

# Theoretical and Legal Basis For The Categorization of Civil Society Institutions in The Republic of Uzbekistan on Various Grounds

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## Abstract

This paper explores the theoretical and legal frameworks governing the categorization of civil society institutions within the Republic of Uzbekistan. In the context of the "New Uzbekistan" development strategy and recent constitutional reforms, the study examines how the legal status of non-state actors has evolved from passive objects of regulation to active strategic partners of the state. The author analyzes various criteria for classification, including functional purpose, organizational and legal forms, and the nature of their interaction with public authorities. Special attention is given to Chapter XIII of the updated Constitution, which serves as a foundational element for a new categorical apparatus. The research concludes that transitioning toward a pluralistic model of social dialogue requires a refined legal taxonomy that reflects the shifting paradigm from a state-centric triad to a "network partnership" concept.

**Key words:** Civil society institutions, Republic of Uzbekistan, constitutional reform, categorization, legal framework, state-society partnership, non-governmental organizations (NGOs), social dialogue, New Uzbekistan, legal taxonomy.

**Introduction:** At the current stage of New Uzbekistan's development, civil society is transforming from an object of state regulation into a full-fledged partner of the authorities. The updated Constitution of the Republic of Uzbekistan has, for the first time, established a separate chapter (XIII) dedicated to civil society institutions, creating a powerful impetus for the theoretical reconceptualization of their categorical apparatus.

This constitutional breakthrough not only recognized the political subjectivity of the non-state sector de jure, but also de facto laid the foundation for a transition from a monistic governance model to a pluralistic social dialogue. Contemporary doctrinal research

(specifically the works of R. Khakimov and L. Saidova) emphasizes that this transformation requires a revision of the classical 'state–business–society' triad in favor of the 'network partnership' concept[1].

Scientific interest is currently focused on overcoming the inertia of 'departmental regulation,' where civil society institutions (CSIs) have often been viewed merely as implementers of state social projects.

**Materials:** According to the current theoretical findings of F. Bazarov, the constitutionalization of the status of civil society institutions allows for their classification not simply by organizational and legal forms, but by the level of their influence on the state decision-making process – ranging from consultative participation to direct civil legislative initiative[2].

The emerging legal architecture of New Uzbekistan lays the foundation for a qualitatively new social environment. Within this structure, the stability of the mahalla, the activity of non-governmental organizations, and the autonomy of media resources serve as fundamental pillars ensuring the sustainability of the democratic development vector. Such a configuration necessitates that the scientific community seek fresh methodological tools for the systematization of these entities, moving beyond mere formal-legal description.

The traditional formal-legal approach is increasingly recognized as limited, as it captures only the static nature of institutions. The author justifies the necessity of transitioning toward a systemic-dynamic analysis, which views the mahalla, NGOs, and media not as isolated objects, but as integrated elements of a unified ecosystem of civic participation[3].

The stability of traditional institutions (mahalla), combined with the dynamism of modern associations (NGOs) and the critical function of the media, creates an effect of institutional resonance. This necessitates the application of the institutional-sociological method, which allows for the study of 'living law' and the actual social practices that underlie the letter of the law.

Scientific inquiry must be grounded at the intersection of jurisprudence, political psychology, and digital sociology. This approach enables the identification of cognitive mechanisms involved in the formation of civic identity amidst digital transformation and global challenges.

The autonomy of media resources within this structure serves as a 'catalyst for transparency.' In scientific discourse, this is interpreted as a transition from representative democracy to monitoring democracy, where the stability of the political system directly depends on the speed and objectivity of feedback loops.

The emerging normative model of interaction between the state and society in the republic creates conditions for deep institutional integration. The mutual complementarity of

traditional community structures, flexible civic associations, and a free press becomes a key factor in preventing any potential reversal of political reforms. As noted by D. Karimov, the current stage necessitates a revision of the classification criteria for civil society institutions, emphasizing their functional significance within the process of state-building[4].

The synergy of stable local institutions, such as the mahalla, with the dynamically developing NGO sector and an independent information field, forms a reliable mechanism for the protection of civil rights and freedoms. This process signifies a transition to a mature phase of civic participation, where each element of the system serves as a safeguard for democratic values. In the works of S. Sabirova, it is emphasized that the complexity of this ecosystem renders previous approaches to categorization insufficient, necessitating the implementation of multidimensional criteria for evaluating the activities of civil institutions[5].

Methods: The transformation of Uzbekistan's legal doctrine is marked by a transition from a narrow normative interpretation of social institutions to their full-scale constitutional institutionalization[6]. While the founders of national jurisprudence primarily focused their research attention on the formal and legal attributes of non-governmental non-profit structures, contemporary representatives of legal thought justify a paradigmatic shift toward socio-functional analysis[7].

This theoretical pivot implies viewing civil society actors not merely as a collection of legal entities, but as a dynamic system of functional units that ensure the balance between public and private interests. In current legal discourse, a concept prevails whereby the legal personality of these institutions is determined by their actual role in implementing mechanisms of public oversight and social partnership.

The traditional approach, established in the works of classical scholars (A. Saidov, Kh. Azizov), examined civil institutions through the lens of institutional separation from the state apparatus. However, contemporary legal science (Sh. Iskhakov, N. Mirzaev) proposes an expansive interpretation, where the criterion for belonging to civil society is not only the organizational and legal form, but also the social prerogative of the subject. This allows for the integration of traditional self-organization structures and new digital communities—which previously existed in a 'gray area' of legal regulation—into the classificatory model[8].

The authors propose an expansive interpretation, wherein the criterion for belonging to civil society is not merely the organizational and legal form, but the social prerogative of the subject. This approach enables the integration of traditional self-organization structures (such as the mahalla and professional guilds) and new digital communities (networked civic initiatives and the blogosphere)—which previously occupied a 'gray area' of legal regulation—into the classificatory model.

Through this lens, civil society appears not as a sum of legal entities, but as a space for the realization of social functions, where the key factor is the subject's capacity to articulate public interests and defend them within the public sphere.

Before proceeding to categorization, it is necessary to define the legal scope of the term 'civil society institution.' In Uzbek legal doctrine, an approach identifying civil society exclusively with non-governmental non-profit organizations (NGOs) dominated for a long period. However, the 2023 updated edition of the Constitution of the Republic of Uzbekistan has significantly expanded this list. According to Article 76 of the Constitution, civil society institutions include not only NGOs but also citizens' self-governance bodies, mass media, political parties, trade unions, public funds, and public associations[9].

Such a broad approach allows for the classification of institutions based on their functional characteristics. The first category comprises organizations that articulate and protect the private interests of specific social and professional groups (trade unions, creative unions, and business associations). Their legal nature is characterized by an orientation toward satisfying the needs of specific participants (members), which, nonetheless, contributes to the overall stability of the system through mechanisms of professional self-regulation and intragroup solidarity. These structures act as intermediaries between the state and professional communities, ensuring the expert participation of citizens in the development of sectoral state programs.

The second category includes institutions whose activities are determined by the pursuit of socially significant goals (charitable foundations, environmental movements, and human rights organizations). In the legal field, these entities function as institutions of social responsibility, mobilizing resources to address additive tasks that transcend private interests. Their role lies in filling gaps in areas where state mechanisms may lack sufficient flexibility: biodiversity protection, the inclusion of vulnerable populations, and the promotion of humanitarian standards. Thus, these organizations act as key drivers of social innovation and as conduits for relaying public demands to the state.[10]

The third category consists of intermediary institutions that function as communication channels between the state and society (mass media and political parties). Within the framework of systemic-dynamic analysis, these entities act as institutional mediators, ensuring the legitimate transition of public demands into the political agenda. In this structure, political parties perform the function of political representation, transforming group interests into legislative initiatives[11]. In turn, the mass media, possessing the status of the 'fourth estate,' ensure the transparency of public administration and serve as a platform for public discourse. The interaction of these institutions creates a feedback mechanism that is a prerequisite for the sustainability of the democratic development vector and the prevention of social atomization[12].

The fourth category comprises 'soft infrastructure' institutions and expert communities. This group includes think tanks, non-governmental research institutes, and expert councils operating under state bodies. Their specific function is to provide intellectual support for reforms. Unlike 'intermediary institutions,' they do not merely relay public opinion but conduct the scientific verification of state decisions, acting as a filter between political will and social practice. The legal basis for their activities in the Republic of Uzbekistan is being strengthened

through mechanisms of 'public expertise' of draft laws (pursuant to the Law 'On Public Control')[13].

The fifth category comprises digital platforms for civic participation (E-Civil Society). With the adoption of the 'Digital Uzbekistan – 2030' Strategy, the legal field has begun to encompass virtual forms of self-organization. Electronic petition portals (e.g., Mening Fikrim), participatory budgeting platforms (Open Budget), and even large professional blogging communities de facto perform the functions of civil society institutions. Although they often lack a formal legal status (such as that of an NGO), their functional contribution to the formation of public opinion and the monitoring of the executive branch allows them to be categorized as non-formalized (networked) institutions[15].

The sixth category consists of confessional (religious) organizations. In a secular state, such as Uzbekistan, religious associations are classified as a specific institution aimed at satisfying spiritual needs and preserving ethno-cultural heritage. Their legal status is regulated by the separate Law 'On Freedom of Conscience and Religious Organizations,' which places them in the category of value-oriented institutions that play a vital role in ensuring interfaith harmony and the prevention of radicalism[16].

The fundamental legal basis for categorization is the Civil Code of the Republic of Uzbekistan and the Law 'On Non-Governmental Non-Profit Organizations' of 1999. In accordance with these acts, the key criteria for classification are the method of asset formation and the objectives of the activity[17].

**Public Associations.** The categorization of these entities is based on the principle of membership. They are defined as voluntary formations of citizens who have united to satisfy spiritual or other non-material needs. In this context, the legal status of the subject is determined by its voluntary nature and autonomy from state interference[18].

**Public Funds.** Unlike associations, funds do not have membership. Their categorization is based on a property-based (asset-based) criterion: these are organizations that pursue charitable, cultural, or educational goals through the use of assets transferred to them.

Public funds represent a specific category of NGOs, the key difference of which from public associations is the absence of fixed membership. Their legal categorization is based on the property criterion: a fund is viewed as an organization pursuing charitable, cultural, educational, or other socially significant goals exclusively through the effective management and use of property transferred to it by its founders.

In this model, the organization's legal subjectivity is derived from its resource potential aimed at implementing external social programs, which makes funds essential institutions for the financial support of civic initiatives[19].

**Establishments.** This category of CSIs is distinguished by the provision of specific social services (for example, non-governmental educational centers).

A particular complexity in the theoretical and legal classification is presented by the institution of the mahalla. In Western legal science, self-governance bodies are often categorized as a level of municipal authority. However, in Uzbekistan, according to the Law 'On Citizens' Self-Governance Bodies,' the mahalla is not part of the system of state power, which allows it to be classified as a primary, foundational institution of civil society[20].

**Results:** In the theoretical and legal aspect, the mahalla occupies a unique position. It cannot be categorized purely as a representation of private interests, nor as classic political intermediation. It is a 'community-type' institution that serves as the primary link of statehood while simultaneously acting as a form of direct democracy. The legal status of the mahalla as a 'fundamental link of civil society,' enshrined in Article 127 of the updated Constitution, allows for its classification as a subsidiary institution that assumes certain state functions in the spheres of social protection and dispute resolution (mediation)[21].

The uniqueness of the mahalla as a legal category lies in its multifunctionality: it serves simultaneously as a subject of public oversight, an instrument of social protection, and a mechanism for mediation at the micro-level.

An important basis for scientific categorization is the level of an institution's involvement in the system of social partnership. Based on the Law of the Republic of Uzbekistan 'On Social Partnership,' the following can be distinguished:

**Partner institutions:** those actively participating in the implementation of state programs through the receipt of state grants, subsidies, and social orders.

Partner institutions represent the most active category of entities integrated into the implementation of state programs for socio-economic development. Their functioning is based on the principles of social partnership, where the state acts not only as a regulator but also as a strategic investor in civic initiatives[22].

Within the framework of this model, partnership is implemented through three key instruments:

**State grants:** Funds allocated on a competitive basis through the Public Fund under the Oliy Majlis and regional public funds for the implementation of projects aimed at achieving socially beneficial goals.

**State subsidies:** Direct financial support from budgetary funds aimed at strengthening the material and technical base and resource sustainability of organizations, not tied to specific projects.

**State social order:** The financing of specific services or works delegated to civil society institutions by state bodies to address socially significant tasks in priority sectors (education, medicine, ecology).

**Autonomous institutions:** entities functioning through their own funds, donations, or foreign grants (in accordance with the procedure established by law).

Autonomous institutions represent a segment of civil society that maintains a high degree of operational and programmatic independence through the diversification of funding sources. Unlike partner organizations oriented toward budgetary financing, these entities operate using their own funds, membership fees, voluntary donations from citizens and businesses, as well as foreign grants[23].

Key Characteristics of This Category:

**Financial Multi-vector Approach:** Autonomy is ensured by attracting funds from non-state sources, which minimizes the risks of dependence on state social orders and allows organizations to independently shape their own agendas.

**Legal Regime for Working with Foreign Donors:** In accordance with the legislation of Uzbekistan, the receipt of funds from foreign sources is carried out through established notification or authorization procedures, ensuring the transparency of external financing and its compliance with national interests.

**Role in Civic Monitoring:** Due to their financial independence, autonomous institutions most frequently act as subjects of independent monitoring, human rights expertise, and environmental auditing, ensuring objectivity in assessing the activities of executive authorities.

**Sustainable Development through Crowdfunding:** The current stage is characterized by the development of 'crowdfunding' tools and private philanthropic capital, which strengthens the organic link between these institutions and their direct target audiences[24].

**Discussion:** This classification is of critical importance for analyzing the independence of the civil sector. As researchers indicate, excessive reliance on state funding can lead to the phenomenon of 'quasi-NGOs' (GONGOs), which necessitates the refinement of legal mechanisms to ensure their institutional autonomy[25].

Thus, the conducted analysis allows us to conclude that the theoretical and legal foundations for categorizing civil society institutions in Uzbekistan have evolved from a narrow formal approach to a multidimensional systemic model. The modern classification is based not only on the organizational and legal forms enshrined in the Civil Code and the specialized law on NGOs but also on the functional role of entities within the ecosystem of state-society interaction. The integration of traditional institutions (mahalla) and cutting-edge digital platforms (Mening Fikrim, Open Budget) into the overall structure of the civil sector signifies the formation of a unique national model that combines historical continuity with the principles of modern participatory democracy.

**Conclusion:** The key criterion for differentiating entities into 'partner' and 'autonomous' institutions is the nature of their resource provision and the degree of their participation in the

implementation of the state social order. The institutionalization of partnership through a system of grants and subsidies transforms NGOs from passive observers into active operators of social innovation, which is corroborated by the norms of the Law 'On Social Partnership' and the Concept for the Development of Civil Society until 2025. At the same time, the preservation of legal guarantees for the activities of autonomous organizations, which rely on private capital and diversified funding sources, ensures the necessary level of institutional independence for the effective functioning of public oversight mechanisms.

The sustainability of the democratic development vector directly depends on the synergy of all categories of civil institutions within a systemic-dynamic model. The interaction of the mahalla as the fundamental basis, NGOs as project drivers, and the media as instruments of public discourse creates a reliable mechanism of checks and balances. Further improvement of legislation, aimed at expanding the legal subjectivity of digital communities and simplifying self-organization procedures, will ultimately solidify the transition from a vertical governance hierarchy to a horizontal social partnership that meets the challenges of modernity.

### Used literature:

1. Khakimov.R. R. (2025). Konstitutsionnaya reforma v Uzbekistane: novyy etap razvitiya grazhdanskogo obshchestva [Constitutional Reform in Uzbekistan: A New Stage in the Development of Civil Society]. Zhurnal gosudarstvennogo stroitelstva i prava [Journal of State Building and Law], (1), 15–24.
2. Bazarov.F.Sh. (2025). Pravovye mekhanizmy vzaimodeystviya gosudarstva i institutov grazhdanskogo obshchestva: ot teorii k praktike [Legal Mechanisms of Interaction Between the State and Civil Society Institutions: From Theory to Practice]. Monograph. Tashkent: Yuridicheskaya Literatura, p. 112.
3. Khushvakova.N. (2023). Metodologicheskie osnovy issledovaniya institutov grazhdanskogo obshchestva: sistemnyy podkhod [Methodological Foundations of the Research on Civil Society Institutions: A Systems Approach]. Sotsiologiya i pravo [Sociology and Law],
4. Karimov.D.A. (2025). Metodologiya sistemnogo analiza institutov grazhdanskogo obshchestva v usloviyakh konstitutsionnykh reform [Methodology of Systemic Analysis of Civil Society Institutions under Constitutional Reforms]. Pravo i sovremennost [Law and Modernity], (3), 11–19.
5. Sabirova.S.R. (2025). Institutsionalnye garantii demokraticeskikh preobrazovaniy v Respublike Uzbekistan: novye podkhody [Institutional Guarantees of Democratic Transformations in the Republic of Uzbekistan: New Approaches]. Tashkent: Akadernashr, p. 94.
6. The Constitution of the Republic of Uzbekistan (as amended on April 30, 2023). (2024). Tashkent: Uzbekistan, pp. 42–45. (Chapter XIII, Articles 70–75).
7. Saidov, A. Kh. (2018). Osnovy konstitutsionnogo stroya i instituty grazhdanskogo obshchestva: teoretiko-pravovoy aspekt [Foundations of the Constitutional System and Civil Society Institutions: Theoretical and Legal Aspect]. Tashkent: Academy, pp. 112–118.
8. Iskhakov.Sh.R. (2025). Rekonseptualizatsiya grazhdanskogo obshchestva v prave Novogo

- Uzbekistana [Reconceptualization of Civil Society in the Law of New Uzbekistan]. Vestnik yuridicheskikh nauk [Herald of Legal Sciences], Tashkent, (1), 15–18.
9. The Constitution of the Republic of Uzbekistan (as amended on April 30, 2023). (2024). Tashkent: Uzbekistan, pp. 42–45. (Chapter XIII, Article 76).
  10. Law of the Republic of Uzbekistan "On Social Partnership" dated September 25, 2014, No. ZRU-376. Article 5 (Spheres of social partnership: social protection, health care, ecology).
  11. Law of the Republic of Uzbekistan "On Political Parties" dated December 26, 1996, No. 337-I. Article 3 (participation in the formation of state policy).
  12. Decree of the President of the Republic of Uzbekistan "On measures to further ensure the independence of the mass media and to develop the activities of the press services of state bodies..." dated June 27, 2019, No. PP-4366.
  13. Law of the Republic of Uzbekistan "On Public Control" dated April 12, 2018, No. ZRU-474 // National Database of Legislation ([www.lex.uz](http://www.lex.uz)).
  14. Decree of the President of the Republic of Uzbekistan "On approval of the 'Digital Uzbekistan – 2030' Strategy and measures for its effective implementation" dated October 5, 2020, No. UP-6079.
  15. Resolution of the Kengash of the Oliy Majlis of the Republic of Uzbekistan "On measures to organize the activities of the 'Mening Fikrim' web portal for submitting collective electronic appeals" dated April 2, 2018, No. 1530-III.
  16. Law of the Republic of Uzbekistan "On Freedom of Conscience and Religious Organizations" (new edition) dated July 5, 2021, No. ZRU-699 // National Database of Legislation ([www.lex.uz](http://www.lex.uz)).
  17. Law of the Republic of Uzbekistan "On Non-Governmental Non-Profit Organizations" dated April 14, 1999, No. 763-I. Articles 10–15 (defining the organizational and legal forms of NGOs: public association, establishment, fund, etc.).
  18. Law of the Republic of Uzbekistan "On Non-Governmental Non-Profit Organizations" dated April 14, 1999, No. 763-I.
  19. Law of the Republic of Uzbekistan "On Public Funds" dated August 29, 2003, No. 527-II. (Special regulatory act detailing the procedure for the creation, management, and liquidation of funds).
  20. Law of the Republic of Uzbekistan "On Citizens' Self-Governance Bodies" (new edition) dated April 22, 2013, No. ZRU-350.
  21. The Constitution of the Republic of Uzbekistan (new edition). Adopted by popular vote at the referendum of the Republic of Uzbekistan on April 30, 2023. – Tashkent: "Uzbekistan", 2023. – p. 42. (Article 127).
  22. Resolution of the Cabinet of Ministers of the Republic of Uzbekistan dated July 8, 2025, No. 420 "On approval of the Program for the participation of civil society institutions in the implementation of state programs for socio-economic development for 2025."
  23. Decree of the President of the Republic of Uzbekistan dated March 4, 2021, No. UP-6181 "On approval of the Concept for the Development of Civil Society in 2021–2025." (A regulatory legal act establishing the course toward the diversification of funding sources for civil society institutions).
  24. Saidov.A.Kh. (2023). Sovremennyye tendentsii razvitiya institutov grazhdanskogo

obshchestva: ot traditsiy k tsifrovym innovatsiyam [Modern Trends in the Development of Civil Society Institutions: From Traditions to Digital Innovations]. Zhurnal «Pravo i zhizn» [Law and Life Journal], (2). (Describes crowdfunding as a tool for strengthening the link between NGOs and the population).

25. Mirziyoyev.Sh.M.(2022).Strategiya razvitiya Novogo Uzbekistana [Development Strategy of New Uzbekistan].Tashkent:"Tasvir".