



THE LEGAL NATURE AND ROLE OF PUBLIC CONSULTATIONS IN LEGISLATIVE ACTIVITY

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Abstract. This article explores the legal and institutional aspects of public consultations in the legislative process, focusing on the case of Uzbekistan. It examines how reforms aimed at democratization have influenced the practice of involving citizens, civil society institutions, and experts in lawmaking. Using normative analysis and comparative examples from Sweden and Finland, the article investigates how such participation affects the transparency, accountability, and legitimacy of legislative outcomes. The study concludes that effective and institutionalized public consultations can serve as a foundation for stronger democratic governance in transitional states like Uzbekistan.

Keywords. Public consultations, legislative process, civic engagement, Oliy Majlis, participatory governance, democracy, Uzbekistan, Arnstein's ladder, IAP2, legal reform

Introduction. Public participation in legislative activity is increasingly viewed as a cornerstone of democratic governance. In Uzbekistan, recent political reforms have brought renewed attention to the mechanisms through which citizens and civil society can influence lawmaking. Yet, despite formal improvements, Uzbekistan ranks 148th out of 167 countries on the Democracy Index 2023, with a score of just 2.12 out of 10—categorizing it as an authoritarian regime¹. This paradox highlights the need to evaluate the real impact of consultative processes in lawmaking.

Materials. The following sources constitute the foundation of this study:

Joint Resolution No. 4036-IV/KQ-683-IV of the Legislative Chamber and Senate of the Oliy Majlis (2024), which outlines procedures for integrating civil society into legislative drafting².

The Democracy Index 2023 by the Economist Intelligence Unit, assessing Uzbekistan's democratic performance.

Theoretical models, including Sherry Arnstein's ladder of participation³ and the International Association for Public Participation (IAP2) spectrum⁴.

Comparative practices from Finland and Sweden, where public consultation is systematically institutionalized.

Methods. The research is grounded in qualitative legal methodology, incorporating: Normative legal analysis of Uzbekistan's legislative reforms and policy documentation. Comparative case study analysis drawing on international consultation frameworks.

Theoretical synthesis of citizen engagement literature to assess the structure and function of public consultations.

Descriptive evaluation of implementation practices within the Oliy Majlis.

Results. The study produced the following observations:

Uzbekistan has formally introduced procedures for consulting experts, NGOs, and civil society during lawmaking through the 2024 Action Plan².

Committees of the Oliy Majlis are now required to maintain a registry of NGOs and forward draft legislation for public comment.

Despite this formalization, citizen influence remains limited, with consultations often reduced to symbolic or superficial exercises.

The current system lacks sufficient digital infrastructure and institutional mechanisms to ensure feedback translates into legislative outcomes.

The research highlights several key findings:

Uzbekistan's consultation mechanisms have gained formal recognition in legal documents, but remain underdeveloped in practice.

Clause 7 of the 2024 Legislative Action Plan institutionalizes expert and civil society input but lacks enforceable standards for public impact.

International models, particularly those from Sweden and Finland, show that digital and localized consultation tools can significantly improve public trust and legislative quality.

A four-tier model of public participation in the lawmaking process is proposed:

Legislative initiative by citizens

Participation in public consultations

Engagement in public discussions

Participation in legislative hearings

Discussion. Scholars such as Elinor Ostrom have argued that participatory mechanisms yield better governance by integrating contextual knowledge from local actors⁵. In Uzbekistan, such participation is still at an early stage. The establishment of expert councils and consultation procedures is a positive step, but genuine empowerment remains elusive.

Sherry Arnstein's ladder classifies citizen involvement into stages ranging from non-participation (e.g., manipulation) to full citizen control³. Similarly, the IAP2 spectrum emphasizes a progression from informing to empowering citizens⁴. Uzbekistan's current practice corresponds largely to the "consult" and "inform" stages—important but insufficient for democratic legitimacy.

Comparative lessons provide direction:

Sweden's "Remissförfarande" procedure ensures that draft laws are shared with affected stakeholders, including civil society and regional bodies⁶.

Finland combines digital democracy tools with face-to-face consultations to ensure broad-based participation across diverse regions⁷.

Uzbekistan could adopt similar models, particularly through the development of e-consultation portals, mobile apps, and public town hall forums.

Conclusion. The institutionalization of public consultations in Uzbekistan is a commendable step toward participatory governance. However, without mechanisms that ensure meaningful inclusion, transparency, and follow-up, such practices risk becoming ceremonial. Real democratic participation requires not only access but impact—where citizen voices shape laws and policy decisions.

Recommendations include:

Implementing digital infrastructure to gather and process feedback.

Hosting local-level hearings to include rural populations.

Developing legal mandates to ensure public input is reviewed and acknowledged in legislative debates.



By aligning with international best practices and embedding public consultations within its legislative culture, Uzbekistan can take significant steps toward democratic resilience.

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