

**EVOLUTION OF POLITICAL SYSTEM IN
UZBEKISTAN, 1991-2001**

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MASTER OF PHILOSOPHY

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DECLARATION

I declare that the dissertation entitled “EVOLUTION OF POLITICAL SYSTEM IN UZBEKISTAN, 1991-2001” submitted by me in partial fulfilment of the requirements for the award of the degree of **MASTER OF PHILOSOPHY** of Jawaharlal Nehru University is my own work. The dissertation has not been previously submitted for any other degree of this University or any other university.

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CERTIFICATE

I recommend that the dissertation may be placed before the examiners for evaluation.

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Chapter-I

Introduction: Conceptual Frame Work

The term 'system' has been defined in different disciplines in a different way. Basically, the term 'system' is a terminology of science. But later, this term has been adopted in social sciences. After its uses in Anthropology, Sociology and Psychology, David Easton has adopted this term in the field of political Analysis. After that, Almond Powell and other political scientists have used this term in the analysis of the political system of a country.

First of all, this term has been used by famous Biologist Ludwig Von Bertalanffy. He defines, system as "a set of elements standing in interaction"(Bertalanffy 1956:3). Morton A. Kaplan says, "A brief and non-technical description of the object of system analysis would include: the study of a set of interrelated variables, as distinguished from the environment of the set, and of the ways in which this set is maintained under the impact of environmental disturbances"(Kaplan1967: 150). According to Oxford Dictionary, "A system is a complex whole, a set of connected things or parts, organized body of material or immaterial things". At least, we can say that 'system' is a set of interactions that is based on structural relationship and its process.

Many scholars have explained about political system. Among them, Easton, Almond and Powell are main scholars. Easton has described that Political system is a set of interactions as abstracted from the totality of social behaviour, through which authoritative values are allocated for a society (Easton1965:112). Beer and Ulam describes it as 'a structure that performs a certain functions for a society'. The political system produces a certain output for the society, that is legitimate policy decisions (Beer and Ulam1968:21). Robert Dahl is of the opinion that "A political

system is any persistent pattern of human relationships that involves to significant extent, power, rule or authority”(Dahl1965:6). According to Deutesh, “Political system depends to a large extent on the fabric of co-ordinated expectations”(Sinha 2005:27). Almond has defined that political system is “that system of interactions to be found in all independent societies which performs the functions of integration and adaptation (both internally and vis-à-vis other societies) by means of the employment, or threat of employment, of more or less legitimate physical compulsion”(Almond1970:7).

Almond says in his book “The politics of the Developing Areas” that political system is the legitimate order maintaining or transforming system in the society. He has further explained that when we speak of the political system we include all the interactions which affect the use or threat of use of legitimate physical coercion. (Almond 1970:7).

He further says that every political system performs two type of functions: input and output. These functions are given below:

1.Input functions of the political system:

- a) Political socialization and Recruitment
- b) Interest Articulation
- c) Interest Aggregation, and
- d) Political Communication

2.Output functions of the political system:

- a) Rule – making
- b) Rule – application, and
- c) Rule – adjudication

So far as political system in the ancient period is concerned, Plato has described political system in his famous book 'Republic'. He opines that ideal state is based on the division of labour or specialized functions. Division of works in the ideal state is based on the nature of soul. Plato has classified three classes. These are : (a) producing class (b) the warrior class and (c) the ruling class. Plato says that each man should pursue one function for which he is best fitted by nature, Plato includes guardian class in its political system on the basis of virtues. Guardian class is comprising of soldiers and philosopher king. (Sabine1973: 59-65).

Aristotle says that only free men are the part of political system. He was a supporter of slavery. So, he argues that political rights should not be given to slaves. Slavery has no virtue. So, slaves can not participate in the decision making process under the political system. He has pointed out that "some are born to rule and others are born to be ruled. It is not only natural, but necessary."(Sabine1973: 98-100). Similarly, in India Manu did not give any rights to the Sudras and untouchables. Hegel has explained political system in the form of Constitutional monarchy. Under this system, he includes – Executive, Legislature and Monarchy. He says that judiciary is a part of executive. He says that these organs can not be separated to one another and they don't control one another. In the legislature, peoples representation are not allowed as an individual, but he supports functional representation. Under the functional representation, it should be given to existing organizations and classes instead of individuals. He further explains the functions of legislature to produce some types of demands to the executive for making laws. And second, peoples criticism about government should be conveyed to the executive by the legislature. These are the only functions of legislature in the Hegel's political system. Monarch is

a supreme authority to have control over entire political system. (Mahta 2003: 434-35).

Under Marxism, it is said that political system is an instrument in the hands of dominant class to exploit dependent class (working class). In other words, it can be said that political system is an instrument to protect and promote the interests of the bourgeoisie. But, under the socialism the existence of political system is continued. At this stage, political system becomes an instrument of working class for the suppression of the remnants of the capitalism. But, in communism, state will wither away. In other words, we can say that there will be no existence of state. (Mahta 2003: 434-35).

When we discuss about the main forms of modern government, we find three forms of government:

- a) The Liberal-Democratic state Model
- b) The Totalitarian state or Marxist- Leninist Model
- c) The Third-World State Model

The Liberal Democratic State Model

The liberal-democratic state model is based on freedom. It is not essential that all the characteristics of democracy are available simultaneously in all the liberal democratic political systems, but some basic features are available in every democratic political system. USA and Britain comes under the best example of Liberal-democratic political system.

Some basic features of the liberal political system are following (Ball 1971: 46-47):

More than one political party exist in every liberal political system. There are competitions among political parties in view of holding power. The government is formed by a political party or party group that gets majority in the elections. Whereas, parties in minority play the role of opposition. Ruling party governs the administrations and makes the policies according to its election manifesto. But, the opposition parties draw the attention of the common people towards the anti social and anti progressive policies of the government, because in the next election it would try to be in power. Under this process opposition parties have the control over the administration.

In the liberal political system, competitions are continuing for the taking power under common rules. So, they follow the rules of game, and they try to come in the power under the common rules.

Under this system, entries are open for the new members in every political party. Those who follow the policies and program, they can take the membership of the political party.

Periodic elections are held in this system. Generally, every political party fields its candidates in the elections and try to gain support from the people on the basis of its policies and program. Rights to equal adult suffrage has been given to the people on the basis of accepted principle of one man one vote.

Various pressure groups are in the position to influence government policies. It is important to note that these pressure groups try to influence the policy making, execution and judicial process of the state.

The position of judiciary is independent. Judiciary performs its functions according to the nature of government. In the US, there is presidential form of government, so the principle of separation of power has been adopted. It is the main reason that judiciary performs its functions under the due process of law. But in Britain, parliamentary form of government has been adopted, so judiciary performs its functions according to the rule of law. But, both countries are liberal–democratic, so judiciaries play its role independently.

Under the liberal democratic political system, civil liberties are given more importance. Freedom of expression, freedom of belief and right to religion, freedom of press and media, etc. comes under the purview of civil liberties. Under the abnormal situations, restrictions are imposed on these liberties by special laws.

The Totalitarian state or Marxist- Leninist Model:

Totalitarian model of political system is also called Marxist-Leninist Model of political system. This model was adopted in the USSR and presently some countries in the world too adopted it. Presently, the Peoples Republic of China is important among others.

There are following features of this system (Ball 1971:48) :

Official Ideology

Under this political system, there is an official ideology. Administration is governed on the basis of state ideology (Communist ideology). State is committed to this principle, and state continuously tries to get and implement it in day to day functioning of the state.

Single Party

There is a single party in the system i.e., Communist Party. It controls the administrative apparatus at all levels from top to bottom. Within the party, Central Committee and Politbureau are supreme authority. The central institution of this system is party. Within the party there is a strict discipline like army. No factionalism or splitting is permitted, and once decision is taken, it has to be obeyed by all members, and that it permeates the whole society. Article 126 of the Soviet Constitution provides the communist party of Soviet Union (CPSU), to play a role in the country. In Soviet Union, all the associations and organizations were under the guidance and supervision of the CPSU.

Obedience to State by Creating Terror

In such type of political system, government uses different organs of the state to spread fear and terror for the implementation of state policies. There is no place of disobedience for the people in the system. If the people violate the orders issued by the state authorities the capital punishment would be given to them.

State's Control over Media

State controls the press and media. Here, the right to expression is subject to state-censorship. It is subject to material restrictions in the field of access to newsprint, to films, to jobs in newspapers, magazines, televisions etc. These are controlled by the Communist Party and the government agencies which it has established. Government policies, programmes and achievements are broadcasted by the means of communications. There is no place for the independent media (print and electronic) in such system.

State's Control over Economy

In the totalitarian political system, state controls all the major means of production. In Marxist-Leninist model of political system, economic system is based on centrally command economy. Productions and distributions are completed under the supervision of the state. In exceptional cases, private investments are allowed by the state, but it takes place under the state's control and directions.

The Third – World State Model

The Third-World consists of Afro-Asian and Latin American countries which have got their independence in the Post-Second World War Period. These countries are also known as developing or underdeveloped countries. The leaders of these states are trying to establish liberal democratic political system in their respective countries. In these countries, sometimes democracy succeeds and sometimes fails. For example, from 1947 to 1967, India has single party dominant rule at the centre. For the first time in the history of independent India, more than half of the provincial government were formed by the opposition parties in 1967. So far as, the failure of democracy in India is concerned, during the emergency period, there was no democracy in India. But at large, India has established democratic political system in the country. In the most of the developing countries, different natures of different political systems are found simultaneously.

So, we can classify different form of political systems in the under developed states:

- a) Facade – Democratic Political System
- b) The Quasi- Democratic Political System

c) The Military Type of Political System(Finer:1970)

Facade Democratic Political System

It is a system where liberal–democratic institutions, process and safeguards are established by law, but in practice so manipulated or violated by a historic oligarchy as to stay in office (Finer 1970 : 441). In this system, constitution guarantees people democratic rights, such as political civil, economic, social, cultural, etc. But in practice, people don't enjoy these rights. Citizens cannot criticize government's policies. If people exercise their rights to criticize the government policies, the government may restrict the freedom of speech and of the press. Independent media and press are banded. So, there is no place for independent media and press.

There is no role of opposition political parties. If opposition leaders criticize government's policies and works, they will have to face several charges, and ultimately they will be punished.

According to Constitution, every citizen will have voting rights. The existence of a socially dominant class restricts franchise. In some countries every citizen has been given equal adult suffrage. But, election process, voting and counting is manipulated. Intimidation or discrimination may be used at the polling stations. And lastly, election results can be manipulated and endorsed by the judiciary. There is no place for independent judiciary. Authority uses judiciary in its interests. Judiciary is manipulated by the authority. In 1950s, some countries of the Third-World were under the facade democratic political system, such as, Chile, Uruguay, Peru, Brazil, Iraq etc. (Finer 1970: 441-61).

Quasi-Democratic Political System

The quasi-democratic political system falls short of the totalitarian regime. Party discipline and cohesion are less firm. Loyalty is usually owed to a leader rather than to an impersonal doctrine. The ruling parties sought to control the whole of society and to become totalitarian in scope.

In the political system, the right to form political parties is usually confined to only one, that will be an official party. It is possible that some countries can make the provision that other political parties can be formed, but other political parties will be ineffective. The freedom to form social and professional organizations such as trade unions and youth associations is also usually limited and they are controlled by the dominant party. The freedom of expressions and the media, and guarantees of the inviolability of the person and of the domicile, are usually restricted.

Election process is manipulated. The party attempts to be the mass party . But, party takes the monopoly of power, and loses its mass character. The ruling party doesn't have deep local roots. Parties, where they exist, tend to be weak in their organizations, decentralized, personalist and only spasmodically active. The party has no ideology and often no specific programme, usually it forms around some prominent personalities, and is held together by the hope of acquiring the spoils of office.

The legislature is disable to control executive in any form. The head of the executive (President) can veto legislation. It may be provision that legislature can override president's veto with a certain majority. But, assembly is composed exclusively of party members, whose candidatures are being personally approved by

the president in his capacity of party leader is beyond rational discussion. So, the assembly is under control of the head of the executive. Turkey was a quasi-democratic country until 1945. In 1960s, Mexico, Liberia, Gambia, Zambia, Uganda, etc. had quasi-democratic political system.(Finer 1970: 462-531).

Military Type of Political System

In such type of system, military plays significant role in ruling the country. This regime is fundamentally suppressive. The political organizations of the country are stifled, either by restrictions or by outright abolition, and the military leadership rules on an empirical basis, not seeking to bring about a fundamental structural alteration to society. It is purely personal, where the military junta or leader takes power out of personal ambition. (Finer 1970: 549-50).

The stereotype of a military regime is a state of affairs where a group of military leaders take over the functions of government in the name of the armed forces and then rule coercively through their support without a popular mandate. It can be identified mainly three types of military regime: (1), the stereotype is direct military rule. The military leaders themselves assumes responsibility for the government, though they may appoint a civilian cabinet to carry out their orders. This is divided into two forms – the direct and the direct: quasi-civilized form. In the latter, the military leaders go through some fake or forced form of legitimation by the popular plebiscite, by the recognition of some captive assembly and so forth. (2), in the indirect military rule, nominally a civilian government exercises authority, but in practice it is a facade for the military leaders who give instructions to the civilian government. It again divided into two: (a) The back stage influence of the military leaders ranges over the entire field of political activity, (b) it is an intermittent activity

often limited to a simple veto rather than a positive programme. (3), in the dual type of military regime, military shares power with organized civilian forces and the government's future depends on the support of the military.(Finer 1970:552). Most of time, Pakistan and Bangladesh were under the military regime. Now Myanmar is also under the rule of military junta.

Political system during the pre-Tsarist Period

The Uzbek state was established and achieved a unique position in Central Asia under Sheibani khan(1451-1510), who founded his own kingdom, which lasted more than a century. He made Samarkand the capital of his state. Sheibanids dynasty was nomadic. He was conquered by Ismail Shah of Iran in 1510. In 1513, the Sheibanids used popular resistance and returned to Samarkand. The dynasty strengthened under the rule of Sheibani's nephew Ubaidullah Khan, who ruled the state from 1533 to 1539. He proved to be one of the greatest Uzbek rulers of Central Asia in the sixteenth century. Under him, Bokhara became the capital of the state.

Under the dynasty of Sheibani Khan, Khan was the head of the state. The Khan appointed rulers of provinces called emirs. There was a decentralization of power. The Khan's authority included the customary prerogative to mint coinage, to have his name recited during Friday prayers, and to receive tribute from the subordinate territories. All the lands divided among the emirs, aside from the personal capital of the Khan, in addition to landownership, the Khan had personal properties in various provinces (emirates) of his domain to support him and his court. The state was supported by taxes levied in various emirates and delivered to it through the Khan's ministers. Those who worked these lands were considered renters and only had rights to the land during their life time. They could not bequeath it, transfer it or assign to

someone else. Communal lands were regulated by special legal norms. (Roudik 2007: 54-55).

In the middle of the eighteenth century, the territory of Central Asia was divided into three powerful Khanates of Bokhara, Kokand, and Khiva. These three khanates were named after the capital cities. There was little differences in their political systems. The emir was at the top of the Bokhara emirate, and the Khans ruled the Khanates of Kokand and Khiva. The administrative organization of the Khanates did not change since the sixteenth century.(Roudik 2007:57).

The system of justice was based on the Islamic laws(Shariah) and the customary laws(adat). In practice, the dynastic rulers of the khanates and their subordinate officials did not generally follow the accepted principles and the legal norms. The clergy played an important role in governing state affairs and often exercised its control over the Khan or Emir. Islam was the official religion throughout the region and among all of the Turkic-speaking people. The emir of Bukhara became the religious leader of all Muslims in the region. Bokhara was recognized as the religious and educational centre of Central Asia. (Badan 2001: 22).

Political system during Tsarist Period

Tsarist army captured Tashkent in June 1865. After the annexation of Tashkent into the Russian Empire, Tashkent became the military and administrative headquarters of a new governor– general of Turkistan and the official place of residence of the governor general. The entire administration was put under the Ministry of war. Turkistan was governed by a temporary statute promulgated in 1867 and a permanent

one after 1886. General Konstantin Von Kaufman, one of the best Russian administrators, was appointed the governor general of Turkistan. All military, civil, judicial, and political powers were concentrated in his hands. Initially, Von Kaufman was allowed to carry out negotiations with neighbouring states on his own account, established and oversee the expenditures of the budget, set taxes, and establish the privileges of Russian subjects in the province. He had the power to confirm and revoke death sentences passed on from the Russian military courts. The introduced government system was called military–civilians government, because elected local officials complemented the military administration. In Tashkent and other large cities, the government was brought in accordance with the Russian Self-government Standards. The native population elected one-third of the members (24 delegates), while two-thirds of the delegates were elected by the Russians. Russian Turkistan consisted of between two and five provinces (the number was constant by changing). The governor general and military governors of the constituent provinces were appointed by the Tsar. (Roudik 2007: 76-77).

Political System during the Soviet Period

The Great Socialist Revolution took place in Russia in October 1917. In the aftermath of the October Revolution, Bolshevik Party came into power in Russia under the leadership of comrade Lenin in RSFSR (Russian Socialist Federal Soviet Republic). Consequently, the Communist government abrogated the Tsarist policies and adopted socialist measures in the country.

According to the Soviet Constitution, USSR was a socialist state of workers and peasants. All power, in the USSR, was belonging to the people. The Union of Soviet socialist Republics was a federal state, formed on the basis of the voluntary

association of Soviet Socialist Republics having equal rights. But, the geostrategic importance of Russia provided it more power than other republics of the Union. The Soviet state was organized and functioned on the principle of democratic centralism. The jurisdiction of the USSR as represented by its highest organs of state authority and organs of the government. Every Union Republic was free to exercise state authority independently. The USSR protected the Sovereign rights of the Union Republics. Each Union Republic had its own Constitution, and it was in full conformity with the constitution of USSR. (<http://www.departments.bucknell.edu/russian/const/1936toc.html>).

The highest organ of state authority of the USSR was the Supreme Soviet of the USSR. The legislative power of the USSR was exercised exclusively by the Supreme Soviet of the USSR. The Supreme Soviet of the USSR consisted of two chambers, these were: (1), the Soviet of the Union, and (2), the Soviet of Nationalities. The Soviet of the Union was elected by the citizens of the USSR. The Soviet of Nationalities was elected by the citizens of the USSR, according to Union and Autonomous Republics, Autonomous Regions and national areas. The Supreme Soviet was elected for a term of four years. Both chambers of the Supreme Soviet of the USSR had equal rights. The Supreme Soviet of the Union Republic appointed the government of the Union Republic, namely, the Council of People's Commissars of the Union Republic (1936 Constitution of the USSR).

The highest executive and administrative organ of the state authority of the USSR was the Council of People's Commissars of the USSR. The Council of People's Commissars of the USSR was responsible to the Supreme Soviet of the USSR, and in the intervals of between sessions of the Supreme Soviet it was responsible and

accountable to the Presidium of the Supreme Soviet of the USSR. The Council of Peoples Commissars of the USSR consisted of the Chairman of the Council of People's Commissars of the USSR, the Vice-Chairman of the Council of People's Commissars of the USSR, the Chairman of the State Planning Commission of the USSR, the People's commissars of the USSR, The Chairman of the Committee on Arts, the Chairman of the Board of State Bank.(1936 Constitution of the USSR).

The organs of state authority in territories, regions, autonomous regions, districts, cities and rural localities (stations, villages, hamlets, kishalks, auls) are the Soviets of Working People's Deputies. The Supreme Court of the USSR was the highest judicial organ. The Supreme Court of the USSR was charged with the supervision of the judicial activities of all the judicial organs of the USSR and the Union Republics. The Supreme Court of the USSR and special courts of the USSR were elected by the Supreme Soviet of the USSR for a term of five years. The Supreme Courts of the Union Republics were elected by the Supreme Soviets of the Union Republics for a term of five years. Under the Socialist pattern of Soviet Constitution, citizens of the USSR had the right to freedom of speech, freedom of the press, freedom of assembly, including the holding of mass meeting, freedom of street procession. But, all these were on paper only. Every citizen had equal right to vote. Women had the rights to elect and be elected on equal terms with all other citizens (1936 constitution of the USSR).

Major matters of state were be submitted to nationwide discussion and put to referendum. The leading and guiding force of the Soviet society and the nucleus of its political system, of all state organizations and public organizations was the Communist Party of Soviet Union. The CPSU existed for the people and served the

people. Trade unions, the All Union Leninist Young Communist League Co-operatives, and other public organizations participated in accordance with the aims laid down in their rules, in managing states and public affairs, and in deciding political, economic, social and cultural matters (1977 Constitution of the USSR).

The foundation of economic system of the USSR was based on socialist ownership of the means of production in the form of state property and collective farm and co-operative property (1977 Constitution of the USSR).

The governing body of the CPSU was the party congress. The party congress elected a Central Committee which in turn elected a Politburo. Under Stalin the most powerful position in the party became the General Secretary who was elected by the Politburo. In theory, supreme power in the party was invested in the party Congress. However, in practice, supreme power became the domain of General Secretary. The bottom level of the party was the “primary party organization” or “party cell”. It was created within any organizational entity of any kind where there were at least three Communists. The management of a cell was called “party bureau”. A party bureau was headed by the elected “bureau secretary”. At small party cells, secretaries were regular employees of the corresponding plant/hospital/school/etc. Sufficiently, large party organizations were usually headed by an exempt secretary, who draws his salary from the party money. (http://wikipedia.org/wiki/Communist_Party_of_the_Soviet_Union).

At the Central level, party Politburo was the Chief decision making body in the country. The decision was taken by the Politburo, that was carried forward by the party members at all levels in the institutions within which they worked. The party played a crucial role in the way of system as a whole functioned, as a both a decision

– making organ and the organization that was ultimately responsible for ensuring that policy was carried out by state and other organisations, it was the key to the way the system functioned. Party bodies determined who would fill the leading posts in all parts of the Soviet system. The party was, therefore, the single most important determinant of the filling of all offices throughout the Soviet Union. In this way, the party not only controlled the filling of office, but was also the primary agent of the recruitment in the USSR, no one could gain leading office without approval at higher levels of the party. (http://wikipedia.org/wiki/Communist_Party_of_the_Soviet_Union).

The Uzbek Soviet Socialist Republic consisted of the Bukhara, Samarkand, Tashkent, Ferghana and Khorezm Regions and the Karakalpak Autonomous Soviet Socialist Republic. The formal governing body in each republic was its own popularly elected legislature, the Supreme Soviet, which met twice a year for three day sessions to enact bills prepared between sessions by staffers. Because, the Soviet doctrine did not accept the concept of separation of powers, the Supreme Soviet elected its chairman, who was the formal head of the republic. It also appointed a Prime Minister and other members of the Cabinet who according to their positions, were awarded with parliamentary seats. The government together with the staff of the Supreme Soviet influenced the formation and work of the provincial Soviets and their executive committees, a kind of provincial government. The heads of these committees were the provincial Soviets, chairpersons simultaneously. However, the real decision making authority in the republic was the Central Committee of the Republic's Communist Party. The USSR Constitution provided for the Communist Party's leading and directing role. Following this Constitutional principle, the secretaries of the Central Committee provided guidelines to all agencies and institutions of the republic, monitored their daily activities, defined who would be elected to the Soviet positions, made all key appointments in state institutions, and organized the work of lower-level (provincial and district) party committees, which were in charge of governing their

respective territories. Each republic had individual representation in federal authorities. The chairman of the republic's Supreme Soviets was simultaneously deputy of the chairman of the USSR Supreme Soviets. First secretary of the Communist Party Central Committee in the republic had a seat in highest political organs. So, each republic of the Soviet Union was a sovereign state with its own constitution and symbol of sovereignty. (Roudik 2007: 118).

As far as, the nature of political system in Uzbekistan is concerned, it is similar to the developing countries. Under the Uzbek Constitution, liberal democratic political system has been adopted. Civil, political, economic, social and cultural rights have been given to the citizens of the Republic. In the political system, the principle of the separation of power among the legislature, executive, and judiciary has been accepted as a fundamental basis of ruling the country.

Supremacy of the Constitution has been adopted. The state and its bodies, officials, and public associations and citizens are allowed to act in accordance with the constitutions and the laws. The Constitution of the republic gives the citizens equal rights and freedoms without any consideration of sex, race, social status religion and nationality etc. The citizens of the country have been given the political rights and civil liberties. These rights and liberties include – right to participate in public life by holding rallies, meetings, and demonstrations in accordance with the law of the republic. The citizens of the country have the right to form associations and unions. Men and women have equal rights. According to the Constitution of the republic, media is free and censorship is not permitted. The Constitution of the republic guarantees equal adult suffrage. The judicial system has been provided under the Constitution of the Republic of Uzbekistan. The judicial authority has been given

power to function independently from the legislative and executive branches, political parties and public organizations.(The Constitution of Uzbekistan).

But in practice, the right to freedom of expression is not being enjoyed by the citizen of Uzbekistan. People do not express their views against the government. The opposition political parties are not allowed to function and media is not free. All opposition movements and independent media are essentially banned.(<http://news.bbc.co.uk/2/hi/asia-pacific/4371256.stm>).

So, it can be said that, in the political system of Uzbekistan, the characteristics of facade democratic system exist.

Chapter-II

Constitution-Making in Uzbekistan

Constitution and Constitutionalism

A constitution is broadly, a set of rules, written and unwritten, that seeks to establish the duties, powers and functions of the various institutions to regulate the relationships between them and it also defines the relationship between the state and the individual. The balance between written (legal) and unwritten (customary or conventional) rules varies from system to system. The term constitution is also used more narrowly to refer to a single authoritative document (a written constitution), the aim of which is to codify major constitutional provisions. It constitutes the highest law of the land. Since not all major provisions can be covered by a single document, a constitution, in this sense, is not coextensive with constitutional law. (Heywood 2007:316).

A constitution “may be said to be a collection of principles according to which the powers of the government, the rights of the governed, and the relations between the two are adjusted.” In other words, it may be described as “a frame of political society organized through and by law, in which law has established permanent institutions with recognized function and definite rights. (Strong1966: 15). Again another scholar Wheare has explained the constitution in this form, “The word constitution is commonly used in at least two senses in an ordinary discussion of political affairs. First of all, it is used to describe the whole system of a government of a country, the collection of rules which establish and regulate the government. The rules are partly legal in the sense that the court of law will recognize and apply them and partly non-legal or extra-legal, taking the form of usages, understandings, customs or conventions which courts do not recognize as law but which are not less effective in regulating the government than the rules of law as strictly called as. In most of the countries of the world the system of government is composed of this mixture of legal and non-legal rules and it is possible to speak of this collection of rules as the “Constitution.” (Wheare 1956:1).

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So, it can be said that a constitution is the source of all the laws of a nation that defines the rights and obligations of the people. It also determines the structure and principles of the nation and its activities. A constitution may also be seen to represent a political act of the highest order which represents the political soul of the people. Therefore, without the constitution any political system may be facade. The smoothness, fluidity and aesthetic beauty of a political system is determined its constitution. In the modern age, every political system has its own constitution, whether its form may be whatever.

Now a question may arise that every political system performs its role according to its own constitution. So, it is essential to define constitutionalism.

Constitutionalism, in a narrow sense, is the practice of limited government ensured by the existence of a constitution. Thus constitutionalism can, in this sense, be said to exist when government institutions and political process are effectively constrained by constitutional rules. More broadly, constitutionalism is a set of political values and aspirations that reflect the desire to project liberty through the establishment of internal and external checks on government power. In this sense, constitutionalism is a species of political liberalism; it is typically expressed in the form of support for constitutional provisions that achieve this goal for example a codified constitution, a bill of rights, a separation of powers, bicameralism, and federalism or decentralization. (Heywood 2007: 321).

As constitutionalism evolves, the process of separation between law and bureaucracy ensues. The layer of bureaucracy does not disappear, but its role in society is drastically changed. The government no longer finds itself mirrored in the bureaucracy does not effect law, but enforces it. The goal of bureaucracy were considered to reflect the goals of the nation, but today the imposition of the independent will of bureaucracy is regarded as despotism. Ideally in other words, a self-serving bureaucracy should transform itself into a rational bureaucracy. (Levitin 2001:171).

The Constitution of Uzbek Republic ensures constitutionalism. In view of that constitution makers have provided a lot of provisions in the constitution. The duties of all the wings of the Republic have to perform their role according to constitutional provisions.

The Constitution of the Republic of Uzbekistan was to be completed and enacted as quickly as possible. For this purpose, the constitutional commission was formed. The project was under the supervision of experts from the judicial institutions of France, Germany, and Great Britain. After nation wide discussion, the Constitution was enacted by the 11th session of the Supreme Soviet of the 12th convocation on 8th December 1992. (Levitin 2001: 174).

The nature of political system of Uzbekistan is secular, democratic and presidential republic (Europa World Year Book. Vol-2, 2006). The constitution of the republic has adopted basic features of western liberal democracy. So, the people are the sole source of state power. The Oliy Majlis and president of the Republic are elected by the people and have the exclusive right to act on behalf of the people.

Civil, political, economic and social rights have been guaranteed to the citizens under Uzbek Constitution. Every citizen has equal rights and freedoms. He is equal in the eye of law. State will not discriminate among the citizens on the basis of sex, race, nationality, language, religion, social origin, convictions, individual and social status. But, for the under privileged section, like handicapped, backward community, special safeguard measures can be provided by the Republic in view of social justice. Some restrictions on liberty have been provided under the constitution in view of common interests and national security.

All the citizens have the rights to freedom of movement on the territory of the Republic. Every person has the rights to enjoy freedom of thought, speech and convictions. Some restrictions can be imposed on freedom of thought and freedom of movement by law in the interest of society and national security (Art . 28, 29).

Every citizen has the political rights in the Republic of Uzbekistan. They can participate in state affairs like in various political institutions and administrations, both directly and indirectly through representatives. All the citizens enjoy their right to organize public meetings, participate in rallies in accordance with the law. Every citizen has the right to form the political party and any other public associations. They can also participate in mass movements. (Art.32, 33,34).

Economic and social rights have been given to everyone in the republic. Everyone has the right to own property. Everyone has the right to work. Everyone has the right to

social security in old age in the event of disability and loss of the breadwinner as well as in some other uses specified by law. Everyone has the right to education and receive skilled medical care (Art. 36, 37, 39, 40, 41). So, these rights have been guaranteed by the constitution for strengthening economic and social democracy. Because, in lack of these rights people will be unable to enjoy political democracy. Therefore, socio and economic rights are the base of political rights.

The appearance of political parties in the modern world is closely linked to the emergence of constitutionalism and the representative government. Parties today are found under almost all forms of government, in socialist and third world states as well as advanced liberal democratic countries. The defining characteristics of parties as political institutions is that they provide (or are expected to provide) mechanisms which link the institutions of the state to those of civil society. When party representatives come to occupy the positions of power within the state, they do so on the basis at least of contact with, if not some sort of mandate from the society from which they spring. Similarly, when decisions are taken within the government they are generally justified, either implicitly or explicitly, in terms of the objectives and values of one or more political parties. Such a linkage role is independent of whether or not a party has been freely elected to office. Political parties perform a number of functions within a political system such as: goal formation interest articulation, socialization and mobilization, elite formation and recruitment.

Therefore, in the Uzbek Constitution, there are provisions for the political parties, trade unions and other organizations are registered in accordance with the procedure prescribed by law. There is no constitutional provision for any secret society and association. Political parties express the political will of various sections and groups of society. The Republic of Uzbekistan is a secular country. So, religious organizations and associations are insulated from the state and equal before law. The state does not interfere with the activity of religious organizations. (Art. 60, 61)

Law on political parties was passed by parliament on 26th December 1996, which was thereby brought into law. The law prohibits parties based on ethnic or religious lines, and also parties advocating war or the subversion of the constitutional order. Military and law-enforcement personnel, members of judiciary, foreigners and stateless persons are

debarred from party prospective parties must submit full details of at least 5,000 members spread over at least eight of Uzbekistan, 14 regional level administrative territories, along with the constituent documents and a registration fee, to the justice ministry, which will decide on whether to register them or not. The Supreme Court has the right to suspend registered parties for up to six months and eventually ban them if they violate legislation of the country.

Parties can take part in elections, publish their own newspapers, form parliamentary and local groups and have the right to parliamentary interpellation. Party funding must be transparent and parties are banned from using foreign bank accounts and accepting donations from state, foreign religious or anonymous sources. The state may subsidize parties to enable them to take part in elections.

The law differs from the draft law published for nationwide debate on 19th September 1996 in few aspects, the most salient being that the signatures of 5,000 members are required to apply for registration the bill suggested 3,000. Under the law, party funds must not be used for purposes other than those specified in the party statutes, though the bill had said parties could use their funds for charitable ends even if this was not specified in their statutes. The final version of the law omitted a paragraph which the bill added under the final article, Article 17, stipulating that representatives of the justice ministry had the right to attend party events and examine their records. (SWB, SU/ 2811 G/2, 8 Jan, 97).

The draft of the Constitutional Law “on strengthening the role of political parties in the renewal and further democratization of state governance and modernization of the country” came into force from January 1, 2008. This law has been adopted in order to significantly increase the role of factions of political parties in tackling the tasks of Oliy Majlis of the Republic of Uzbekistan, and taking into consideration the intensifying processes of competition and inter factional struggle in the course of discussing and adopting the draft laws and other issues related to the competence of the chamber. Art.2 of the draft laws (Factions of political parties in the legislative chamber) clearly formulates the legal status of party factions of various political orientations which have an alternative attitude towards the course and program declared and being implemented

by the government of the country, established after elections. (President's address to the Oliy Majlis).

In particular, it is provided that -“the faction of a particular party which gained the majority seats in the Legislative Chamber makes up a parliamentary majority. The parliamentary majority may also consist of several factions of political parties and deputies elected from the initiative groups of voters who establish a block based on the similarity or coincidence of their program objectives. The factions of political parties as well as the deputies elected from the initiative groups of voters which do not share the course and program of newly formed government, or some of its parts, may declare themselves as an opposition. Along with this, the draft law provides that the association of factions of political parties into a block does not restrict their independence in exercising of rights envisaged by law. With the aim of establishing a system of guarantees for the effective functioning of parliamentary opposition, Art.2 of the draft law provides that the factions of political parties which proclaimed themselves as a parliamentary opposition along with the powers for factions envisaged by law have the following rights :

- a). To propose a draft law in alternative edition together with a report on the relevant issue of the responsible committee of the Legislative Chamber.
- b) To record its special opinion on the issues under discussion in the protocol of a plenary session of the legislative chamber, and some other rights.

The above mentioned article provides that the rights of a parliamentary opposition guaranteed by law can not be infringed by the parliamentary majority.

(President's address to the Oliy Majlis).

With an aim of strengthening the role of factions of political parties in the lower chamber of parliament and avoiding circumstances which may lead to various expedient decisions of certain deputies, it is suggested that the article should include a norm, according to which a deputy nominated from a political party and elected to the Legislative Chamber can be a member of the faction of that party only. In this connection, it is also proposed to exclude from Art. 23 of the Constitutional Law “on Legislative Chamber of Oliy Majlis of the Republic of Uzbekistan” the provision that a

deputy elected from a political party “has the right not to join any faction or group of deputies”. (President’s address to the Oliy Majlis).

The definition of factions and their blocs set up in the parliament of the country as a parliamentary majority or oppositions is introduced into the national legislation to develop article 34 of the Constitution of the Republic of Uzbekistan. It contains a provision that no one can infringe the rights and freedoms of persons, who make up the opposition minority in political parties in representative bodies of power. (President’s address to the Oliy Majlis).

The principles and criteria (provided in the draft law) of assessing the activity of political factions and independent deputies who joined them, are based on the commonly recognized practice of democratic states. When certain political parties which participate in elections to the parliament of the country define their program goals depending on what course, orientations and tasks are set forward by the newly established government.

In the state, there is also a practice of legal and political system of some foreign countries. When a party which has gained an absolute majority in the elected parliament, obtains the right to establish a government and its leader or a representative of the party claims the post of prime minister. Such a model is applicable in countries which have a long history of democratic development and where the electorates have a sufficiently high level of political and public consciousness.

In these countries a party which repeatedly established its government, having lost the majority of seats in the parliament, maintains nevertheless its “shadow government” which if necessary can take the responsibility for the future of the country. In the countries, where such conditions do not exist or have not been created such a model may well lead to a situation in which , as a rule, clans, nepotism, corruption and criminality enter the arena. This is confirmed by the experience of many states where these processes do exist.

With the aim of reinforcing the role of factions of political parties in organizing the activity of the lower chamber of Oliy Majlis, Art.3 of the draft law provides that the faction of a political party formed in the Legislative Chamber has guaranteed right for one of its representative to take post of one of the deputy speakers of the legislative Chamber. This norm radically changes the available provision (Art.15 of the

constitutional law “On Legislative Chamber of Oliy Majlis of the Republic of Uzbekistan”) in accordance with which the Deputy Speakers of Legislative Chamber during the term of their powers must cease membership of political parties and cannot be members of factions and groups of deputies. The adoption of Art.3 of the draft law will allow not only the extension of the authority and capacity of the political factions of the Legislative Chamber, but it will also considerably democratize the processes of decision making in the Chamber. (President’s address to the Oliy Majlis).

The draft of the Constitutional law “on strengthening the role of political parties in the renewal and further democratization of state governance and modernization of the country” is a positive step in the newly democratic republic country. This law is strengthening the democratization of the state.

Media

Media is considered as fourth pillar of modern democracy. It communicates between people and political system. It educates and awares people about the political system. Through the media people are able to know what is happening in the legislative and executive bodies. Therefore, the media is a soul of any surviving democracy. It really plays a crucial role in democracy.

In Uzbekistan, the constitution makers have made some provisions related to the media in the constitution. The mass media is free and acts in accordance with the law. It bears responsibility for trustworthiness of information in a prescribed manner. Censorship is impermissible (Art. 67). There are some laws which have been made for the strengthening of media in the newly democratic country. Following laws have been made “On publishing” “On mass media” “On protection of journalist professional activity,” “On guaranties and free access to information,” “On advertising,” “On the copy right and related rights”. Also the activity of mass media is regulated by the law “On struggle with terrorism,” and by the “Regulation on the order of polygraphic enterprises registration in the Republic of Uzbekistan” and the “Regulations on the order of obligatory dispatch of complimentary copies of printed matter.” (Erkin Ozod, Journalist, 2001). Therefore, these laws can strengthen impartial and fair role of media in the country.

Republic of Karakalpakstan

The Supreme Soviet of Karakalpakstan has adopted its own Constitution under which the former autonomous republic is a sovereign parliamentary republic within Uzbekistan. The new constitution guarantees equal rights and freedoms for all citizens residing in the republic irrespective of their race, nationality or religion. (SWB, 16 Apr 93, SU /164 B/16). So, within the Uzbek Constitution, it has been mentioned that the sovereign Republic of Karakalpakstan is part of the Republic of Uzbekistan. The sovereignty of the Republic of Karakalpakstan is protected by the Republic of Uzbekistan (Art. 70). The laws of the Republic of Uzbekistan are binding on the territory of the Republic of Karakalpakstan. The territory and boundaries of the Republic of Karakalpakstan may not be altered without the consent of Karakalpakstan. Karakalpakstan is independent in determining its administrative and territorial structure. (Art. 73).

Karakalpakstan has the right to secede from the Republic of Uzbekistan on the basis of a nationwide referendum held by the people of Karakapakistan. Relationship between the Republic of Uzbekistan and the Republic of Karakalpakstan, within the framework of the Constitution of the Republic of Uzbekistan is regulated by the treaties and agreements concluded by the Republic of Uzbekistan and the Republic of Karakalpakstan. Any dispute between these two is settled by the way of reconciliation (Art. 75).

The principle of the separation of power between the legislature, executive and judicial authorities has been adopted in the Constitution of Uzbekistan. This principle maintains smooth functioning of these institutions without encroachment of each other. Now, we will discuss these institutions.

Oliy Majlis

The highest state representative body is the Oliy Majlis (the Supreme Assembly) of the Republic of Uzbekistan. This body exercises legislative power. The Oliy Majlis

comprises two chambers: the Qoqunchilik Palatasi Kengashi (Legislative Chamber); and the Senat (senate). The 120 deputies of the Qoqunchilik Palatasi Kengashi are elected for a term of five years. There are 100 members in the Senat, 84 members are indirectly elected by regional council members, and 16 are appointed by the President of the Republic. Parliament may be dissolved by the President (by agreement with the Constitutional Court). (Europa World Year Book, Vol. II,2006).

The Oliy Majlis enacts normal legislation and Constitutional legislation. It elects its own officials, the judges of the higher courts and the Chairman of the State Committee for Environmental Protection. It confirms the President's appointments to ministerial office, the procuracy-general and the governorship of the Central Bank. It must ratify international treaties, changes to borders and presidential decrees on emergency situation. Legislation may be initiated by the deputies, by the President, by the Cabinet of Ministers, by the Constitutional Court, by the Supreme Court, by the Higher Arbitration Court, by the Procurator- General, and by the Autonomous Republic of Karakapprakastan through the highest body of state authority. The President of the Republic of Uzbekistan, the Prime Minister, and the members of the Cabinet of Ministers, the Chairman of the Constitutional Court, the Supreme Court and the Higher Arbitration Court, the Procurator- General and the Chairman of the Board of the Central Bank have the right to attend the sessions of Oliy Majlis. (Constitution of the Republic of Uzbekistan).

Executive

The President of the Republic of Uzbekistan is the head of state and of executive authority. He is also the head of the government, because he serves simultaneously as Chairman of the Cabinet of Ministers. The president of the Republic is directly elected by the people for a seven-year term. An individual may be elected as the President for a maximum of two consecutive terms. The President is required to form and supervise the Cabinet of Ministers, appointing and dismissing the Prime Ministers, his first deputy, the Deputy Prime Minister, the Members of the Cabinet of Ministers, the Procurator- General and his Deputies, subject to confirmation by the Oliy Majlis. The President also nominates the candidates for appointment to the posts of Chairman and members of the Constitutional Court, the Supreme Court and the Higher Economic Court and the

Chairman of the State Committee for the protection of Nature of the Republic of Uzbekistan, subject to confirmation by the Oliy Majlis. The President appoints and dismisses the judges of the Lower Courts and the hokims (governors) of the regions. (Europa World Year Book. Vol. II, 2006, P.4768).

The President has the duty to guarantee the rights and freedoms of citizens and observance of the Constitution and the laws of the Republic of Uzbekistan. Legislation may be initiated, reviewed and returned to the Oliy Majlis by the President, who must promulgate all laws. The President has the right to issue decrees, enactments and ordinances binding on the entire territory of the republic on the basis of and for enactment of the constitution and the laws of the Republic of Uzbekistan. The President may dissolve the Oliy Majlis. The President is also the commander-in-chief of the Armed forces and may declare a state of emergency or a state of war subject to confirmation by the Oliy Majlis within three days. (Constitution of the Republic of Uzbekistan).

The Cabinet of Ministers

The law on the cabinet of ministers - government of the republic – came into force in Uzbekistan from 13th May 1993. The Chairman of the Cabinet of Ministers is the President of Uzbekistan. He appoints and dismisses the Premier, his deputies and the members of the cabinet for the subsequent approval of the Oliy Majlis (Supreme Assembly). By virtue of his office, the Chairman of the Council for Ministers of the Republic of Karakalpakstan is a member of the cabinet. The government is to render account for its work to the Oliy Majlis. Members of the government have no right to be employed in other paid posts in enterprises or institutions or to engage in entrepreneurial activities. (SWB, SU/1691 B/15, 18 May 93).

The procedure for appointment of the Prime Minister of the Republic of Uzbekistan

The candidature of the Prime Minister of the Republic of Uzbekistan is recommended by the President of the Republic of Uzbekistan for approval by the

Legislative Chamber and the Senate of Oliy Majlis of the Republic of Uzbekistan after holding consultations with each of the factions of political parties represented in the legislative chamber of Oliy Majlis of the Republic of Uzbekistan, and deputies elected from the initiative groups of voters, within a month after the election of office holders and the formation of the bodies of chambers of Oliy Majlis of the Republic of Uzbekistan.

The candidature of the Prime Minister of the Republic of Uzbekistan is recognized as approved if the candidate gains the majority of votes of the total number of deputies of the legislative chamber and members of the Senate of Oliy Majlis of the Republic of Uzbekistan. If in the voting in the Legislative Chamber or the Senate of Oliy Majlis of the Republic of Uzbekistan on the candidature of the Prime Minister of the Republic of Uzbekistan, it was impossible to gain a majority of votes of the total number of deputies of the Legislative Chamber or the member of the Senate of Oliy Majlis of the Republic of Uzbekistan, the President of the Republic of Uzbekistan, after additional consultations with factions of political parties and deputies elected from the initiative groups of voters, has the right yet to recommend twice the candidatures to the post of the Prime Minister of the Republic of Uzbekistan.(Constitutional Law on strengthening the role of political parties in the renewal and further democratization of state governance and modernization of the country).

In the case of triple rejection of the recommended candidature of the Prime Minister of the Republic by the Legislative Chamber or the Senate of Oliy Majlis, the President of the Republic appoints an Acting Prime Minister, who dissolves the Oliy Majlis of the Republic or one of its chambers. In the case of dissolution of the legislative chamber, the Senate of Oliy Majlis, new elections shall be held within three months from the date when the decision on dissolution was adopted.(Constitutional law on strengthening the role of political parties).

The procedure for dismissal of the Prime Minister of the Republic of Uzbekistan

The Prime Minister of the Republic is dismissed from the post by the President by following procedure: **a.** according to an application from the Prime Minister to resign; **b.** in case it becomes impossible for the Prime Minister to execute his powers; **c.** in case insuperable disagreements within the Cabinet Ministers emerge threatening its normal functioning, as well as the repeated adoption of resolution by the Cabinet of Ministers that contradict the Constitution, the laws of the Republic of Uzbekistan decrees and resolutions by the President of the Republic of Uzbekistan; **d.** upon the initiative of factions of political parties in the Legislative Chamber submitted for consideration by the President of the Republic.

The president takes a decision on dismissal if this initiative shall be supported with necessary substantiation by the leading factions of political parties of the Parliament and when this initiative is put to vote by the President in the Legislative Chamber and the Senate of Oliy Majlis, it gains the votes of more than two thirds of the total number of deputies in the Legislative Chamber and the Senate respectively. Dismissal of the Prime Minister will simultaneously lead to the resignation of the Government of the Republic of Uzbekistan. (Constitutional Law on strengthening the role of political parties).

Local Government

Under the draft law “On state power in oblasts and localities”, the Soviet of people’s deputies are remained as the representative bodies of stated power in oblasts, rayons and towns. The highest official in an oblast, rayon or town is the hokim (governor) who heads all representative and executive power on the territory. No local authority official can engage in any other paid work and the terms of office for hokims and the Soviets of people’s deputies is five years. (SWB SU/1753 B/3 29Jul93).

The procedure of appointment and approval of the hokim ('governor') of a province and ('mayor') the city of Tashkent:

The candidature for the post of hokim of a province and the city of Tashkent are introduced by the President of Uzbekistan for approval by the regional and Tashkent municipal Kengash (council) of people's deputies after holding consultations with each of the party groups represented in the relevant Kengashes of people's deputies.

The candidature for hokim of a province or the city of Tashkent is considered as approved when it gains the majority of votes of the total number of deputies of the relevant kengashes of people's deputies. If in voting, the candidatures for hokim of a province or the city of Tashkent do not gain the majority of votes for the total number of the relevant kengashes of people's deputies, the President of the Republic of Uzbekistan has the right yet to twice introduce the candidatures for the mentioned posts within a month after holding additional consultations with the party groups. (Constitutional Law on Strengthening the Role of Political Parties).

In case of triple refused of candidatures nominated for the post of Khokim of a province and the city of Tashkent by the relevant Kengash of people's deputies, the President has the right to appoint an Acting hokim for the Province and the city of Tashkent, dissolve the relevant Kengash of People's deputies. In this case, the elections for regional and Tashkent municipal Kengash of people's deputies shall be held within three months of the day when the decision on dissolution was adopted. In accordance with the decision of the regional and Tashkent municipal kengashes of people's deputies on the candidature of khokim, the President of Uzbekistan issues a decree.

Controlling the functions of deputies of regional and Tashkent municipal kengashes of people's deputies over the activity of hokim of a province and the city of Tashkent:

With a view to enhancing the efficiency of controlling functions, the party groups of regional, Tashkent municipal Kengashes of people's deputies have the right to initiate the submission of well grounded conclusions to the President of the Republic of Uzbekistan about unsatisfactory performance of persons approved to the post of hokim of

a province and the city of Tashkent. In case, if this initiative is supported by the leading party groups, the President of the Republic assigns the discussion of this initiative at the Kengash of people's deputies and takes a decision in line with the outcomes of the discussion. (Constitutional law on Strengthening the Role of Political Parties).

The hokims of districts, cities and towns are appointed and dismissed by the hokim of the respective region, with subsequent confirmation by the appropriate Soviet of People's Deputies. The hokims of city districts are appointed and dismissed by the hokim of the city, with subsequent confirmation by the city Soviet of People's Deputies. The hokims of towns subordinate to district centres are appointed and dismissed by the hokim of the district with subsequent confirmation by the district Soviet of People's Deputies. (The Constitution of Uzbekistan).

The hokims of the regions, districts, cities and towns exercise their powers in accordance with the principle of one man management and bear personal responsibility for the decisions and the work of the bodies they lead. Organization of the work and the powers of hokim and local Soviet of People's Deputies, as well as the procedure for elections to the local Soviets of People's Deputies are specified by Law. The hokim makes decisions within his vested powers which are binding on all enterprises, institutions, organizations, associations, officials and citizens on the relevant territory. Residents of settlements, Kishlaks and Aulls (villages), as well as of residential neighbourhoods (mahallas) in cities, towns, settlements and villages decide all local matters at general meetings. These local self-governing bodies elect chairmen (aksakal) and his advisers for a term of 2.5 years. The procedure for elections, organization of the work and the powers of self-governing bodies are specified by law. (The Constitution of Uzbekistan).

Judiciary

According to the spirit of separation of power, judiciary has been independent from executive and legislature in the Constitutions of Uzbek Republic. The judicial system in the country consists of the Constitutional Court, Supreme Court, the Higher Economic Court along with the Supreme Court and the Arbitration Court of the Republic of

Karakalpakstan. These courts are elected for a term of five years. The judicial branch also includes regional, district, town, city, Tashkent city courts and arbitration courts appointed for a term of five years. The Constitutional Court is elected from political and legal scholars. It consists of a Chairman, Vice-Chairman and Judges including the representative of Karakalpakstan. No member of the Constitutional Court, including the chairman has the right to simultaneously serve as a deputy. (The Constitution of Uzbekistan).

The Supreme Court of Uzbekistan is the highest judicial body of civil, criminal and administrative law. The Supreme Court has the right to supervise the administration of justice by the Supreme Court of the Republic of Karakalpakstan, as well as by regional, city, town and district courts. Any economic and management disputes that may arise between entrepreneurs, enterprises, institutions and organizations based on different forms of ownerships, are settled by the Higher Arbitration Court and other arbitration courts within their authority. (The Constitution of Uzbekistan).

Judges of all courts are independent and subject solely to the law. Any interference in the work of judges in administering the law is inadmissible and punished by law. The immunity of judges has been guaranteed by law. The chairman and members of the Constitutional Court, the Supreme Court and the Higher Arbitration Court may not be deputies of the Oliy Majlis of the Republic of Uzbekistan. Judges, including district ones, may not belong to any political party or movement, nor hold any other paid posts. Before the completion of his term of office a judge may be removed from his post only on grounds specified by law. Legal proceedings in all courts are open to the people. Hearings in camera are allowed in cases prescribed by law. All court verdicts are binding on state bodies, public associations, enterprises, institutions, organization, officials and citizens. All legal proceedings in the Republic are conducted in Uzbek, Karakalpak, or in the language spoken by the majority of the people in the locality. Any person participating in court proceedings who does not know the language in which they are being conducted, has the right to legal assistance with the materials in the case, to have the services of an interpreter during the proceedings, and to address the court in his native language. (The Constitution of Uzbekistan).

The Constitutional Court interprets the constitution and laws of the Republic of Uzbekistan. It also oversees the legality of parliamentary laws and executive decrees. The Supreme Court is the highest court for criminal and civil cases. The Supreme Economic Court oversees matters such as privatization laws, foreign investment and monetary disputes. The court system exists at multiple levels, with local level courts and appellate equivalents at regional and Viloyat (State) levels. Judgments of the Constitutional Court take effect upon publication. The judgments of the Constitutional Court and the Supreme Court are final and not subject to appeal. (The Constitution of Uzbekistan).

Several legal reforms have been completed in order to strengthen the role of judiciary and to provide free and fair judgments to the people. These reforms are following :

- a. Law on courts provides for the prosecutor general to participate in the plenary sessions of the Supreme Court. Representatives of the President's office dealing with legal and judicial matters attend the plenary meetings of the Constitutional Court, the Supreme Court and the Higher Economic Court to observe the development of instructions to lower courts.
- b. Ministry of Interior concluded a protocol with the Uzbekistan Association of Advocates to create a "duty lawyer" scheme on 21 August 2003.
- c. In August 2003, criminal code amended by Parliament to introduce a definition of torture.
- d. Offenses punishable by death reduced by Parliament from four to two. Death penalty now applies only to crimes of premeditated aggravated murder and terrorism. (<http://www.icj.org/IMG/UZBEKISTAN.pdf>).

Electoral System

The citizens of the Republic of Uzbekistan enjoy the right to vote and to be elected to representative bodies . Each constituent has one vote. Presidential elections, as well as

the elections of the representative bodies are carried out on the basis of universal, equal and direct suffrage by secret ballot. The citizens upon reaching the age of 18 enjoy electoral rights. Citizens who are recognized by the court as incapable and persons deprived of liberty cannot be elected or take part in the elections. A citizen of the Republic cannot be simultaneously a deputy in more than two representative bodies. The order of holding the elections is determined by the law. (Art. 117 of Uzbek Constitution).

In Uzbekistan, elections are based on a majority electoral system. To win the runner has to get more than 50% of all votes. Elections are recognized as legitimate only if more than 33% of listed voters took part in voting.

In order to hold the Presidential elections, members of the Oliy Majlis, as well as a referendum of the Republic of Uzbekistan, the Central Election Commission of Uzbekistan has been established. The Central Election Commission (CEC) is elected by the Legislative Chamber and the Senate of the Oliy Majlis and is functioning on the basis of such principles as observation of law, collective nature, openness, independence, and justice. While conducting an election campaign CEC puts the stress on creating all necessary organizational and legal conditions so that the election committees could only and transparently carry out their work on preparing and holding the elections of the President of the Republic.

The election committees inform citizens about the formation of the election committees, their location and operating time, the lists of voters and political parties participating in elections, as well as candidates for presidency and about the results of voting and elections. Thus, the openness and transparency are a corner stone of election campaign in Uzbekistan. (<http://www.malaysia.mfa.uz/modules.php?op=modload&name=News&file=article&sid=2391>). While presidential election is conducted, foreign observer, representatives of political parties, initiative groups of voters and mass media have the right to attend all electoral events and participate in a process of calculation of ballots on the day of elections. (Law of Uzbekistan “On Presidential elections”). The electoral legislation of Uzbekistan defines two groups of candidates, which are eligible to run for presidency. Political parties are registered not later than six months prior to the date of announcement

of starting the election campaign, and initiative groups of voters containing not less than 300 citizens in each. (<http://www.malaysia.mfa.uz/modules.php?op=modload&name=News&file=article&sid=2391>).

Therefore, the Constitution of Uzbekistan and its electoral legislation provide a solid legal framework for fair and responsible elections of the President and other representative bodies of the country, as well as comply with international standards.

Financial and Credit System

The Republic of Uzbekistan has independent financial, monetary and credit systems. The state budget of Uzbekistan consists of the national budget, the budget of the Republic of Karakalpakstan and local budgets. There is a provision of single taxation system. The right to determine taxes belongs to the Oliy Majlis and is directed by the Central Bank of Uzbekistan. (The Constitution of Uzbekistan).

Procedure for amending the Constitution

The Constitution of the Republic of Uzbekistan may be amended by laws passed by at least 2/3 of the deputies of the Oliy Majlis of the Republic. The Oliy Majlis may pass a law altering or amending the Constitution within six months of submission of the relevant proposal, with due regard for its nationwide discussion. If the Oily Majlis of the Republic of Uzbekistan reject an amendment to the Constitution, a repeated proposal may not be submitted for one year. (The Constitution of Uzbekistan).

Therefore, the constitutional provisions in any political system make strengthen the every wing of state to maintain its role without encroachment of other wings. It also ensures the people's rights. So, the Constitution is considered as all source of power for the government and the rights of people. In this way, the Republic of Uzbekistan has made its constitution in order to establish democratic government and strengthen the political system.

Chapter-III

Political System in Uzbekistan

The Soviet Union ceased to exist in December 1991. The disintegration of the Soviet Union provided the opportunities to the newly independent republics to establish their own political system according to their socio-cultural and economic set-up. Soon after getting the independence, the government of the Republic of Uzbekistan has adopted liberal democratic values in political system and liberal norms in its economic sector.

After independence, there were several major problems before Uzbek leadership in the front of political and economic system as the Uzbek Republic was going to establish democratic political system and market economy, political stability and economic autonomy instead of socialist political and economic system. It was facing how to make uniformity and harmony in multi-ethnic society. They were facing to develop new relationship with the outside world including Russia and other newly independent states (former republic of USSR). According to the Constitution of the Republic of Uzbekistan, there is multi-party system and the periodic election is held. But in reality, these are only on paper because they are not functioning smoothly due to some hurdles. So, the nature of political system is authoritarian, but constitution provides liberal democratic measures in the political system of Uzbekistan.(Badan 2001:101).

The Republic of Uzbekistan has adopted new Constitution. It is based on liberal democratic values, but in the Soviet regime, it had not any experience of a democratic value. It has inherited some elements from the earlier Constitution. The political system is based on the principles of separation of power. The form of government is presidential. There is no place for the Vice- President. The President is head of state and executive authority. He simultaneously serves as Chairman of the Cabinet of Ministers. He is also the guarantor of the constitution and laves, of rights and liberties of citizens, of national independence, territorial integrity and the observance of the international agreements. He determines the policy and represents its republic in international relations. (Constitution of the Republic of Uzbekistan).

Every democratic political system will function smoothly in letter and spirit according to democratic values based on the impartial and positive role of its institutions. The institutions which are essential for a democratic political system such as separation of powers, independent powerful judiciary, and periodic professional bureaucracy should be nurtured.

Political Parties

The emergence of political parties and groups can be traced in the wake of reforms polices started by Gorbachev. But, the number of these parties has sharply increased only after the disintegration of the USSR. The first appearance of new democratic elements in the political system of Uzbek Republic was initiated by alternative groups and movements that came up during the middle of 1988. The majority of the parties and interest groups do not have very large membership. They have very attractive slogans in order to collect funds and the enroll new members. The avowed aim of these informal and formal alternative native groups is to establish multi-party political system.

Democratic values are associated with the presence of party based polities, various freedoms of belief, expression and organization allied to a rule of law which ensures safeguards against arbitrary use of power by the state or any other group or individual (Saltmarshe1996: 391).

Communism, as it operated in the Soviet Union was a totalitarian system where governance essentially took place by decree. A minimal amount of power was developed to the so-called autonomous republics. The supreme Soviet was an institution having rubber-stamped decisions made by the council of ministers, who represented a government whose task was to fulfill the instructions issued by the communist party. The Communist Party of the Soviet-Union was the only political organization permitted to exist. The system was held in place by a regime, ultimately based on terror and compulsion which was controlled by a well-resourced internal security organization. Such a system violated almost all the principles of civil society. (Saltmarshe 1996:390).

Like many other former communist countries, Uzbek politicians and bureaucracy has been, by and large, carried over from the old regime along with many institutions, procedures and attitudes. The former elites have retained their power base. It would be

naïve not to expect this to occur. Yet, in terms of the move towards a civil society, it is matter of concern that the development of party political platforms is not being allowed to develop fully as they might. The longer it takes to put in place mechanisms which allow adequate checks and balances to operate within Uzbek society, the greater are the threats to the development of civil society through personality politics, authoritarianism and clientism, all of which are associated with corruption and fear. (Saltmarsh 1996:391).

Like other Central Asian Republics, Gorbachev's well publicized policy of glasnost in Uzbek Republic, has opened the door for political pluralism. During the Gorbachev period, Uzbek Republic witnessed the birth in multiplicity of political parties with a wide range of ideological predilections and strategic objectives. (Haghighi 1994:253). However, opponents of the government claim that measures taken against those opposing the government are excessive and directed to preventing political pluralism in the society and controlling the freedom of expression and political choices. (Dadabaev 2006:17).

Presently in Uzbekistan, there are five official political parties providing full support to the president Islam Karimov. In practice, not a single true opposition party is allowed. Following official political parties in the Republic exist :

- a. Uzbekistan Liberal Democratic Party (O'zbekiston Liberal Demokratik Partiyasi),
- b. Uzbekistan People's Democratic Party (O'zbekiston Xalq Demokratik Partiyasi),
- c. Self-Sacrifice National Democratic Party (Fidokorlar Milliy Demokratik Partiyasi),
- d. Uzbekistan National Revival Democratic Party (O'zbekiston Milliy Tiklanish Demokratik Partiyasi),
- e. Justice Social Democratic Party (Adolat Sotsial Demokratik Partiyasi).

Banned Parties :

- a. Birlik (Unity),
- b. Erk/Liberty Democratic Party (uz: ERK Demokratik Partiyasi, Erk), and
- c. Hizb ut-Tahrir.

(http://en.wikipedia.org/wiki/list_of_political_parties_in_uzbekistan)

Uzbekistan People's Democratic Party :

The People's Democratic Party (PDP) was established on 1 November 1991. It is the heir to the Communist Party of the Uzbek Soviet Socialist Republic. The party's name was designed to conceal its connection with the former communist party and to impute a democratic character to the party and the republic as a whole. As of March 1993, it had 3,37,000 members, most of them were former communists. Islam Karimov, who in 1989-91 was the first Secretary of the Uzbekistan Communist Party Central Committee, was the chairman of the People's Democratic Party from its inception. Infact, the People's Democratic Party (PDP) became the only strong political party, inspite of the democratic principles proclaimed in the Constitution. The party publishes two newspapers – Uzbekistan Ovozi (in Uzbek) and Golos Uzbekistana (in Russian). (Vaisman 2004:391).

The policy of the People's Democratic Party of Uzbekistan is based on the best democratic traditions, the past experience of the people, universal human values and consensual values of a broad stratum of the population. The party has defined its guiding principles as philanthropy and democracy, protection of human rights, the interests of the working people and the socially vulnerable strata. Its main priority is to provide socio-economic, cultural and political democracy to the people. It strives for the reliable protection and expansion of the republic's national resources and property. The party wants to contribute to the promotion of equal and mutually advantageous, direct political, economic and cultural ties with other sovereign republics of the USSR. It advocates the development and fortification of humanitarian ties with countrymen living abroad, guaranteeing them the right to take part in the republic's cultural life and in the implementation of economic and social programmes. The party has keen interest to cooperate and direct its ties with foreign parties and public movements having democratic orientation. It strives to ensure that state policy is always directed at civil and ethnic harmony. The party's guiding principle is to create a society governed by law and not by political vanity or waves of demonstrations. The party favours granting women the right to choose their role in society, their participation in making decisions and implementing them at every level, and woman's equal representation in state and public organizations. (Demian Vaisman, 2004p.391-99).

The Uzbekistan People's Democratic Party was always the ruling party in Parliament until the Watan Taraqqiyoti Party merged with Fidokorlar in April 2000. Most senior members of government are members of the HDP. (http://www.europeanforum.net/country/uzbekistan#important_political_issues).

Self –Sacrifice National Democratic Party

This party was founded on 28 December 1998. The membership of the party was 61,000 in 2004. The party publishes two newspapers having the names Fidokorlar and Watan. Party's Chairman is Akhtam Tursunov. The Watan Taraqqiyoti Party merged with Fidokorlar in April 2000. Fidokorlar is one of the parties, that seems to have been anointed heir apparent, until the appearance of the Liberal-Democratic Party, to the original, loyal parties of post-independence Uzbekistan. Though, all the registered political parties of the Uzbekistan forwarded President Karimov as their choice in the presidential elections held in 2000, it was Fidokorlar's nomination that Karimov accepted. (http://www.europeanforum.net/country/uzbekistan#important_political_issues).

In its second Party Congress held in November 2004, Fidokorlar reported that it had only 61,000 registered supporters, despite being merged with the Watan Taraqqiyoti Party in April 2000. That low figure may reflect the emerging threats that Fidokorlar faces from the Liberal-Democratic Party, which was founded in November 2003 and now claims to have 1,35,000 members. Fidokorlar targeted youth and advocates in building an open society and market economy, while at the same time supporting national interests. Its members includes the artists, workers, small and medium sized businessmen, intellectuals, and the young people. (http://www.europeanforum.net/country.uzbekistan#important_political_issues).

Uzbekistan National Revival Democratic Party

The Uzbekistan National Revival Democratic Party was formed in 1995 with a large intellectual membership and has a comparatively high proportion of female members. The Party advocates the strong sense of Uzbek culture, desiring a cultural revival. It also seeks to build closer links with other States in Central Asia. The party opposes the influence of Russia in the region and attacked the foundation of Eurasian

Economic Community on this basis.
(http://en.wikipedia.org/wiki/Uzbekistan_National_revival_Democratic_Party).

At the last legislative elections, 24 December 2004 and 9 January 2005, the party won 11 out of 120 seats. The party's candidate for the 2007 presidential election was Hurshid Dustmuhammad. The party announced its intention to merge with the Self-Sacrifice National Democratic Party in 2008 as the two parties share common goals. The new group has retained the name as National Revival Democratic Party.
(http://en.wikipedia.org/wiki/Uzbekistan_National_Revival_Democratic_Party).

Justice Social Democratic Party

Justice Social Democratic Party was founded in 18 February 1995. The membership of the party was 50,000 in the 2004. The chairman of the party is Turgunpulat Daminov. Party's publishes its official newspaper having the name Adolat.
(http://www.europeforum.net/country.uzbekistan#important_political_issues).

The new party calls for liberal economic reforms, political pluralism and a secular society. Adolat has not been able to operate freely. Adolat (Justice) party was created by a former Prime Minister and Vice President of Uzbekistan, Shukrullo Mirsaidov. (<http://countrystudies.us/uzbekistan/47.htm>).

Uzbekistan Liberal Democratic Party

This party was founded on 15 November 2003 having the members 1,35,000, as on 2004. Turgunpulat Daminov is the Chairman of the Party. As in early December 2004, the Liberal Democratic Party seems like the party to watch. Barely one year old, it already claims to have the strength of 1,35,000 members. At a session of Parliament in May 2004, the Uzbek President Islam Karimov called the Liberal Democratic Party as "the party of entrepreneurs, of business, and of economic reform". Also admitted that the Liberal Democratic Party was different from the other four registered political parties.
(http://www.europeforum.net/country/uzbekistan#important_political_issues).

The Party declared on 4 October 2007 that it intends to nominate President Islam Karimov as its candidate in the 2007 presidential elections. On 6 November 2007 Karimov was unanimously chosen as the Liberal Democratic Party's presidential

candidate at a party convention in Tashkent. Karimov accepted the nomination. During the last legislative election in 2004-05, the party won 41 out of 120 seats. (http://en.wikipedia.org/wiki/Uzbekistan_Liberal_Democratic_Party).

Birlik (Unity)

Birlik (Unity) was established in 1988 as the first opposition organization in Uzbekistan. The party was primarily, founded by the intellectuals and writers under the leadership of the writer Abdurakhim Pulatov. One of its main goals was to establish Uzbek as the official language of Uzbekistan instead of Russian. Soon after, Uzbekistan's independence in 1991, President Islam Karimov started to suppress Birlik. In the following years, President Karimov only strengthened his power and Birlik and other opposition organizations were banned. In 2003, Birlik tried to register as an official political party, so that they could participate in the 2004 parliamentary elections. They tried to register five times, but the Ministry of Justice rejected all the applications for various reasons. For example, just before the registration term, the number of registered party members required to participate in the elections was raised from five to twenty thousands. Birlik fulfilled this demand, but still they couldn't participate in the elections, because according to the Ministry of Justice the signatures of the members were fake. The crackdown on the opposition by the government after the 2005 Andijon events made any political activity impossible for the Birlik. (http://www.europeanforum.net/country/uzbekistan#important_political_issues).

Birlik is a socio-political movement striving to establish the democracy in Uzbekistan, as at present, there is an authoritarian nature of political system. Its first goal is to stop the repression of the opposition. The Party works to raise political and social awareness to free Uzbeks and all peoples in the Republic from social backwardness and from the bondage of the periods of the cult of personality and stagnation, and to spur the masses to fight for the protection of Uzbekistan's natural, material and spiritual wealth. (Vaisman 2004: 367).

Its movement is based on the idea that it is possible to install the spirit of internationalism in the masses only through national education, cultivation of national language, traditions and culture and respect for one's nationality. It condemns national

arrogance and nationalism. So, it is opposing nationalism and chauvinism. Birlik movement wants to study the Uzbek cultural heritage in detail and actively seek to gain respect for long-standing progressive traditions, for the qualities of dignity, commitment, humanity and love, and at the same time, for the languages, customs and traditions of other peoples living in the republic.

The Birlik movement emphasizes the development of cultural relations with other union republics and foreign nations. It endeavours to restore cultural relations with Uzbeks living in other republics and abroad. It wants to elevate the spiritual and cultural thinking of the people, and to link the cultural heritage with the present. Old Uzbek (Arabic) alphabet should be taught on a wide scale in (regular) secondary and special secondary schools, and schools of higher education. Birlik had the concerns for economic development. It is vital to revitalize the raw material processing industry, increase material benefits for the population that produces cotton, silk and karkul pelts and end the state's monopoly on these products. Certain part of the income from oil, gas and valuable non-ferrous metals and other underground riches as well as from production enterprises subordinate to union organs as Uzbekistan's national wealth. This income should be included in its national income. (Vaisman 2004: 368-7). So, it wants to establish a market economy with the right of property of private land. At this moment the Uzbek economy is one of the least reformed of all ex soviet states. Birlik also wants to improve Central Asian cooperation should be oriented on the Western values. Central Asia should not be a region of rivalry. (http://www.europeanforum.net/country/uzbekistan#important_political_issues).

Birlik's priority is to ensure the women's labour, conforms to the human and legal norms, and curtail the exploitation of child labour. One of the goals of Birlik movement is to develop society's ecological world view by expounding the unity of man and nature, arousing responsibility for the preservation of nature. It is an ardent champion for the protection of human rights in any form. (Vaisman 2004: 370-71).

Erk/Liberty Democratic Party

Erk/Liberty Democratic Party established in 1990, was the first officially registered political party in the history of Uzbekistan. Its charter was registered at the

Ministry of Justice, Certificate of registration dated September 3, 1991, No. 039, which was signed by the minister Justice of Uzbekistan before the adoption of the law of Uzbekistan on political parties. The principal goals of activities, as written in the certificate on registration, are : the foundation of the independent democratic republic for Uzbekistan. The leader of the Party is Muhammed Salih, and the General Secretary is Atanazar Arif. The official newspaper of the party is Erk, which was registered with the publishing committee of Uzbekistan in September 19, 1991 under the no.000092, has been published in the Uzbek and Russian languages since 1990. (http://en.wikipedia.org/wiki/Uzbekistan_Liberty_Democratic_Party).

Erk (Liberty) started as a splinter group of Birlik. Booth had a dispute over priorities. The Erk faction preferred 'independence first' while Birlik's priority was 'first democracy then independence'. The Erk party participated in the first general elections of the independent Uzbekistan for the post of presidency of Uzbekistan with its candidate on 29th of December 1991. The leader of the party Muhammad Salih was the only opponent of Islam Karimov in the elections. According to the Central Election Commission, he got 12.5% votes, but Erk themselves believed that he gained 52% of the votes. The party had a lot of popular support, and therefore the regime suppressed. In 1993, Uzbek authority became too dangerous for Salih and he fled the country. He is still the leader of Erk. Although, he was not in the country, he was sentenced to ten years of imprisonment. So, now it is impossible for Salih to return back to Uzbekistan. Erk wanted to nominate Salih as candidate for the 2007 presidential election but Uzbek law did not permit because presidential candidate has to live in the country for at least the past ten years. Salih, who currently lives in Norway, has not been in Uzbekistan since 1993. In June 2003, Erk held its first formal meeting since it was banned eleven years earlier. (http://www.europeanforum.net/country/Uzbekistan#important_political_issues).

Erk has a complete political program that offers solutions to almost all problems of Uzbekistan. The main focus point is the creation of a parliamentary democratic republic, which provides rights and freedom according to the UN Declaration on human rights. It wants to create a social state and privatize the land and the means, which are currently in the hands of the state. It wants to adopt a social market economy. Erk wants to get Uzbekistan out of its current crisis by reforming the state system. It rejects the use of

violence to reach their goals. But, Erk's precondition for negotiation with the government is the immediate and unconditional rehabilitation of political refugees and the release of all political prisoners. (http://www.europeanforum.net/country/Uzbekistan#important_political_issues).

Hizb ut – Tahrir

Hizb ut-Tahrir was founded in 1953 in Jerusalem. It aims to re-establish the historical Caliphate in order to bring together all Muslim lands under Islamic rule and to establish a state capable of counterbalancing the West. Hizb ut –Tahrir view themselves as a political party, whose ideology is the Islam. In the mid nineties they gained a lot of support in Uzbekistan. It is the biggest Islamic organization in the region. The Uzbek regimes see Hizb ut- Tahrir as a big threat. In the past years, thousands of followers have been arrested. The extreme poverty and lack of strong opposition makes Hizb ut –Tahrir for some people the only way to escape the Karimov regime. Hizb ut –Tahrir claims that they have never used violence so far. They want to realize their goals without violence. Although they do not exclude it. But, the Uzbek authorities have accused them of involvement in terrorist attacks, and having relations with the IMU. But, there is no direct evidence for these accusations. Despite the lack of evidence, counter terrorist organization keep monitoring Hizb ut-Tahrir, because of their extreme views. (http://www.europeanforum.net/country/Uzbekistan#important_political_issues).

The Role of Opposition Parties

There is a provision in the Constitution of Uzbek Republic for the opposition parties. The Country claims itself as a democratic country, but opposition parties don not exist in true sense. Opposition parties are the soul of any democratic country but in the Republic of Uzbekistan, true opposition parties are not allowed by the authority to run freely.

At present, those political parties are registered all of them are the supporters of the President Islam Karimov. (http://en.wikipedia.org/wiki/list_of_political_parties_in_uzbekistan). Those political parties criticize the policies and programmers of the government, they are not

tolerated by the authority. The first opposition party in the republic was the Birlik which was banned by the Uzbek Government within a short period of its inception. (http://www.europeanforum.net/country/Uzbekistan#important_political_issues). After the Andijon massacre, the crackdown on the opposition parties made any political activity impossible for Birlik. Like Birlik, Erk is also one of the true opposition party that is banned by the Uzbek authority. (Demian Vaisman, 2004, pp.374-75). The leaders of both parties have been persecuted and the parties are working underground. The heads of the parties left the Republic of Uzbekistan and have taken the shelter in other countries. (<http://www.country-data.com/cgi-bin/query/r-14486.html>).

In an interview, Karimov stated that an opposition should be constructive and operate within the framework of the Constitution of the country. When a party suddenly proclaims itself to be an opposition party, but merely aims to destroy the foundations of society, it cannot be called an opposition. (SU/2011 G/4,01 Jun 94, SWB). It has been observed that when opposition parties disclose the shortcomings of government's role, authority makes some sorts of pretexts for the censored parties and prosecuted their leaders on the basis of anti-national activities and destruction of society. The Uzbek President Islam Karimov alleged the opposition leaders that during presidential election anti Karimov campaigns were supported by the money of the mafia and shadow economy which was not happy with the national policy was pursued by him. (SU/1286 B/5,24Jan 92, SWB).

As a result, opposition leaders were persecuted by the authority, but the government denied it. Two members of the opposition party Erk. E. Ashurov and M. Jorayev, who had both been charged with carrying out "grave crimes against the state". The government's investigation established that they were involved in activity aimed at creating tension and inter-ethnic tension. In short, at attempting to undermine the republic. (SU/2112 G/3 28 Sept 94, SWB). The trial of seven opposition members accused of anti state activity and propaganda executed on 2nd November 1994. The accused were all members of the Erk (freedom) opposition party and include its press secretary Dilorom Iskhakova, and a former member of the Uzbek Parliament Murad Dzhurayev. (SU/2146 G/3 7 Nov 94, SWB). The Uzbek radio reported that the Supreme Court of the Republic of Uzbekistan issued a verdict against a group of people accused of

taking part in a plot to forcibly overthrow the Constitutional order of the country and seize power (SU/2271 G/2, SWB). In spite of this, Islam Karimov emphasized the existence of an opposition party was a guarantee of democracy in the country. He was sure that parties operating in our republic would soon be standing on their own feet. (SU/2658 G/5 8July 96 SWB). But, Karimov government does not like the existence of true opposition parties. As President Karimov wants to maintain authoritarian type of democracy. He is disable to tolerate any criticize from the opposition leaders.

It is impossible to estimate the exact number of political prisoners or detainees. In 2004, there were an estimated 5,000 to 5,500 political prisoners. It was believed that the number of political prisoners continued to rise during the year as the number of new prisoners sentenced likely exceeded the number of prisoners, who were amnestied or completed their sentences. Media reported that approximately 28,000 persons were pardoned under an annual amnesty from December 2005 to March 2, 2006, but the Government did not provide any information on the number of political prisoners amnestied. Most persons convicted of political crimes for which they were arrested. (<http://www.state.gov/g/drl/rls/hrrpt/2006/78848.htm>). Therefore, there is a vulnerable situation for the opposition parties and their leaders in the Republic.

So far as media is concerned, it is not independent in the republic. Press is considered as the fourth pillar of the State institution in a democratic country. People get any information from the press and media. People are not able to know what exactly opposition parties and their leaders are doing. Distorted information about opposition parties are provided to the people thorough state's controlled media. Despite extensive Constitutional protection, the Karimov government has actively suppressed the activities of the leaders of opposition parties and rights of political movements. It continues to ban unsanctioned public meetings and demonstrations. The repression reduces constructive opposition even when institutional changes have been made. In the mid-1990s, legislation established significant rights for independent trade unions, separate from the government, and enhanced individual rights. But enforcement is uneven, and the role of the state security services remains central. (http://en.wikipedia.org/wiki/politics_of_uzbekistan). So, it is needed to improve the role of opposition parties. Because, in any democratic country,

government will not make any policy and execute it in the interests of common people, unless and until true opposition parties will exist.

On the other hand, it is trying to prove that there is real opposition political parties in the country on the basis of elections in which other political parties take the participation. But, it is a totally illusion. In 2007, in presidential election, four different candidates contested in the elections, in fact there was none of the candidates set out to pose any real challenge to Islam Karimov. On the contrary, the candidates campaigned together and publicly supported the policies of the Uzbek President Islam Karimov. Therefore, the election campaign was low-key and hardly visible, depriving people of the possibility to get acquainted with the different candidates. There were no debates between the candidates and there were no campaign materials of a competitive nature. Candidates that were nominated by other political parties represented in the Oliy Majlis cannot be viewed as opposition candidates. There was no real opposition candidates which one could vote for. (http://www.europeanforum.net/country/uzbekistan#important_political_issues). So, all the registered political parties urge the voters to vote for the president Islam Karimov, despite they field their own candidates in the elections. And in Parliament, there are no real opposition parties. All the parties are pro-government. (<http://news.bbc.co.uk/1/hi/world.asia-pacific/7148442.stm>). In the 2004/2005 election, all the (five) parties, that participated in the elections, backed the president. (http://www.europeanforum.net/country/Uzbekistan#important_political_issues). So, in the republic, not a single true opposition party contests the election whether for the post of president or parliament. (http://www.caucaz.com/home_eng/breve_contenu.php?id=340).

Elections

There is a provision for the election commission in the Republic of Uzbekistan. Periodic election has been introduced, which is based on the spirit of democracy. The president of the republic is to be elected for the terms of seven years. And, parliament is to be elected for the terms of five years. (Europa World Year Book, Vol II, 2006, P.4768). The elections in the country are conducted by Central Election Commission. The Constitution of Uzbekistan guarantees free and fair election. But in practice,

impartial institutional procedures are necessary for free and fair elections have not been set up. Electoral rules or laws and procedures have been made in order to suit the ruling elites and perpetuate themselves in power. (Badan 2001:112).

The first nation-wide elections for the post of President were held on December 29, 1991. Two candidates participated in that elections- Islam Karimov of People's Democratic Party of Uzbekistan and Muhammad Salih of Democratic Party Erk. Karimov was elected with 86% of the vote, whereas, Muhammad Salih got 12.3% of votes. (<http://www.eurasianet.org/departments/election/uzbekistan/presanal119.html>).

On 9 January 2000, Presidential elections were held in the Republic. In the election Islam Karimov was the presidential candidate of the self-sacrifice National Democratic Party, whereas Abdulhafiz Jalolov of Uzbekistan People's Democratic Party. So, there were only two candidates in the elections. Islam Karimov won the election with 91.9% of votes. While 4.1% voted for Abdulhafiz Jalolov of Uzbekistan People's Democratic Party. (http://en.wikipedia.org/wiki/uzbekidstani_presidential_election-2000).

But now, question is arises what the election have been conducted free and fair, people had their own choices in the elections? Several groups of observers monitored the December elections in Uzbekistan. Two of them neutralized each other. One is the 21-persons Organization for Security and Cooperation in Europe (OSCE), Limited Election Observation Mission, and the predominantly Russian 78-Persons Commonwealth of Independent States (CIS). Election Observation Mission. According to some analysts, the CIS electoral mission was created by CIS leaders primarily to countermand the criticism from international observers of election throughout the CIS, and to mute international reaction to election. (<http://www.bu.edu/iscip/vol5/ruzaliev.html>). The election observation team of OSCE, officially considered the elections didn't meet the international democratic standard. There was a limited nature of the competition. Election was held in a very controlled political environment, which did not really leave much room for real opposition. The election failed to meet many of the commitments that OSCE states have made to hold democratic elections. The candidates campaigned together and publicly supported the policies of the incumbent. There were no debates between the candidates. There were no campaign materials of a competitive nature. State television allotted over 80 percent of their relevant news coverage to President Islam Karimov. Candidates that

were nominated by other parties represented in the Oliy Majlis, cannot be viewed as opposition candidates. According to the OSCE, there was no real opposition candidate which one could vote for. Combined with serious irregularities on election day, including the presence of law enforcement agents inside polling station and the unusual high voter turnout of 90.6 percent in contrast to the small amount of voters observed by the mission. OSCE has found that strictly controlled Uzbek elections did not offer a genuine choice. (http://www.europeanforum.net/country.uzbekistan#important_political_issues). But, CIS has said in its findings that Uzbek election law met all international standards. (<http://news.bbc.co.uk/1/hi/world/asia-pacific/7148442.stm>). But, when in the election there were lack of electorate choices, freedom of expression, association and assembly, then how it would be proved that elections were free and fair. (<http://www.State.gov/g/drl/rls/hrrpt/2006/78848.htm>). On the other hand, opposition parties are banned in the republic. All the registered parties are pro-government. In order to contest the election, potential candidates have to be nominated by a registered party or an initiative group of at least 300 voters, and then collect at least 815,000 signatures (5% of the population) in support of their candidacy. So, opposition parties are not registered, and the authoritarian nature of the state discourages people for signing the opposition petitions. This effectively rules out the independent candidates. (<http://news.bbc.co.uk/1/hi/world/asia-pacific/7148442.stm>). It has been observed in the republic if voting turnout went to unexpected high level, so there is one of some reasons behind it, one voter votes for all his/her family members. At some election stations, some small presents were given to voters, for example, disposal packages for garbage. (<http://www.eurasianet.org/departments/election/uzbekistan/presanal119.html>). Therefore, it can be said that Uzbek election process does not meet the international standards.

Media

Media plays a crucial role in shaping a healthy democracy. It is the backbone of a democracy. Media makes people aware of various social, political and economical activities happening within and outside the country. Outcome of the Gorbachev's reforms policy made the room of freedom for the media. Before, the collapse of the Soviet Union, media was controlled by the authority through the adoption of glasnost, Soviet authority

relaxed the control over media. But, after the independence of Uzbek Republic, the republic has provided freedom to the means of communication, though this freedom of media is still far from real in practice.

Despite the Constitutional provision for the freedom of media, the government has tightly controlled information. The Uzbekistan News Agency cooperates closely with presidential staff to prepare and distribute all officially sanctioned news and information. The government's press and information agency is responsible for monitoring all media. The Cabinet of Ministers owned and controlled three of the country's most influential national daily newspapers- Pravda Vostoka (Russian Language), Halq So'zi (Uzbek Language), and Narodnoe Slovo (Russian Language). The government, controlled political parties or social movements and the Tashkent municipal government owned or controlled several other daily and weekly publications. The government also increasingly published news stories on official Internet Sites including UzA.uz, operated by the National News Agency of Uzbekistan, and Jahon.mfa.uz, operated by the Ministry of Foreign Affairs. A few websites, most notably Press-uz.info, Gazeta.uz, and C-Asia.org, purport to be independent, yet invariably their reporting reflects the government's point of view. (<http://www.state.gov/g/drl/rls/hrrpt/2006/78848.htm>).

Government owned printing houses generally printed all newspapers. Independent journalists may not establish newspapers unless they meet the media law's standards for establishing a mass media agency, including naming a board of directors acceptable to the government. The government allowed a small number of private newspapers containing advertising, horoscopes and similar features, but no substantive news or editorial contents. The government did not allow the general distribution of foreign newspapers and publications. However, two or three Russian newspapers and a variety of Russian tabloids and lifestyle publications were available, and a very modest selection of foreign periodicals were available in major hotels and at other locations in Tashkent. (<http://www.state.gov/g/drl/rls/hrrpt/2006/78848.htm>).

Therefore, the state regularly maintains control of the media. Although, there is no provision of censorship in the constitution of the republic, and as well as censorship is legally prohibited by the laws "On Protecting the Professional Activities of Journalists" and "On the News Media". The censorship mechanism was developed during Soviet

period and is still in operation. No page of any of these newspapers is accepted for printing unless it bears a special stamp. The authorization stamp is affixed to the page by a State Press Committee inspector after reading it. As the inspector reads the page, he violates all the aforementioned laws against censorship, crossing out individual sentences and paragraphs and pulling articles that have nothing to do with state secrets. [The Current Digest, vol.51, No. 19 (1999),p.19].

Obviously, journalists can't help but raise the issue of censorship. When the draft law "on Protecting the Professional Activities of Journalists" was under discussion, editors and reporters for republic, province and city publications stressed the importance of implementing Article 4, the article prohibiting censorship. But, even after the law was passed, there was no change in the practices of the State Press Committee's inspector. However, no one inspector who has directly imposed censorship not only on the press, but on radio or television as well has had to answer in any way for his actions. When journalists ask why articles were deleted or cuts made, State Press Committee officials answer that they are not required to give an accounting to anyone. Arguing is useless, and, moreover, is likely to cost the arguer dearly, since the State Committee is the body empowered to register media outlets, and also has the right, under Art.16 of the law "On the News Media", to shut down any media outlet. [The Current Digest, vol. 5, No. 19(1999), p.19].

As a rule, news papers or other publications with which the censor finds fault at certain number of times are shut down. The Tashkent newspaper Panorama recently suffered this fate of all Russian newspapers, only Trud and Argumenty I fakty are currently distributed officially in Uzbekistan, but the censors keep a watchful eye on them, too. Private Russian-language radio stations that had only just begun to pipe up were the latest to fall under the wheel of censorship. The office for press affairs under the executive apparatus of the Tashkent Province administration issued a decision suspending their broad-casting operations. According to an official of the state television and Radio Company, five radio stations were prohibited from broadcasting in Tashkent. The rebroadcasting of programs from Russia's Yunost (Youth) radio station was terminated in Uzbekistan. [The Current Digest, vol.50, No.5 (1998), pp.20-21].

In the aftermath of deadly unrest in the eastern city of Andijan in 2005, reporters were expelled from the area and foreign TV news broadcasts were blocked. Later, after a few months the BBC's coverage of the uprising led to the closure of the corporation's bureau in Tashkent. In such an atmosphere, conventional media development projects are very nearly impossible inside the country, and yet the need has clearly never been greater, so creative solutions must be found. (http://news.bbc.co.uk/2/hi/asia-pacific/country_profiles/1238242.stm).

After the Andijan events government harassment against journalists continued during the year. Journalist Sobirjon Yakubov, who formerly worked for the newspaper Hurriyat, was released from prison and reinstated at Hurriyat after one year in detention during which he was never formally charged with a crime. In April 2005, authorities arrested Yakubov and accused him of links with banned Islamic groups and attempting to undermine the constitutional order. Yakubov had written articles advocating democratic reforms. Nosir Zokir was arrested and convicted in August 2005 on charges of insulting an NSS officer, completed his six months prison sentence and was released in February 2006. Prior to his conviction, Zokir had conducted an interview with a poet who was critical of the government. He had been accused of illegally crossing the border into Kyrgyzstan. There were several reports that journalists were fired from state run media outlets in retaliation for their contacts with foreign diplomats. State controlled media organization fired some journalists for attending discussions or participating in other programs sponsored by foreign embassies. Others were placed on leave without pay or had their air time reduced. (<http://www.state.gov/g/drl/rls/hrrpt/2006/78848.htm>).

After the Andijan massacre and the crackdown on journalists and media support NGOs that followed, news gathering and reporting went from extremely difficult to nearly impossible. The only independent sources of news, Uzbekistani citizens can access are via the internet and by shortwave radio broadcasts. These outlets need to carry on their work, but more avenues to information need to be offered up. There is certainly more scope for online news aimed at Uzbekistan. Truly, internet access is limited within the country. Eurasia Net, IWPR, Transitions online and other publish excellent web-based material (the first two with significant Russian Language output), but they have limited capacity. Each can only produce a handful of stories about Uzbekistan every

month. The websites of RFERL/RL and BBC World service deliver news in Uzbek, but again, harassment of both has been fierce. The Uzbek regime has been very actively engaged in internet censorship, closing down and threatening local websites and blocking certain external sites. (<http://www.crisisgroup.org/home/index.cfm?id=4465&1=1>).

Despite the abolition of censorship formally in May 2002, there is no place for the independent media in the republic. Media is controlled by the authorities in the various ways. People are not able to get actual news about any field of life.

Judiciary

The Constitution of the Republic of Uzbekistan has made provisions for an independent judiciary. Judicial powers are exercised by the Constitutional Court, the Supreme Court, and the Lower Court of the republic. The Constitutional Court has the power to interpret the Constitution and resolved the disputes between the state authorities. Its judgments are final and it cannot be subjected to appeal. The Supreme Court of the Republic of Uzbekistan is the highest judicial body of civil, criminal and administrative law. The ruling of the Supreme Court is final and binding throughout the Republic. Judges of all courts are appointed by the President. (The Constitution of Uzbekistan).

Number of measures on enforcing the independence of courts has been taken. The following achievements have become a considerable step forward in reforming the court system : specialization of courts on criminal, civil and economic cases; introduction of appeal and conciliation institutions; liberalization of punishment; pretrial investigation and detention terms cutback. Necessary changes have been introduced to the legislative norms that prevent interference of the prosecutors into court proceedings. (www.turkey.mfa.uz/modules.php?op=modload&name). But, in practice, judges are fully dependent on the executive. Security of tenure is non-existent, and economic pressure and prosecutorial bias are exercised to interfere with their independence and impartiality. The procurator plays a central role and strongly influences the judge, who rarely hands down on independent or impartial rulings. In June 2002, UN Committee against Torture reported a heavy reliance on confessions, unacceptable prison conditions and inadequate access to lawyers for detainees. It regarded the judiciary as insufficiently independent,

and declared that the procuracy functioned in ways that gave rise to serious doubts about its objectivity. Most judges have a lack of proper professional qualifications, positions are usually bought by bribery. As a rule , professional qualifications are overruled by “suitability” in the eyes of local executive authorities. (www.icj.org/IMG/UZBEKISTAN.pdf).

Lack of judicial independence is one of the most fundamental impediments to the enforcement of international human rights standards in Uzbekistan. In an environment where judicial independence is not sufficiently secured a culture of critical decision making and the protection of human rights will remain an illusion. There were numerous reports that police and other security forces entering homes of human rights activists and religious figures without authorization of an independent judiciary. Authorities frequently detained and mistreated family members of persons wanted or jailed for Islamic extremist activities, even if there was limited evidence of their involvement. There were numerous credible reports that police, employers and neighborhood committees also harassed and arrested family members of human rights activists. (<http://www.state.gov/g/drl/rls/hrrpt/2006/78848.htm>). It shows that judiciary is not maintaining positive role for the protection of human rights.

Therefore, the courts are not independent from the executive power on either the national or the regional level. The procuracy’s excessive power creates friction with the judges and law enforcement. Defense lawyers rarely have equal standing with prosecutors in the court. (<http://www.freedomhouse.org/template.cfm?nit=384&page=47&years=2005>). The law itself mandates the participation of the executive branch at the highest levels of judicial making: the 2000 law on courts provides for the Prosecutor General to provide in the plenary sessions of the Supreme Court. Representatives of the President’s office dealing with legal and judicial matters attend the plenary meeting of the Constitutional Court, the Supreme Court and the Higher Economic Court to observe the development of instructions to lower courts. Courts typically follow the lead of the procuracy in criminal matters, and not guilty verdicts remain extra ordinarily rare. Judges fear that they will not be re-appointed to their posts if they acquit. If a court feels that the procuracy has not established the guilt of a defendant, the most likely outcome is that the case is remitted for further investigation. Judges cannot act as impartial arbiters in disputes between the

state and citizen, but rather enforce the state's will. Often the procurator does not appear in a trial before sentencing, which means that the judge is left to prosecute a case. (<http://www.icj.org/IMG.UZBEKISTAN.pdf>).

Prison conditions are precarious in Uzbekistan. There is an urgent need to improve prison conditions and to overcome the abusive and militarized nature of a penitentiary system sealed off from society. Lack of access to the outside world (lawyers, family and doctors), especially in pre-trial detention, has amplified those human rights concerns. The situations remain precarious all over Uzbekistan and overcrowding is still persistent. Blatant corruption is another serious problem in the prison systems of the country. However, it should be acknowledged that some progress has been commenced towards the rule of law. The reasons for the relative success of these reforms for the relative success of these reforms may be three fold: 1. The penitentiary system was literally bankrupt; 2. The process was heavily supported by international organizations, but also in terms of positive acknowledgment in relevant OSCE forums; and 3. The reforms posed less of a threat to the presidential power. For the international community on the other hand, prison reform could be a step towards broader, much needed, criminal justice reforms in Uzbekistan. (<http://projects.essex.ac.uk/ehrr/v2 N1/Staberock.pdf>).

Corruption is reported to be rampant. Low salaries, lack of secure tenure, and non-transparent methods of appointing, disciplining and removing judges contribute to these problems. On the positive side, Uzbekistan has relatively strong procedures in sphere of training of judges and ensuring their competency. The government's human rights record remained poor in 2004, although important first steps were made to address the use of torture and police accountability. Although efforts to modernize the judiciary were more notable in 2004 as compared with provisions in place that stall the reform process. Under the Constitution, the President appoints all judges for five year terms and has the power to dismiss them which solidified executive branch control over the judicial system. Judges rarely decide cases in favour of individual rights or against the interests of the state. (<http://www.freedomhouse.org/template.cfm?nit=384&page=47&year=2005>).

The Uzbek law on courts says that anyone under 25 can hold the post of judge. It seems that the state encourages the promotion of young people to the positions of responsibility. As a rule, at 25, a candidate for the post of judge is still at a stage where he

has not yet reached moral maturity and financial stability. At this stage, in substance, they have nothing of their own, and whether we like it or not, will abuse office for gain.

The prosecutors issue all arrest and search warrants without judicial oversight. Legislation providing for judicial review of detentions (*habeas corpus*) has not been adopted, regardless of recommendations made two years ago by the UN special reporter on torture. Therefore, the courts typically follow the lead of the prosecutor in criminal prosecutions, and not guilty verdicts remain extraordinarily rare. This is the chief reason for the overall high rate of completed investigations and subsequent sentences in Uzbekistan. (<http://www.freedomhouse.org/template.cfm?nit=384&page=47&year=2005>).

Therefore, authorities frequently ignore legal protections against pretrial detention and there is no judicial supervision of detention such as is provided by *habeas corpus*. Once charges are brought, suspects may be held in pre-trial detention for up to a year. Persons under arrest have no access to a court to challenge the length or validity of their pretrial detention. Policy may hold a suspect without a warrant or just cause for up to three days, after which he/she must then be either released or charged. If a person is declared a suspect, he may be held for an additional three days before being charged. A procurator's order is required for arrest, but not for detentions. Although, the law provides that detainees and defendants have the right to an advocate this is rarely put into practice. (<http://www.icj.org/IMG/UZBEKISTAN.pdf>). At last, it can be said that the separation of powers is not being maintained, because judiciary is interfered by the executive authorities. There is lack of free trial. So, the people are facing difficulty to get free and fair judgments.

Chapter-IV

Challenges to the Political System

The Uzbek political system is under the process of development. But in the process, it faces lots of challenges, like authoritarianism, terrorism, trafficking, corruption, poverty environmental degradation, etc. These problems are serious. Without tackling all these challenges, democracy will not exist in true sense in the country, it will be only ideal thing on the paper. Therefore, the challenges before the Uzbek political system create obstacles in the way of getting maturity. Although, some necessary steps have been taken against the problems. But, there is no positive outcome. The problems which the Uzbek Government is facing in the establishment of democratic political system are given below:

Authoritarianism

Uzbekistan has established Presidential form of government with unitary features. It has introduced a liberal values in its political system. At the time of independence, the republic had no democratic experience. So, the country inherited some features of political system from the former Soviet system which are responsible for the authoritarian tendency in the regime.

An important component of politics and power in most developing societies is the issue of political leadership. The political process is the issue of political leadership. The political process of many third world societies are shaped around the authoritarian leader, who plays a disproportionate role in the decision-making process. The evolving authoritarianism of the Uzbek regime is to be expected, given the political culture of Uzbekistan and the present political conditions within the country. After all, Islam Karimov and the rest of the political elite at the top, are products of the Soviet system (Ayubi 1995: 2). Karimov's authoritarian leadership symbolizes not only a continuation of the Soviet system, but also confirms with strong-man rule that has dominated Central Asian politics for decades. Such government rule is very well-known and familiar to most Uzbeks, and consequently, democratic traditions failed to develop in Uzbekistan, and the seventy year Soviet Communist regime did not create a favourable climate for democratic reform. The very notion of having a responsible opposition playing a vital role in the

governance of the country, which is one of the pillars of democracy, is perceived as a threat by Karimov.(Ayubi 1995:3).

President Islam Karimov is clearly determined to stay in power. There are lots of evidences that the press has become the mouthpiece of the regime regularly praising Islam Karimov and his policies, reminiscent of the old Soviet-style personality cults. President Islam Karimov enjoys a rubber-stamp parliament. Although, on paper, the Oliy Majlis is the ultimate source of power, as it is responsible for debating and approving legislation and directing government policy. In reality, it performs only consultative and not legislative functions. Because, all the members in the legislative body are the supporter of President Islam Karimov. (Ayubi 1995: 3).

Therefore, the Republic of Uzbekistan is inseparable from the political prudence of President Islam Karimov. As President, Karimov, has the power to issue presidential decrees with the force of law, in effect circumventing the other branches of government or any check on his power. He appoints regional governors (hokims), and regularly shuffles them to prevent any individual from acquiring a powerbase to challenge his authority. In March 1995, he extended his term till the year 2000 in a referendum which he won, Soviet-style, with 98% of the vote. It shows how he wanted to maintain his regime. (Kubicek 1998: 31-32).

There is a provision for opposition parties in the Constitution of Uzbek Republic to create a veneer of democracy. True opposition parties are banned. But, technically, opposition parties are existed. They are failed to deliver its role in true sense. Because, all the registered parties favour the policies and programs of the Uzbek President, Islam Karimov. (http://en.wikipedia.org/wiki/list_of_political_parties_in_Uzbekistan).

Those political parties who criticizes the policies and programmes of the government, their leaders face harassment, such as Erk and Birlik, whose leaders have been beaten by unknown assailants and eventually forced into exile abroad. The nationalist secular Erk and Birlik parties were both banned in 1993. The leader of Erk, Muhammad Solih, who stood against Karimov in the 1991 election, was sentenced to death in absentia in 1999. The Islamic Revival Party was banned in 1991 and its stronghold in the Ferghana valley. IRP chief Utaeve simply disappeared after his arrest

in 1992. (Rothacher 2005: 921). Real opposition parties have been denied registration (<http://news.bbc.co.uk/1/hi/world/asia-pacific/7148442.stm>).

Growing chaos in neighboring Tajikistan provided the Karimov regime with a justification for the repression of his own opposition, namely the Uzbek nationalists and the Islamic extremists. In 1992, Karimov used the role played by nationalists and Islamic radical forces in the Tajik civil war to justify his crackdown on opposition. Stunned by ethnic strife and the rise of religious radicalism in Tajikistan, Uzbekistan engaged in a sweeping political crackdown on dissenters, banning demonstrations and arresting opposition leaders on charges ranging from treason to slandering president Islam Karimov. (Ayubi 1995: 4-5).

On the economic front, Karimov has been an advocate of gradual, controlled reforms led by the state. The basic economic course should not be subjected to irrational political debate. However, he may have his motto backwardness since his economic programme is predicated upon supremacy of law and order and a state structure to develop programmes and implement decisions. In short, he favours something more akin to a 'Chinese model' of reforms than 'shock therapy' or some combination of glasnost and perestroika (Kubicek 1998: 32). It also favours absolute power to the President Islam Karimov. He thinks if he loses the control over economic matter, the radical changes would occur and its impact would be negative. Because, the socio-economic set up in the country is not ready for it.

The government controls mass media (print and electronic). The journalists are not freed to criticize the government policies. Although, the Constitution of the republic prohibits censors of the media. But in practice, follow the norms and conditions under the media law (Akbazadeh 1996: 26). Therefore, it is proved that Uzbek Republic is a democratic country, but the nature of regime is an authoritarian. It is a big obstacle to pursue the objectives of the democratic political system.

Religious Extremism

Religious extremism is one of the biggest threats for the development of democratic political system. The Uzbek regime is trying to control religious extremism. The government has allowed religious activities. But, in the name of God or religion, nobody can challenge the regime or destroy the society. The source of the alarm about

religious extremism is located in the complex relations between the social and cultural phenomenon of the religious revival and the political strategies of the post-Soviet state. The Uzbek regime supports Islamic cultural heritage and invokes the moral and ethical values stemming from it. The process of Islamic revival was inadvertently set in motion by the last President of the Soviet Union, and his well publicized policy of Glasnost in the late 1980s. (Haghayeghi 1994: 249).

Since independence, the regime has worked hard to reassert the authority of the Religious Board, bringing about another era of “official Islam”. Thus, the religious activities are controlled by the government. The Muslim directorate has a monopoly over religious instructions and organization of contacts with the rest of the Muslim world. New madarasas have appeared under its auspices and it organizes the hajj for several thousand citizens every year. It also controls all mosques and their personnel in the country .(Khalid 2003: 586-87).

The government asserts its respect for the spiritual heritage of the nation. In fact, it is pointed out that the revival of spiritual values should be combined with the more pragmatic consideration of preservation of land and water. President Islam Karimov has emphasized that spiritual revival should also embrace the attitude of human beings towards the land and its richness. On the area, where agriculture during centuries has been based on irrigation, a careful treatment of land and water is not less important moral imperative than a careful attitude towards objects of civilization. Soil, air, water and fire (the sun) have been traditionally worshipped in Central Asia, they were given respect by all religions of our ancestors, from Zoroastrianism to Islam (Sengupt 1999: 3651). Therefore, the government of the republic emphasizes to maintain the secular nature of the society.

The problem of Islamic fundamentalism has its origin in Uzbekistan since the country has started establishing and strengthening of the state sovereignty, and when the state’s borders opened to the world community. After the collapse of the Soviet Union, In the country, some Islamic activists came from Saudi Arabia’s Wahhabis and Jordan’s Hizb-ut Tahrir religious Islamic organizations. These two Islamic organizations advocate creating Caliphate or Islamic theocracy in Uzbekistan. These Wahhabis are active supporters of the Taliban and Al-Qaeda network, who share Wahhabi ideology, a set of

ides practiced in some Wahhabis starkest form by the Taliban. (www.au.af.mil/au/awc/awcgate/acsc/02-074.pdf).

Islamic movement of Uzbekistan (IMU) was established in late 1990 in Fergana valley. IMU is also known as Islamic party of Turkestan. Its aim is to overthrow the Uzbek government and replace it with Islamic state. The leaders of IMU have concentrated their mission to work with the youth. The young population has become good political instrument to use for the sake of poor. The total number of members is unknown. However, the IMU has been declared a terrorist group by the United States government and the United Nations, because of the alleged help it had received from the Taliban and also from world terrorist Osama Bin Laden (www.au.af.mil/au/awc/awcgate/acse/02-074.pdf).

The most important Islamic organization developed in Central Asia in the last year of the Soviet rule was the All-Union Islamic Renaissance Party. The party was the first Islamic party to emerge in the former Soviet Union. At the time of the party's foundation, various Islamic leaders throughout the country sought to unite all Muslims. The all Union-IRP based its support on the deeply rooted religious structure in Central Asia and tried to use IRP's power in the region in its attempt to challenge the Communist regime with its Islamic ideology. The IRP soon extended its sphere to influence to all the Central Asian Republics, by establishing regional branches and attracting members from several strata of these societies, especially in Uzbekistan and Tajikistan. The IRP stood for the revival of the ideals of Islam, restoration of Islamic culture and maintenance of Islamic traditions. (Akcali 1998: 269-71). The IRP established close contact with many of the Mujahidin leaders of Afghanistan. It was supported by the regular Afghan mujahidin (Akcali 1998: 278-81).

The struggle against extremism was brought to the forefront of the regime's agenda by unprecedented events in 1999. On 16 February 1999, Six bombs exploded within an hour in the centre of Takshkent, destroying government buildings, killing sixteen people, injuring more than 100, and missing Karimov narrowly. No one took responsibility for the Tashkent bombings, but the government quickly accused "Islamic extremists" operating out of Afghanistan and Tajikistan of making the attack and unleashed a widespread campaign against them. Hundreds of people were arrested, and several

suspects were extradicted from Turkey, Ukraine, Kazakhstan, and Kyrgyzstan. (Khalid 2003: 588). The IMU also fought in the civil war in Afghanistan and was fighting alongside Taliban and al-Qaeda forces. Pakistani sources claim that IMU had supplied to Laden with fissile material for manufacturing an improvised nuclear explosive devices (<http://www.cdi.org/terrorism/imu-pr.cfm>).

The central focus of the government's response has been repression. The campaign against "extremism" has broadened into a general curtailment of all religious activity not under the government's control. Campaigns of arbitrary arrests, beatings, and harassment of so-called Wahhabis in the Fergana valley predated the Tashkent bombings. Since the bombings, thousands of people have been arbitrarily arrested on suspicion of belonging to the IMU or the HT, to the point that prisons are overflowing and prison labour camps have been established; others have disappeared without a trace. Few of those arrested have been charged with actual violent crimes. (Adeeb Khalid; 2003, p. 589). So, the campaign against extremism has continued. The government has succeeded in repressing the extremists.

Trafficking

The society of Uzbek Republic is affected with trafficking. There are mainly two types of trafficking in the country: human trafficking and drug trafficking. It is a big challenges to the newly established democratic political system of Uzbekistan.

(a)Human Trafficking

The problem of human trafficking and the export of forced prostitution is present in every state of Central Asia. In Uzbekistan, increasing numbers of human trafficking victims has led the problem to receive growing attention from state organs. According to the Ministry of International Affairs of Uzbekistan, more crimes of this character were investigated in the past several years, but the number of persons trafficked and abused is steadily growing. Most of the time, male labour migrants seek easy money in the near abroad, in Kazakhstan and Russia, while young girls and women, by contrast, earn their bread in the far abroad. Their route usually leads to the United Arab Emirates (UAE), Turkey and Thailand. The ministry of Internal Affairs statistics account as many as a thousand Uzbek girls smuggled abroad for commercial prostitution annually. (<http://www.cacianalyst.org/?q=node/4792>).

Women and girls are trafficked to the Kazakhstan, Russia, India, Israel, Malaysia, South Korea, Japan and Costa Rica besides UAE, Turkey and Thailand for the purpose of commercial sexual exploitation. Men are trafficked to Kazakhstan and Russia for the purposes of forced labour in the construction, cotton and tobacco industries. Men and women are also trafficked internally for the purposes of domestic servitude, forced labour in the agricultural and construction industries, and for commercial sexual exploitation. Many school-age children are forced to work in the cotton harvest each year. (http://en.wikipedia.org/wiki/humán_trafficking_in_uzbekistan).

The Karakal Pak Republic has had its share of hardships in recent years. The shrinkage of the Aral Sea has reduced the region's main industries – fishing and cotton production – resulting in a lack of employment. It has also contributed human trafficking in the region.

The lack of jobs, the needed to provide for family members and the lure of nearby countries with higher standards of living have made many women easy prey for traffickers promising employment and travel abroad. The Government of Uzbekistan does not fully comply with the minimum standards for the elimination of trafficking. However, it is making significant efforts to do so. The government did not amend its criminal code to increase penalties for convicted traffickers, and did not provide financial or in-kind assistance to NGOs, providing assistance to victims during the reporting period. The government did not take steps to end forced child labour, during the annual cotton harvest. However, in March 2008, Uzbekistan adopted ILO conventions 138 (on minimum age of employment) and 182 (on elimination of the worst forms of child labour) and is working with ILO on implementation. The government of Uzbekistan also demonstrated its increasing commitment to combat trafficking in March 2008, by adopting a comprehensive anti-trafficking law. The law established a coordination mechanism for government ministries, responsible for various anti-trafficking efforts. The law promises that state funding will be used to provide victim protection and assistance, ensuring that victims will not be punished for acts committed as a result of being trafficked. (http://en.wikipedia.org/wiki/human_trafficking_in_Uzbekistan).

Therefore, human trafficking should be removed in order to develop the society. It would have positive impact on the political system of the republic.

(b) Drug Trafficking

Uzbekistan is an attractive and increasingly important transshipment point for opium products and hashish, and for chemicals used in illicit drug production, smuggled from Afghanistan and Pakistan en route to Russia and Europe. Uzbekistan's location in Central Asia, and the relatively modern transportation system through Tashkent, make it an increasingly attractive brokering centre for drug operations. The two primary drug routes from South West Asia into Uzbekistan are directly from Afghanistan through the city of Termez, and via the Gorno-Badakhshan region of Tajikistan, through Osh in Kyrgyzstan, and on into Uzbekistan's Andijan region. (<http://www.hri.org/docs/USSD-INCSR/96/Europe/Uzbekistan.html>). Uzbekistan authorities indicate that Azeri, Goerigian, and other criminal groups appear to make use of Tashkent as a connection to Russia and the West.

Drug trafficking from Afghanistan through Central Asia has expanded dramatically over the past two decades. Today, Afghanistan accounts for an estimated three-fourths of the world's heroin supply, with an increasing proportion (one-half to two thirds) of those drugs trafficked through the Central Asian states of Tajikistan, Uzbekistan, Kyrgyzstan, Turkmenistan and Kazakhstan. Most of this supply is sent into European and Russian markets, and sometimes to the US and Canada. An estimated 80 percent of the heroin seized in Europe, and 95 percent in Great Britain, originates from poppies in Afghanistan, most of which is trafficked through Central Asia. (<http://www.eurasianet.org/departments/insight/articles/eav05090.shtml>).

Estimates of the Taliban's annual revenues from the opium market during the late 1990s range from \$ 10 million dollars to upwards of \$ 75 million. These profits finance the ongoing wars against opposition forces and one also reported to fund terrorist activities. At the same time, cultivation and trafficking is a way of life, and sometimes a matter of survival for many in the region. Opium poppy cultivation has become an integral part of the rural economy in Afghanistan, where many farmers are dependent on such profits to make ends meet. In Central Asia, increasing numbers of impoverished people are likewise willing to risk the harsh legal penalties of drug trafficking because

they view opium as their only ticket to survival. (<http://www.eurasianet.org/departments/insight/articles/eva050901.shtml>).

According to the United Nations Office on Drugs and Crime, more than 433 kg of heroin was seized in Uzbekistan and nearly 500 kg in Tajikistan in the first half of 2008. Drug-related arrests have also doubled in Uzbekistan in a year. The OSCE reports 99 percent of the drug-related income is kept by organized groups of traffickers. Meanwhile, the larger social costs are exponential. The UN office on drugs and crime cites trafficking as a major source of funding for terrorists, a source of criminal activity and a deterrent to economic activity. Trafficking also contributes to rising rates of HIV/AIDS, particularly through the use of infected needles. (<http://europeandcis.undp.org/home/show/A140A1E6-F203-1EE9-BEDFAC94738F5C7C>).

The UN's Office of Drug Control and Crime Prevention (UN ODCCP), the primary sponsor of counter-narcotics programmes, throughout the region, has worked for over a decade to reduce opium poppy cultivation through rural development activities in Afghanistan. It has also host of other programmes ranging from mapping illicit crop cultivation in Afghanistan and Central Asia, to supporting research at Uzbekistan Institute of Genetics on the development of a fungus capable of destroying the opium crop at its root. The ODCCP's main focus has been on assisting Uzbekistan in developing a centralized counter-narcotics infrastructures i.e., assisting the creation of indigenous counter-narcotics and drug control agencies and administrations; drafting legislations; providing training and equipment to border guards, customs officials, and others working on counter – narcotics initiatives; and, recently, helping to establish separate courts for the prosecution of narcotics consumption and trafficking crimes. (<http://www.eurasianet.org/departments/insight/articles/eav050901.shtml>). National Drug Information–Analysis Centre was created by the decree. This body coordinates counter-narcotics efforts and is staffed primarily by officials from the Ministry of Internal Affairs, the National Security Service, and the Customs Service. The National Drug Control Commission still exists as a policy-making body. (<http://www.hri.org/docs/USSD-INCSR/96/Europe/Uzbekistan.html>). Moreover, counter narcotics efforts are hindering by a shortage of manpower, resources, and experience. Within the Ministry of Internal

Affairs 150 counter narcotics officers focus on drug control efforts. The Ministry of Internal Affairs's training academy offers specialized courses on drug control. However, these and other law enforcement officers have multiple responsibilities and are not always able to specialize in counter narcotics operations. The Uzbek Customs service suffers from similar problems. There are some 3,000 customs staff assigned to 240 check points, but relatively few have knowledge of drug control procedures. Interdiction efforts are mostly at border inspection points. The Uzbek authorities use dogs and have military helicopters available to assist and interdiction and eradication efforts. The Uzbek customs service is trying to establish a regional dog training center for Central Asia in Tashkent, in order to control drug trafficking. (<http://www.hri.org/docs/USSD-INCSR/96/Europe/Uzbekistan.html>).

Therefore, Uzbekistan has to take effective and necessary steps for the tackling of drug trafficking. Drug trafficking should be eliminated as possible as soon. Because, it is one of other big challenges before the political system in the country.

Environment

People are facing environmental degradation in the region. The desiccation of the Aral Sea was one of the greatest environmental disasters of the latter part of the 20th century. In 1960, it was the fourth largest lake in the world. Since 1965, the Sea has lost 75% of its volume and the coastline has advanced 100 kilometers. (siteresources.worldbank.org/INTRANETTRADE/Resources/Topics/Accession/casestudyOntrade&envir_Eng.doc).

The Karakal Pak Republic has had its share of hardships in recent years. The shrinkage of the Aral Sea has reduced the region's main industries – fishing and cotton production – resulting in a lack of employment and a harsher climate. In the 1950s, the Soviet Union decided to cultivate cotton in the region on a massive scale, using the Syr Darya and Amu Darya rivers for large-scale irrigation leading to a drop in the flow of freshwater into the Sea. It is estimated that the Aral sea has lost 66 percent of its size in area and 88 percent of its volume between 1960 and 2005. (<http://www.america.gov/st/washfile-english/2005/May/20050510083913btruevecer0.1866724.html>).

The shoreline has receded, salt deposits remain on the surface. These land areas are highly contaminated by agricultural and industrial chemical residues, which are

carried by strong winds and deposited in areas distant from the source. The problems now faced by the inhabitants of the region are enormous, both with respect to their health and employment opportunities. The virgin lands scheme, which aimed at growing wheat on the arid and semiarid steppes of Kazakhstan and the cultivation of cotton in Uzbekistan during the Soviet era, represents the elements of economic policy which are largely responsible for the current situation. Cotton monoculture in Uzbekistan and Turkmenistan led to draining off the water flowing to the Aral Sea, to provide for irrigation. In addition, the decreased water-flow was polluted as a result of the over-use of chemical fertilizers and pesticides. (Kiessling 1998: 560).

Large-Scale use of chemicals for cotton cultivation, inefficient irrigation systems, and poor drainage systems are examples of the conditions that led to a high filtration of salinized and contaminated water back into the soil. Large-scale and unbalanced application of mineral fertilizers and pesticides undermined the natural biological processes and degraded the soil quality. More and more use of fertilizers can not be absorbed by plants and form a run off that pollutes the soil, rivers, and underground water, reduced flows of water from rivers and increased discharges of highly saline and polluted drainage water from irrigated areas (as well as from industry and communal sectors) have worsened the quality of water. ([siteresources.worldbank.org/INTRANETTRADE/Resources/Topcis/Accession/Casestudy On Trade&Envir_Eng.doc](http://siteresources.worldbank.org/INTRANETTRADE/Resources/Topcis/Accession/Casestudy%20On%20Trade&Envir_Eng.doc)).

Power water management and heavy use of agricultural chemicals also have polluted the air. Salt and dust storms and the spraying of pesticides and defoliant for the cotton crop have led to severe degradation of air quality in rural areas. In urban areas, factories and auto emissions are a growing threat to air quality. Fewer than half of factory smokestacks in Uzbekistan are equipped with filtration devices, and none has the capacity to filter gaseous emissions. In addition, a high percentage of existing filters are defective or out of operation. Air pollution data for Tashkent, Ferghana, and Olmaliq show all three cities exceeding recommended levels of nitrous dioxide and particulates. (<http://countrystudies.us/uzbekistan/17.html>). Uzbekistan's industrial production, about 60 percent of the total for the Central Asian nations excluding Kazakhstan, also yielded about 60 percent of the total volume of Central Asia's emissions of harmful substances

into the atmosphere. Because, automobiles are relatively scarce, automotive exhaust is a problem only in Tashkent and Ferghana. (<http://www.osce.org/item/27525.html>).

In the Aral Sea region, the ecological catastrophe which led to severe environmental pollution has caused an alarming deterioration in human health. The deterioration of human health with increasing infant mortality rate, declining life expectancy at birth and increasing prevalence of serious infectious diseases as well as of chronic diseases of the kidneys and gastrointestinal tract, malignancies, psychiatric disease and alcoholism, as seen in the republic, is thought to be due to a combination of several factors such as inadequate nutrition, poor sanitation, collapse of the health-care system and pollution from Soviet agriculture and industries. (Kiessling 1998: 562).

Sanitation represents a major problem across the region, especially when combined with inadequate water supplies in certain areas. Poor sanitation facilities and practices in schools represent a major health threat. Sewerage systems exist only in limited area. The condition of sanitation is very worst in the rural areas. (Kiessling 1998: 563).

The Government of Uzbekistan has acknowledged the extent of the country's environmental problems, and has made an oral commitment to address them. But, the governmental structures to deal with these problems remain confused and ill defined. Old agencies and organizations have been expanded to address these questions, and new ones have been created, resulting in a bureaucratic web of agencies with no generally understood commitment to attack environmental problems directly. In the first half of the 1990s, many plans proposed to limit or discourage economic practices that damage the environment. Despite discussion of programmes to require payments for resources (especially water) and to collect fines from heavy polluters, little has been accomplished. (<http://countrystudies.us/uzbekistan/17.htm>). Therefore, the government has to take effective steps to tackle these problems.

Women Insecurity

Women are the most vulnerable in Uzbek society. Torture and ill-treatment is recognized as systematic and widespread problem. There is no proper health care for the women. They are facing challenges for livelihood and social security.

Women's health conditions are deplorable. The Uzbek health care system, developed during the Soviet period, is considered to be highly centralized and overly

bureaucratic, with more emphasis on curative rather than preventive care. Consequently, the quality of the health care available is poor. (Mohan 2002: 47). 60% of women of childbearing age are reported to suffer serious health problems that can affect their well-being during pregnancy. Morbidity and mortality rates remain high in Uzbekistan. The overall quality of medical care are to be improved. There is a need for the Uzbek health care to gain exposure to western medicine, and particularly to internationally accepted practices for improving the health of mothers and children. They also call for greater attention to strategies for improving parental care and birth outcomes, epidemiological approaches to research, and the formation of public policies related to maternal and child health (Mohan 2002: 47).

In the social sphere, arranged marriages still continue to be the norm, with the system of bride price continuing to be in vogue. Many parents prefer to give their girls in marriage to close relatives rather than lose their wealth to another class. Although, the law sets the minimum age for marriage of girls at seventeen. To the perception of common people government silently supports early marriages. Early marriages create the factor for unemployment of young women as regulation of requirements and obligations related to education and economic activity of women becomes complicated with early marriage and birth of baby. This is especially true in rural areas. Furthermore, violence frequently occurs in early marriages. (www2.ohchr.org/English/bodies/cedaw/.../CUWRNUzbekistan45.pdf)

Women are the most vulnerable group of labour migrants in Uzbekistan. Women migrants reportedly suffer from labour abuse and sexual harassment. To identify the key issues affecting the rights of migrant workers, UNDP – jointly with the Women’s Committee of Uzbekistan and the ‘Takhilil’ Social Reserch Centre – interviewed some 1000 people (62 percent men and 38 percent women) in two regions: Kashkadarya and Namangam (in the Ferghana valley), which have the highest rate of out – migration, and the capital city of Tashkant, which attracts most of the migrant labour. (<http://www.developmentandtransition.net/index.cfm?module=ActiveWeb&page=WebPage&DocumentID=665>).

The survey results show that while female migrants generally have the same educational level as male migrants. They are usually employed in less-skilled jobs in such

sectors as creating and retail trade, and as harvest workers. As a result, their wages are some 30 percent below those of their male counterparts. While both female and male respondents voiced concerns about bad working and living conditions, and the non-payment of wages. Women migrants were likely to report rudeness, insults, and sexual harassment. They are also much less aware of their rights, and of the opportunities provided through local temporary employment centres (<http://www.developmentandtransition.net/index.cfm?module=ActiveWeb&page=WebPage&DevelopmentID=665>). So, the conditions of women workers should be improved for their better life.

Women of the republic are facing domestic violence. But, there is still no law on domestic violence adopted in Uzbekistan. The term of domestic violence has not been provided in the criminal legislation. The cases of domestic violence come under the purview of Mahalla committees. Mahalla is responsible for reconciliation of family. Reconciliation committee is created within the structure of every Mahalla of Uzbekistan. No court can accept writ for divorce without conclusion of reconciliation committee. Despite the fact that this is not provided by the legislation of Uzbekistan. Mahalla committees act as courts on family issues and deny the battered wives a permission to file a divorce, making them return home to their husband and hateful mother-in-law. Women are blamed for disobedience, impatience and flippancy, and therefore they deserve punishment. (www2.ohchr.org/English/bodies/cedaw/.../CUWRNUzbekistan45.pdf). Although, the government has signed the UN convention on the Elimination of all forms of discrimination against women (CEDAW) in 1995. In January 2001, the government submitted its initial report to the UNCEDAW committee. Following its concluding observations, the government approved a National Action Plan on CEDAW in which equal rights and opportunities legislation, domestic violence, trafficking of women, and other matters were listed as issues of primary concern. (<http://www.irinnews.org/Report.aspx?ReportId=18320>). Despite these efforts, however, much work remains to be done. Women's political rights are not protected, because of the common view that women are the secondary sex in society even among the elites. One of the obstacles preventing women from active participation in public life is the concept,

supported and implemented at all levels that a women's primary role is to be a mother and to care for the children in the home.

Poverty

The people are facing abject poverty in Uzbekistan. It is estimated that 27.5 per cent of the population or 6.8 million people were living below the poverty line in 2001 and 9 per cent were living in extreme poverty. The government has updated the poverty estimates for 2003 using the same methodology, and estimates that overall level of poverty had gone down slightly to 26.2 percent in 2003. The household Budget survey results suggest that around 70 percent of the poor population lives in rural areas. However, other surveys have also suggested that the poverty risk is high for residents of small towns, where employment opportunities have decreased. (<http://www.developmentandtsistion.net/index.cfm?module=ActiveWeb&page=WebPage&document ID=618>).

Poverty risk is not just linked to unemployment, employment does not always protect from poverty, because 50 percent of the poor live in households where the head is actually employed in 2001. Low salaries in the public sector (where wages are 60 percent of the national average) and agriculture (50 percent of the national average) contribute to poverty among the employed. Poorer households were larger than average, and had both more children (four or more) and adults. (<http://www.developmentandtsistion.net/index.cfm?module=ActiveWeb&page=WebPage&document ID=618>).

The standard 1990 baseline year for the millennium Development Goals (MDGs) is inappropriate in Uzbekistan due to the sharp fall in living standards that followed independence from the Soviet Union in 1991. The 2008 Amnesty International report suggests that the poverty rate may have risen 30%. Unicef report published in 2007 records that 15% of children experience chronic malnutrition (<http://uk.oneworld.net/guides/uzbekistan/poverty?gclid=CMitqJbWuJsCFQkwpAod8gcVAA>).

The Human Development Index (HDI) for Uzbekistan is 0.702, which gives the country a rank of 113th out of 177 countries (Human Development Report 2007/2008).

Life expectancy at birth is 66.8. HDI report proves that the condition of human development is not good. We can say that poverty is the main reason behind it.

President Karimov's control over Uzbekistan is founded upon his monopoly of Uzbekistan's exports of cotton, a commodity which accounts for 60% of the country's hard currency export earnings. But, farmers are not getting actual price. The official price of the cotton is just one third of its true value. Many of Uzbekistan's cotton farmers live in dire poverty. A recent assessment by the World Bank classifies 30.5% of the country's rural population (4.9 million people) as poor. It has pointed out that they are unable to meet their basic consumption needs. Approximately 1.8 million people were said to be extremely poor. (<http://www.ejfoundation.org/page143.html>). So, the life for the Uzbek cotton farmers is grim.

Rural areas in Uzbekistan were always disadvantaged compared to cities even in the Soviet period. However, the post 1995 economic policies have probably reinforced these disadvantages, producing rising poverty levels in the countryside and more disparities between rural and urban areas. Demographic trends have meant rapid growth in the supply of (mainly low-skilled) labour, and poor employment opportunities in rural areas and small towns. These trends are pushing growing numbers of rural residents into small subsistence farming, on to mardikhors (informal labour markets), or into emigration. (<http://www.developmentandtransitoin.net/index.cfm?module=ActiveWeb&page=WebPage&documentID=618>). Therefore, in human terms this translates into more vulnerability for rural residents, with growing numbers of children being brought up in incomplete families.

So, the government should give its appropriate attentions on the elimination of poverty. Under poverty, people can not enjoy democratic rights. It leads to strengthen the authoritarian rule.

Corruption

Corruption is a big problem in Uzbekistan. There is widespread corruption in Republic of Uzbekistan. Uzbekistan scores poorly on corruption, which is unsurprising given the economic circumstances in the country and the increasing power of the state over citizens. Move towards authoritarianism does make it difficult to determine

corruption levels accurately
(www.skilroadstudies.org/new/inside/research/.../Uzbekistan.pdf).

Highly politicized cases of corruption often involve vague violations of conflict of interests, financial reporting, and improper personal gain. The legislature has an auditing commission, but few public revelations of corruption have ever led to dismissals of high-ranking officials. Instead, anti-corruption instruments are often used selectively to weed out political opponents and undesirables rather than to deter and punish those who actually benefit improperly from public office (unpan1.un.org/intradoc/groups/public/.../UNPAN017054.pdf).

Official corruption within the Uzbek civil service is widely regarded as extensive. Civil service compensations is considered by many to be inadequate, and civil servants often cite the need to supplement their official salaries through illegal means. It is reported that routine acts such as entering university, being admitted to the hospital, having a telephone installed, obtaining a business license, and applying for a passport or other official documents are all subject to request for bribes. (unpan1.un.org/intradoc/groups/public/.../UNPAN017054.pdf).

There is a widespread corruption in the judiciary. Low salaries, lack of secure tenure, and non-transparent methods of appointing, disciplining and removing judges contribute to corruptions (<http://www.freedomhouse.org/template.cfm?nit=384 & page=47& year = 2005>).

Uzbekistan has taken initiative to control corruption. So, Uzbekistan has joined the UN Anti-corruption Convention. The country implements anti crime arrangements in the state management system and economic sphere. Joining the convention shows Uzbekistan's adherence to deepen democratic reforms and to protect human rights. (http://www.turkishweekly.net/news/56787/uzbekistan_joins_un_anti_corruptoin_conven_toin.html). Therefore, Uzbekistan has to eliminate corruptions. When the socio-economic status of people will improve, then ultimately the nation will develop.

Therefore, there are many challenges to the political system, that have to be tackled in proper way. Although, the government has taken several steps to counter the challenges. But, it needs to take concrete measures to solve the problems, which are the obstacles in establishment of democratic political system in Uzbekistan.

CONCLUSION

The Soviet centralized political system collapsed in December 1991. In the aftermath of the disintegration, Uzbekistan emerged as an independent sovereign state. In the post-Soviet period, Uzbekistan has established liberal democratic political system according to its socio-economic set up. Despite the adoption of Western liberal democratic political system, this republic comes under the third-world state model. Under the third-world model of political system, the characteristics of facade democratic political system exist in Uzbekistan.

There is a provision of separation of power under the constitution of Uzbekistan. Presidential form of government has been established, because the President is the head of state and executive authority. All the executive powers exist in the President. He has the duty to guarantee the rights and freedoms of citizens and observance of the Constitution and the laws of the Republic of Uzbekistan. Legislation may be initiated, reviewed and returned to the Oliy Majlis by the President, who must promulgate all laws. He can also issue decrees, enactments and ordinances. He has also the rights to appoint all the important posts of the republic. So, the President plays important roles in the republic.

The Oliy Majlis (the Supreme Assembly) is the highest state representative body. It performs legislative functions. All the appointments by the President is confirmed by the Oliy Majlis. According to the Constitution, it maintains the high positions. There is also a provision for independent judiciary. Because, the theory of separation of power has been provided under the Constitution. Judges of all courts are independent and subject solely to the law. Legal proceedings in all courts are open to the people. All courts verdicts are binding on state bodies, public associations, enterprises, institutions, organizations, officials, and citizens. There is a provision for legal assistance. The Constitutional Court interprets the Constitution and laws of the Republic of Uzbekistan. It also oversees the legality of parliamentary laws and executive decrees. So, the Constitution strengthens the judiciary.

The Constitution of Uzbekistan guarantees equal rights and freedoms to the all

citizens. Every citizen is equal in the eye of law. All the citizens have the right to freedom of movement on the territory of the republic. Every person has the right to enjoy freedom of thought, speech and convictions. Every citizen has political rights. They can participate in various political institutions and administrations, both directly and through representatives. Every citizen has the right to organize public meetings, participate in rallies. They can form political parties and any other public associations. They can also participate in mass movements. Economic and social rights have been guaranteed to the people by the state. Every one has the right to own property. Everyone has the right to work. Social security has been guaranteed to the old persons in the event of disability and loss of the breadwinner.

Every citizen has the right to vote and to be elected to the representatives bodies. There is a provision of equal adult franchise. The order of holding the elections is determined by the law. Electoral system strengthens the spirit of democracy in the country.

Therefore, the Constitutional provisions in the republic strengthen the every wing of state to maintain its role without encroachment of other wings. It also ensures the people's rights. But, all the things are on the paper. People do not enjoy the rights to expression freely. Because, they can not criticize the politics of government.

It is known that media plays a crucial role in view of shaping a healthy democracy. Despite the Constitutional provision for the freedom of media, the government has tightly controlled information. The government's press and information agency is responsible for monitoring all media. The government allowed a small number of private newspapers, containing advertising and similar features, but no substantive news or editorial contents. The government did not allow the general distribution of foreign newspapers and publications, except two or three Russian newspapers. Independent journalists are harassed. Media is getting support from NGOs for the gathering news and reporting. Internet and shortwave radio broadcast are the independent source of news for the Uzbek citizens. So, people are unable to get true news.

Political rights have been ensured to the people under the Constitution of Uzbekistan. But in practice, there are no free choices before them. Because, all the

registered parties are pro-government. So, opposition parties do not exist in real sense. Those political parties criticize the policies and programmes of the government, they are not tolerated by the authority. Opposition leaders were persecuted by the authority. Despite extensive Constitutional protections, the Karimov government has actively suppressed the activities of the leaders of opposition parties and rights of political movements. The repression by the authorities reduce constructive opposition even when institutional changes have been made.

The Constitution of the Republic guarantees free and fair elections. But in practice, impartial procedures are necessary for free and fair elections, have not been set up. Electoral rules or laws and procedures have been made in order to suit the ruling elites and perpetuate themselves in power. Only pro-government political parties were allowed to contest elections. The candidates campaigned together and publicly supported the policies of the incumbent. There were no debates between the candidates. There were no campaign materials of a competitive nature. And true opposition parties were not allowed to contest the elections. So, all the aforesaid things show that elections are not held free and fair.

There is a provision for an independent judiciary. But in reality, the courts are not independent from the executive power. Corruption is reported to be rampant. Low salaries, lack of secure tenure, and non-transparent methods of appointing, disciplining and removing judges contribute to judicial corruption. Authorities frequently ignore legal protections against pre-trial detention and there is no judicial supervision of detention. So, the people are facing difficulty to get free and fair judgments.

Authoritarian regime is the main obstacle in the development of democratic political system in the republic. All the opposition parties have been restricted by the authorities. Media is also under the supervision of the government. Thus, authoritarianism is a big challenge to the political system.

Religious extremism, human trafficking, drug trafficking, environmental degradation, women's security, poverty and corruptions are the big challenges before the political system. The government has not taken effective measures to counter these

problems. So, there is necessary that the positive steps should be taken to fight against these problems.

Therefore, it can be observed that the centralization of power in the President of Uzbekistan has weakened the political institutions. As soon as democratic political culture could not be developed due to lack of political rights and civil liberties.

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