2007 No. ZRU-78 "On Mass Media". [Electronic resource]: <https://lex.uz/acts/53112> (accessed: 20.09.2022).

<sup>16</sup> Law of the Republic of Uzbekistan dated 03.01.2007 No. ZRU-76 "On Guarantees of the Activities of Non-State Non-Profit Organizations". [Electronic resource]: <https://lex.uz/ru/docs/1101280?ONDATE2=21.04.2021&action=compare> (accessed: 20.09.2022).



to organize the activities of public councils under state bodies" was also adopted<sup>17</sup>, which obliges all bodies of state power and administration, as well as local authorities, to create public councils under them. The purpose of these public councils is to study the opinion of citizens with the involvement of public organizations<sup>18</sup>.

Today we see a variety of forms of civil society institutions in our state: citizens' self-government bodies (mahallas), parties, movements, trade unions, public associations and foundations, non-governmental non-profit organizations (NGOs), it is they who form the basis of civil society and determine its content. They are designed to promote the growth of civic activity, national self-awareness, political culture and high spirituality of members of society, to educate. They have a sense of self-esteem, independent thinking, the desire to realize their potential, to build their future with their own hands<sup>19</sup>.

To date, more than 22,000 civil society institutions operate in Uzbekistan. Of these, about 10,000 are non-governmental non-profit organizations<sup>20</sup>. In order to provide financial support to civil society institutions, there are funds such as the Fund for the Support of Non-Governmental Non-Profit Organizations under the National Association of Non-Governmental Non-Profit Organizations of Uzbekistan and the Public Fund for the Support of NGOs<sup>21</sup> and other civil society institutions under the Oliy Majlis of the Republic of Uzbekistan, Public Foundations under the Kengashes of People's Deputies of the regions, the city of Tashkent and the Jokari Kenes of the Republic of Karakalpakstan. Also, to ensure the openness of the activities of state bodies, they have created a staff of press secretary, whose main task is to cover the activities of the department on an ongoing basis<sup>22</sup>.

The above allows us to conclude that for the effective functioning of civil society institutions, favorable legal conditions and financial opportunities have been created to ensure the connection between citizens and the state, and the formation of a positive image of state power in the minds of citizens, at the same time, there are a number of problems that need to be solved. Let's list the main ones below.

A study conducted by us together with the Center for the Promotion of Economic Development of Regions to study problems in the activities of NGOs in the Republic of Uzbekistan in January-February 2022, which was attended by 91 heads of NGOs, 130 state civil servants, 192 citizens and 108 heads of public councils in Tashkent, Samarkand, Fergana, Khorezm, shows a number of obstacles to the effective activities of NGOs in Uzbekistan.

---

<sup>17</sup> Decree of the President of the Republic of Uzbekistan dated 04.07.2018 No. PP-3837 "On measures to organize the activities of public councils under state bodies". [Electronic resource]: <https://lex.uz/ru/docs/3808835> (accessed: 20.09.2022).

<sup>18</sup> Decree of the President of the Republic of Uzbekistan, dated 04.07.2018 No. PP-3837: "On measures to organize the activities of public councils under state bodies".

<sup>19</sup> Decree of the President of the Republic of Uzbekistan dated 23.06.2005 No. PP-10: "On measures to assist the development of civil society institutions in Uzbekistan". [Electronic resource]: <https://lex.uz/ru/docs/1711869> (data obrashcheniya: 25.02.22).

<sup>20</sup> Statistics on non-governmental non-profit organizations. [Electronic resource]: <https://www.gazeta.uz/ru/2020/02/12/answer/> (data obrashcheniya: 25.02.22).

<sup>21</sup> Non-governmental, non-profit organizations

<sup>22</sup> Law of the Republic of Uzbekistan, dated 05.05.2014 No. ZRU-369: on the openness of the activities of public authorities and administration. [Electronic resource]: <https://lex.uz/docs/2381138> (data obrashcheniya: 25.02.22).



First of all, this concerns the capacity of the NVC leaders themselves, as shown in the diagram below (see Figure 2.2). Namely: the level of knowledge in the field of management of NGO leaders is 5 on a ten-point scale; the level of knowledge in the field of resource mobilization (fundraising) is 2 on a ten-point scale; the expression of knowledge in the field of articulation of interests and effective work with citizens is equal to 4; Knowledge of methods of working with government agencies is equal to 6; and knowledge of PR activities is 5 on a ten-point scale. This means that there is a need to increase the capacity of NGO leaders in the areas of effective governance, finding external resources, articulating interests, and working with citizens and the public. In our opinion, one of the main reasons for the weak cooperation of state bodies with NGOs is the insufficient PR activities of NGOs, which limits the receipt of information about their activities and the possibilities of cooperation between NGOs and public authorities.



**Rice. 2.2. Level of knowledge of NGO leaders**

In the survey referred to above (see para. p. 98) among 130 civil servants was identified (see Fig. 2.3.), that 18% of respondents believe that *there is no particular need* to cooperate with NGOs in solving the tasks assigned to their organization. *The need and importance of working with NGOs* was expressed by 43% of respondents. This suggests that appropriate measures need to be taken to ensure effective interaction with NGOs.



**Rice. 2.3. The Need for State Organizations to Work with NGOs**





Despite the fact that in recent years, thanks to the activities of public reception offices and the simplification of citizens' appeals to the court, the legal and political activity of citizens has increased, there is a need to form a conscious and active position in solving public problems. In a study of the opinions of 192 citizens, the survey mentioned above on page 98 revealed (see Fig. 2.4.), that 49% of respondents expect the state to solve their problems, 19% of respondents are ready to solve urgent problems together with public authorities, 12% of the survey participants noted that important problems should be solved by citizens themselves, by combining their efforts and capabilities, 20% found it difficult to answer. This suggests that there is a need in the country for the development of social responsibility and activity of citizens themselves.



**Rice. 2.4. Distribution of Responsibility in Solving Citizens' Problems**

In order to implement the Decree of the President of the Republic of Uzbekistan dated 04.07.2018. No. PP-3837: "On Measures to Organize the Activities of Public Councils under State Bodies" public councils were established in all state institutions, including local authorities. The purpose of which is: to exercise public control over the activities of the state body and its officials to take into account public interests and public opinion in the adopted regulatory and legal acts, decisions, as well as in state, sectoral and territorial development programs; ensuring compliance with the requirements of the legislation in the field of protection of the rights and legitimate interests of citizens, legal entities, and the interests of society; performance of tasks and functions assigned to the state body that affect social and public interests; provision of public services; implementation of agreements, contracts, projects and programs implemented within the framework of social partnership<sup>23</sup>. When studying the activities of public councils, it was revealed that 87<sup>24</sup> out of 108 carry out their activities not at the appropriate level, which is evidenced by the following factors: the number of citizens' appeals; a small number of specifically identified initiatives put forward by the public council to solve problems; low coverage of the activities of public councils among the population; involvement of public organizations in the development of strategies and programs

<sup>23</sup> Decree of the President of the Republic of Uzbekistan, dated 04.07.2018 No. PP-3837: "On measures to organize the activities of public councils under state bodies". [Electronic resource]: <https://lex.uz/ru/docs/3808835> (data obrashcheniya: 05.04.22).

<sup>24</sup> The result of a conversation with the heads of public councils under local authorities, obtained within the framework of the survey mentioned above.



of public authorities at an insufficient level. In our opinion, the reason for this is the lack of an effective system for managing the board, as well as the lack of up-to-date knowledge in the field of leadership.

Based on the analysis presented above, the following conclusions can be drawn: for the effective work of civil society institutions, first of all, it is necessary to work to increase the capacity of NGO leaders in the field of effective management, finding external resources, as well as working with citizens and the public; Also, today there is a weak cooperation between state bodies and NGOs, for this it is necessary to conduct PR activities of NGOs in order to expand information about their activities and opportunities for cooperation between NGOs and public authorities; An important step in strengthening the role of civil society institutions will be the adoption of measures to improve the management system of public councils under state bodies, the activities of which, as studies show, are currently insufficiently effective; In addition, there is a need for the development of social responsibility and activity of citizens themselves, since most of the respondents have a dependent position.

#### References

1. Montesquieu S. On the Spirit of Laws // Montesquieu Sh.L. Selected Works. Moscow, 1955. – p. 25.
2. Gegel G. Filosofiya istorii [Philosophy of History]. Moscow, Mysl Publ., 1990. – p. 98.
3. Bazarkulova T.A. Gosudarstvo i grazhdanskoe obshchestvo [State and Civil Society]. International Scientific Journal "Innovative Science" No. 12-2/2016. – p. 150.
4. Hobbes T. O grazhdanstvo [On citizenship]. Leviathan // Selected Works: in 2 vols. / T. Hobbes. Moscow, Mysl Publ., 1964. T. 2. - p. 395.
5. Локк Дж. Два трактата о правлении // Сочинения: в 3 т. / Дж. Локк. Т. 3. М.: Мысль, 1988. - С. 338.
6. Montesquieu S. On the Spirit of Laws // Montesquieu Sh.L. Selected Works. Moscow, 1955. – p. 25.
7. Davletshina R.R. Legal Doctrine of Civil Society: History of Ideas and Modernity. Eurasian Law Journal. 2009. №3 (10). - p. 21.
8. Lapidus R.N. Institutions of Civil Society as a Legal Category. Bulletin of the Moscow University of the Ministry of Internal Affairs of Russia. 2018, №2. - p. 125.
9. Bazarkulova T.A. Gosudarstvo i grazhdanskoe obshchestvo [State and Civil Society]. International Scientific Journal "Innovative Science" No. 12-2/2016. – p. 158.
10. Constitution of the Republic of Uzbekistan. [Electronic resource]: <https://constitution.uz/ru>.
11. The law of the Republic of Uzbekistan "On the state of the republic of Uzbekistan." [Electronic Resource]: [https://nrm.uz/contentf?doc=421526\\_zakon\\_respubliki\\_uzbekistan\\_ot\\_03\\_07\\_1992\\_g\\_n\\_66\\_4-xii\\_o\\_vnesenii\\_izmeneniy\\_i\\_dopolneniy\\_v\\_zakon\\_ob\\_obshchestvennyh\\_obedineniyah](https://nrm.uz/contentf?doc=421526_zakon_respubliki_uzbekistan_ot_03_07_1992_g_n_66_4-xii_o_vnesenii_izmeneniy_i_dopolneniy_v_zakon_ob_obshchestvennyh_obedineniyah).
12. Law of the Republic of Uzbekistan dated 26.12.1996 No. 337-I "On Political Parties". [Electronic resource]: <https://lex.uz/docs/57033?ONDATE=07.01.1997%2000>.
13. Law of the Republic of Uzbekistan dated 22.04.2013 No. ZRU-350 "On Citizens' Self-Government Bodies". [Electronic resource]: <https://lex.uz/acts/2156897>.
14. Law of the Republic of Uzbekistan dated 14.04.1999 No. 763-I "On Non-State Non-Profit Organizations". [Electronic resource]: <https://lex.uz/docs/10863>.

15. Law of the Republic of Uzbekistan dated 15.01.2007 No. ZRU-78 "On Mass Media". [Electronic resource]: <https://lex.uz/acts/53112>.
16. Law of the Republic of Uzbekistan dated 03.01.2007 No. ZRU-76 "On Guarantees of the Activities of Non-State Non-Profit Organizations". [Elektronnyi resurs]: <https://lex.uz/ru/docs/1101280?ONDATE2=21.04.2021&action=compare>.
17. Decree of the President of the Republic of Uzbekistan dated 04.07.2018 No. PP-3837 "On measures to organize the activities of public councils under state bodies". [Elektronnyi resurs]: <https://lex.uz/ru/docs/3808835>.
18. Decree of the President of the Republic of Uzbekistan, dated 04.07.2018 No. PP-3837: "On measures to organize the activities of public councils under state bodies".
19. Decree of the President of the Republic of Uzbekistan, dated 04.07.2018 No. PP-3837: "On measures to organize the activities of public councils under state bodies". [Elektronnyi resurs]: <https://lex.uz/ru/docs/3808835>.
20. Decree of the President of the Republic of Uzbekistan dated 23.06.2005 No. PP-10: "On measures to assist the development of civil society institutions in Uzbekistan". [Electronic resource]: <https://lex.uz/ru/docs/1711869>.
21. Statistics on non-governmental non-profit organizations. [Electronic resource]: <https://www.gazeta.uz/ru/2020/02/12/answer/>.
22. Non-governmental, non-profit organizations
23. Law of the Republic of Uzbekistan, dated 05.05.2014 No. ZRU-369: on the openness of the activities of public authorities and administration. [Elektronnyi resurs]: <https://lex.uz/docs/2381138>.