

POLITICS TODAY**INSTITUTIONALIZATION OF PERSONALISM:
INSTITUTE OF THE NATION'S LEADER
IN THE POST-SOVIET SPACE****Nikolay BORISOV**

*Ph.D. (Political Science), Assistant Professor,
Head of the Department of Theoretical and Applied Political Science,
Faculty of History, Political Science, and Law,
Russian State University for the Humanities
(Moscow, Russian Federation)*

ABSTRACT

In today's post-Soviet states of Central Asia, the political transformations have led to the traditionalization of political life and revival of conventional political institutions. It is noteworthy that the informal political institutions received a formal status in a number of states. The article deals with the formation and legislative regulation of the institute of the Nation's Leader in Turkmenistan, Kazakhstan and Tajikistan, in terms of identifying the general and particular, reasons for the emergence of the institute, functioning results and the prospects for its de-

velopment. The main factor in the formalization of the institute of the Nation's Leader in the analyzed countries is the weakness of traditions of the national statehood and the low level of national identity, understood as a civil-political identity. The specificity of institutionalization of the institute of the Nation's Leader lies in the fact that the informal practice of a personalistic type of domination is transformed into political and legal institutions, while legislative norms govern the legal relations, connected with the status of a particular individual.

A high level of institutionalization of personalistic presidency is considered by the ruling elites of the analyzed countries as the main basis for political stability and sus-

tainable legitimation of the political regimes. The implementation of the forthcoming transfer of power in these countries is likely to confirm these expectations.

KEYWORDS: *the Nation's Leader, personalism, sultanism, Turkmenistan, Kazakhstan, Tajikistan, successor.*

Introduction

In today's post-Soviet states of Central Asia, political transformations have led to traditionalization of political life and the revival of conventional political institutions. It is noteworthy that the informal political institutions received a formal status in a number of states. In connection with that, of a particular research interest is the emergence of the institute of the Nation's Leader, which has evolved into different forms in Turkmenistan, under Saparmurat Niyazov; Kazakhstan, under Nursultan Nazarbaev, and Tajikistan, under Emomali Rakhmon. At first glance, the phrase "institutionalized personalism" itself is impossible, as the personalization of domination means *deinstitutionalization* of power. However, recently there has been a tendency to turn the personal domination into a kind of a political institution. In particular, in research literature, the concept of the "Institute of Succession"¹ has already been developed. If we understand political institutions as sustainable, recurring game rules, to which political actors adhere in their conduct, we should recognize that there is no insurmountable contradiction between the concepts of institution and personalism. It does not exist in the traditional Weberian concept of opposition between the traditional and rational-legal type of domination either: the traditional type can be rationalized and transformed into a formal institution, whereas, for example, a rational-legal type may be based on political tradition, adopted by electoral institutions of many countries.

The methodological basis for studying personalist regimes are the classic works of Max Weber and Juan Linz on sultanism. Max Weber noted that "patrimonialism and, in the extreme case, *sultanism*, tend to arise, whenever traditional domination develops an administration and military force, which are purely personal instruments of the master... Where domination ... operates primarily on the basis of discretion, it will be called *sultanism*... The non-traditional element is not, however, rationalized in impersonal terms, but consists only in the extreme development of the ruler's discretion. It is this, which distinguishes it from every form of rational authority."² Based on this definition, Juan Linz developed a theory of sultanism, as one of the types of a nondemocratic regime, singling out as its main attributes the economic and political monism, lack of guiding ideology, highly arbitrary manipulation of symbols, extreme glorification of the ruler, irregular mobilization of citizens, and dynastic tendencies.³

Within the framework of this article, it is impossible to give a complete analysis of the neopatrimonial regimes of the Central Asian countries. The aim is to show the reasons for the emergence

¹ P.V. Panov, K.A. Sulimov, "Smena lidera i predely personalistskogo presidentsializma: perspektivy varianta 'preemnik' v stranakh Zakavkazia i Tsentralnoi Azii," *Politicheskaya nauka*, No. 1, 2014, pp. 134-158; N.A. Borisov, "Stenarii transliatsii vlasti na postsovetском prostranstve: vozmozhna li 'igra po pravilam'?" *Politika i obshchestvo*, No. 2, 2010, pp. 55-64.

² Quoted from: J. Linz, A. Stepan, *Problems of Democratic Transition and Consolidation: Southern Europe, South America, and Post-Communist Europe*, Baltimore, London, 1996, p. 51.

³ See: *Ibid.*, pp. 44-45.

and specifics of the institute of the Nation's Leader, identifying the general and particular, and to show the normative regulation of the institute and its developmental prospects.

Turkmenistan: From Turkmenbashi to Arkadag

The first attempt to institutionalize the traditional form of domination was made in Turkmenistan.

After the adoption of the Constitution on 18 May, 1992, Saparmurat Niyazov made a decision on the early legitimation as President, in conditions of the then independent state. It is on 21 June, 1992, that the presidential elections were held. Same, as the first elections in 1990, they were unopposed. The law on the presidential elections failed to be adopted, so the procedure of candidates' nomination and registration was regulated by the Law on Implementation of the Constitution, according to which only the Supreme Council⁴ had the right to nominate the candidates. Saparmurat Niyazov received 99.5% of votes, and extended the mandate for the next five years⁵, which, according to the Constitution, was considered the first term in office.

On 1 October, 1993, the Mejlis session of Turkmenistan took a decision on awarding the President, Saparmurat Niyazov, the honorary title—Saparmurat Turkmenbashi (the Head of the Turkmen people of the entire world) and established the annual national holiday—Saparmurat Turkmenbashi's Birthday. Since that time, the last name, Niyazov, disappears from the official documents and media, the title "Turkmenbashi" replaces it.

On 28 December, 1999, at the session of Khalk Maslakhaty (People's Council), Saparmurat Niyazov was granted the right to remain the President for an unlimited term. The law was adopted, which stated: "To accord the popularly elected first President of Turkmenistan, Saparmurat Niyazov (Saparmurat Turkmenbashi), the exclusive right to exercise the powers as the head of state for an unlimited period of time."⁶ An amendment to the Constitution was passed, expunging the provision for prohibiting the same person to be President for more than two consecutive terms. Technically, it was not a decision of presidency for life, as it did not abolish the elections and enabled the President, at his discretion, to declare the end of the presidential term. In the official publications, the President, however, began to be referred to as "lifelong" or "indefinite."

In August 2002, Khalk Maslakhaty decided that there was a need to officially grant Saparmurat Niyazov the presidential term for life. However, Turkmenbashi stated: "After the first meeting, we consulted with the heads of delegations and decided to postpone the decision on the election of the President till 2008-2010. However, in case of necessity, we will return to it earlier."⁷

On 8 April, 2005, Niyazov took the initiative to hold a series of elections in Turkmenistan, declaring that "the elections to the Mejlis of Turkmenistan will be held in 2008, and, what is more, the powers of the new national Parliament will be extended. In 2009, at the meeting of the Khalk

⁴ See: *Law of Turkmenistan on Implementation of the Constitution of Turkmenistan of 18 May, 1992, Turkmenskaia iskra*, 19 May, 1992, p. 3.

⁵ See: "V Tsentralnoi komissii po vyboram i provedeniiu referendumov," *Turkmenskaia iskra*, 23 June, 1992, p. 1.

⁶ *Constitutional Law of Turkmenistan on the Exclusive Powers of the First President of Turkmenistan of 28 December, 1999, No. TKK-2*, The Ministry of Justice of Turkmenistan: the official website, available at [http://minjust.gov.tm/ru/mmerkezi/doc_view.php?doc_id=586].

⁷ "Saparmurat Turkmenbashi, 'We Will Go Ahead, We Will Not Stop!'" *Neitralniy Turkmenistan*, 10 August, 2002, p. 1.

Maslakhaty, 3-4 candidates will be nominated for the Presidency; elections will be held in the same year and will conclude with establishing a new power hierarchy, built on a new democratic basis.”⁸

S. Niyazov was awarded the title the “Hero of Turkmenistan” and other top awards of the Republic.

Although the title of the “Leader of the Nation” has become the usual reference to Turkmenbashi in the official press, it was not formally cited in normative documents. The special status of the first President was not reflected in the Constitution and laws of the Republic either, except for the amendment concerning the removal of the presidential term limits. The law on the guarantees to the former president was not adopted either, which was understandable in view of the lifetime presidency term.

After Saparmurat Niyazov’s death, and Gurbanguly Berdymukhammedov’s election as the President on 28 June, 2007, the Law on the President of Turkmenistan⁹ was adopted, which established state guarantees for President’s activities during the period in office, as well as after the resignation.

The oath of the newly elected President was amended by the phrase: “to direct all your inspiration in the name of the eternal triumph of the covenants of Saparmurat Turkmenbashi the Great, based on the inexhaustible spiritual heritage of the ancestors.”¹⁰

The law specified that in cases of impeachment, removal or other reasons, when the President is unable to fulfill his obligations until the election of a new President, his powers shall be transferred to another authorized person, in accordance with the procedure, established by the Constitution of Turkmenistan. The guarantees were made for the President of Turkmenistan, who stopped exercising his powers, and for his family members. The President and his family members, after his resignation, shall have retained the right to immunity.

The law contained no provisions about the possibility of the ex-President to take part in the activities of the government. Gurbanguly Berdymukhammedov did not get the title of Turkmenbashi, or the Leader of the Nation, but the personalistic governance of Turkmenistan was retained. The new President was also awarded the title of the *Hero of Turkmenistan* and the *Gold Star* medal.

In October 2010, Gurbanguly Berdymukhammedov was officially awarded the title of the *Arkadag*, which can be interpreted as a “patron,” “support.” The national writer, Gozel Shagulyeva, soon published, in the *Neutral Turkmenistan* newspaper, her poem with a new title for the President:

From the strong great roots
There appeared a powerful son.
He became the pride of our days,
Inspiration came back with him.

Many great miracles
Nice people have seen.
Glory to you, the will of Heaven!—
You gave us the Arkadag!

⁸ Saparmurat Turkmenbashi, “Based on the Independence Winning and Traditions of the People, To Go Ahead, To New Heights of Progress and Prosperity,” *Neitralniy Turkmenistan*, 8 April, 2005, p. 1.

⁹ See: *Law of Turkmenistan on the President of Turkmenistan of 28 June, 2007, No. 127-III*, the Legislation of the CIS countries, available at [http://base.spinform.ru/show_doc.fwx?rgn=20724]; *Law of Turkmenistan on the President of Turkmenistan of 21 May, 2011, No. 192-IV* (as amended by the Laws of Turkmenistan of 10 January, 2012, No. 262-IV, of 16 February, 2012, No. 276-IV), the Legislation of the CIS countries, available at [http://base.spinform.ru/show_doc.fwx?rgn=49683].

¹⁰ In 2011, in accordance with the new wording of the Law on the President this wording was withdrawn from the President’s oath.

Our motherland is in safe and strong hands.
Great victories bestow honor to the country.
And let our proud fame grow throughout the centuries,
How the Arkadag makes our eyes happy on his white fast horse.¹¹

The word *Arkadag*, as stated in the official press on the occasion of the President's birthday, "reflects a huge range of our kind and sincere feelings, our attitude to the head of the state as a highly humane man, protector and patron, the real leader of the nation, confidently and professionally leading the country toward progressive, and above all, necessary transformations."¹² A monument was sculpted to the second President. Celebrations to mark the re-election of Gurbanguly Berdimukhammedov, as the President of the National Olympic Committee, were held under the slogan "Glory to Arkadag—Glory to the Heroes!"¹³

In addition, opportunities have been created for extending the President's powers: the upper age limit for a presidential candidate (70 years¹⁴) is abolished, the President's term of office is increased from 5 to 7 years¹⁵. The son of the President, Serdar Berdimukhammedov, having already held positions in the public service, in November 2016, became a member of the Parliament and, perhaps in the future, will become a presidential candidate.

Thus, although at the legislative level, the status of the President, as the Leader of the Nation, has not been determined, yet, its institutionalization into the political process, during Niyazov successor's term, has already occurred. Furthermore, since 2007, in the legal realm and in practice, the traces of Niyazov's personality cult have been consistently eradicated, while the status enhancement for Gurbanguly Berdimukhammedov, as the sole Leader of the Nation, has been gradually and consistently established.

Kazakhstan: From the First President to Elbasy

In Kazakhstan, in 2000, a Constitutional Law on the First President of Kazakhstan was adopted, which defined the special status of the first President during the period of his performing the duties, as well as the period after his resignation¹⁶. The first President of the Republic of Kazakhstan, "because of his historic mission," was entitled to life-time prerogatives: to address the people; petition public authorities and officials with initiatives on major issues of nation-building; domestic and foreign policy and national security, which are subject to obligatory consideration by the relevant state authorities and officials; to speak to the Parliament and meetings of the Government of the Republic,

¹¹ G. Shagulyeva, "White Dove: poem," *Neitralniy Turkmenistan*, 18 May, 2011, p. 1.

¹² "As a Gift—Talent, Inspiration, All the Colors of the World! Gala Concert at the Palace Ruhiyet," *Neitralniy Turkmenistan*, 30 June, 2011, p. 4.

¹³ A. Chernyaev, "Sport—as a Lifestyle," *Neitralniy Turkmenistan*, 1 March, 2012, p. 7.

¹⁴ In 2017, Berdimukhammedov will be 60 years old.

¹⁵ See: *Constitution of Turkmenistan of 18 May, 1992, No. 691-XII* (as amended by the Constitutional laws of Turkmenistan of 27 December, 1995, No. 98-1, 29 December, 1999, No. TTK-3, 15 August, 2003, No. TTK-7, 25 October, 2005, 26 December, 2006, 26 September, 2008, 14 September, 2016), the Legislation of the CIS countries, available at [http://base.spininform.ru/show_doc.fwx?rgn=2376].

¹⁶ See: *Constitutional Law of the Republic of Kazakhstan on the First President of the Republic of Kazakhstan of 20 July, 2000, No. 83-II*, Adilet, Information and Legal System of Normative Legal Acts of the Republic of Kazakhstan, available at [http://adilet.zan.kz/rus/archive/docs/Z000000083_/20.07.2000].

to head the Assembly of People of Kazakhstan, and to retain membership in the Constitutional Council and the Security Council of the Republic of Kazakhstan.

It was decided that the first President of the Republic of Kazakhstan has immunity and cannot be held responsible for actions, related to the implementation of his status, except in a case of treason. The law specified that at the birthplace of the first President, a museum of the First President of the Republic is to be established and his bust installed.

According to the adopted law, the order of the “The First President of the Republic of Kazakhstan, Nursultan Nazarbaev,” and the State Prize of Peace and Progress of the First President of the Republic of Kazakhstan were established. Separate articles regulated the lifelong social security of the First President and his family members.

Thus, at the level of the constitutional law, the rights and privileges of one person, Nursultan Nazarbaev, were settled. The legislative regulations were aimed at ensuring the fact that even in the case of termination of authority, the First President will retain the right to take part in the political process. As his initiatives are subject to obligatory consideration and he is a member of the Constitutional Council and the Security Council, this participation determines his status as a major player in policy making.

Prior to signing the law, the Head of State appealed to the Constitutional Council with a request for its compliance with the Constitution. The Constitutional Council considered the request and adopted a decision on compliance with the Law on the First President, with the requirements of the Constitution. On 3 July, 2000, the Constitutional Council declared that the adopted law is in compliance with the Constitution, noting that “the experience of the state construction of new independent states, as well as countries with developed democracy, confirms the tendencies of the modern constitutionalism for ensuring political and social guarantees for the persons, who held the positions of the Heads of States and ceased to discharge their obligations.”¹⁷

In 2010, the Law on the First President was subjected to major adjustments.¹⁸ The First President received the title of the Leader of the Nation (in Kazakh version.—*Elbasy*). The law established that the restrictions on the right to be elected to the presidency shall not be applied to the Leader of the Nation. The law also determined that the First President shall not only have the right to act with initiatives himself, but all the developing initiatives within the main concerns of the domestic and foreign policy of the state shall be agreed to by the First President—the Leader of the Nation. Thus, the role of the first President, as the factual head of the state, even after termination of his powers, was finally made explicit.

The law was supplemented with an article about the creation of museums and installation of busts of the First President not only at the President’s homeland, but also in the capital.

Every year, on 1 December, Kazakhstan celebrates the Day of the First President, dedicated to the anniversary of the proclamation of independence, which coincides with the birthday of Nursultan Nazarbaev.

In November, 2016, the Parliament of Kazakhstan put forward a proposal to rename the capital of Kazakhstan the city of *Nursultan* or *Nazarbaev*. The Declaration of the Twenty-Fifth Anniversary of Independence of the Republic of Kazakhstan, which was unanimously adopted by the Parliament on 23 November, 2016, noted in particular: “We offer to note the outstanding contribution to the

¹⁷ See: *Resolution of the Constitutional Council of the Republic of Kazakhstan on Compliance with the Constitution of the Republic of Kazakhstan of the Constitutional Law of the Republic of Kazakhstan on the First President of the Republic of Kazakhstan of 3 July, 2000, No. 16/2*, available at [<http://adilet.zan.kz/rus/docs/S000000016>].

¹⁸ See: *Constitutional Law of the Republic of Kazakhstan on Amendments and Supplements to Some Constitutional Laws of the Republic of Kazakhstan on Improvement of Legislation in the Sphere of Activity of the First President of Kazakhstan—Leader of the Nation of 14 June, 2010, No. 289-IV*, available at [<http://adilet.zan.kz/rus/docs/Z100000289>].

construction of our State by the First President of the State—the Leader of the Nation, Nursultan Abishevich Nazarbaev, in the Constitution of the country, to reflect the Elbasy name in the name of the capital and other important objects of the country.”¹⁹ In contrast to the previous proposals for the capital renaming, the President did not categorically oppose the initiative, saying only that the issue requires substantial elaboration and discussion²⁰.

Nazarbaev’s children, especially his daughter, Dariga, played a prominent role in political life. Since 2012, she has been a member of the Majilis, the Chairman of the Social and Cultural Development Committee, then Deputy Chairman of the Majilis of the Parliament and head of the faction of the Nur Otan party, since 2015—the Deputy Prime Minister of the Republic of Kazakhstan, since 2016—Deputy of the Senate of the Parliament. In November 2016, Nursultan Nazarbaev stated that he would not transfer the power to his children, saying in his interview: “I do not think that it’s a matter for us. Our power transfer process is defined in the Constitution. I’m going to work till 2020. But in 2020 we will meet again.”²¹

Tajikistan: The Founder of Peace and National Unity

Attempts to institutionalize the title of the President of Tajikistan had been made previously, but were not regulated by law. They could be gleaned from the titles of books, published as study guides on modern history, *Emomali Rakhmonov—The Rescuer of the Nation* (1992-1995); *Emomali Rakhmonov—The Founder of Peace and National Unity* (1996-1999); *Emomali Rakhmonov—The Beginning of Creation Period* (2000-2003); *Emomali Rakhmonov—The Year Equal to Ages* (2004); *Emomali Rakhmonov—The Year of the World’s Culture* (2005); *Emomali Rakhmonov—The Year of Aryan Civilization* (2006).²²

In 2007, Rakhmonov, appealing for “the need to return to the cultural roots,” changed his surname to Rakhmon.

In December 2015, Tajikistan adopted the Law on the Leader of the Nation²³. In contrast to the Kazakhstan law, that of Tajikistan’s gives a more detailed definition for the status of the Nation’s Leader. The President of Tajikistan is awarded the title of the “Founder of Peace and National Unity—The Nation’s Leader.” He represents the “outstanding historical national personality, who made a significant contribution to the statehood system of sovereign Tajikistan, establishment of constitutional system, achievement of peace and national unity ... the President who made the worthy contribution to the creation of the sovereign, democratic, constitutional, secular and social state, and who prevented the collapse of the nation, the disappearance of the state, and relieved the people from

¹⁹ *The Declaration of Twenty-Fifth Anniversary of Independence of the Republic of Kazakhstan*, Majilis of the Parliament of the Republic of Kazakhstan Official site, available at [<http://www.parlam.kz/ru/mazhilis/news-details/id30041/1/1>]; “Kazakhskiy parlament predlozhl pereimenovat Astanu v Nazarbaev,” *Rossiiskaya gazeta*, available at [<https://rg.ru/2016/11/23/kazahskij-parlament-predlozhl-pereimenovat-astanu-v-nazarbaev.html>].

²⁰ See: “Nazarbaev ne imeet otnoshenia k initsiative po pereimenovaniuu Astany,” News Agency REGNUM, available at [<https://regnum.ru/news/polit/2209443.html>].

²¹ E. Zapara, “Nazarbaev zaiavil, chto ne neneren peredovat vlast po nasledstvu,” *Izvestia*, 24 November, 2016, p. 3.

²² See: R.S. Bobokhonov, “Sovetskie i postsovetskie modeli avtoritarizma v Tadzhikestane,” *Sovremennaiia nauka: aktualnye problemy teorii i praktiki*, Humanities Series, No. 9-10, 2012, pp. 3-8.

²³ See: *Law of the Republic of Tajikistan on the Founder of Peace and National Unity—the Leader of the Nation of 25 December, 2015, No. 1259*, National Center for Legislation under the President of the Republic of Tajikistan, available at [http://www.mmk.tj/ru/library/ob_osnovatele...doc].

civil war, carried out the great fateful accomplishments in the political, social, economic, cultural and historical developments of the independent state of Tajikistan.”

The Leader of the Nation is the symbol of Tajik sovereign statehood longevity, peace and national unity, the guarantor of sustainable development and social stability of Tajikistan. Emomali Rakhmon is recognized as the leader, “due to the great and outstanding merits for the people of Tajikistan.”

The competence of the Nation’s Leader of Tajikistan is almost identical to that of the Nation’s Leader of Kazakhstan. It should be assumed that Tajikistan borrowed from Kazakhstan its laws’ formulation. The official notice of the Presidential Press and Information Office underlined that “such a status is characteristic of the developed and civilized societies, and it is observed today in America, Europe and former Soviet republics, in particular in the Republic of Kazakhstan.”²⁴

The Nation’s Leader is granted the right to appeal to the people, public authorities and officials on important issues within the political system, national security, domestic and foreign policy issues, his opinion is to be taken into account and considered obligatory for state bodies and public officials in reaching relevant decisions; participate and report on issues, discussed at the meetings of the Parliament, Government and Security Council; provide advice and recommendations in case of political, economic and social crisis and render assistance in its resolution. The first President is a lifelong member of the Parliament and the Chairman of the Civic Movement for the National Unity and Revival of Tajikistan. The important state and social issues, the key directions of domestic and foreign policy are subject to the approval by the Nation’s Leader. In accordance with the law, the Order “Leader of the Nation—Emomali Rakhmon,” and the state award the “Leader of the Nation—Emomali Rahmon” are hereby instituted.

The question of removing restrictions, concerning the first president’s term in office, was put to a referendum on 22 May, 2016, and was approved by 94.5 percent of the electorate, who took part in the voting, with the voters’ turnout exceeding 92 percent.²⁵ It is noteworthy that 40 other amendments were made to the Constitution as the result of the referendum, but the voting was of the “package” kind: one could either approve or disapprove all of the amendments in total. In addition, the amendments reduced the minimum age for presidential candidates from 35 to 30 years, allowing the eldest son of Emomali Rakhmon, the 29-year-old Rustam, to come forward in 2020 as a candidate for the Presidential post. At the same time, it was prohibited to form political parties on ethnic and religious basis (depriving the Islamic Revival Party of Tajikistan of its right to exist), as well as to finance the political parties from abroad.

The children of Emomali Rakhmon take an active part in the political life. Rustam Emomali Rakhmon is the head of the Agency for State Financial Control and Fighting Corruption, the 36-year-old eldest daughter, Ozoda Emomali Rakhmon, occupied the position of the First Deputy Minister of Foreign Affairs, and in January 2016 was appointed the Head of the Executive Office of the President of the Republic of Tajikistan, thus, actually became the second most powerful person in the state²⁶, and in May, she was elected to the Majlisi Milli (National Council) of the Parliament of Tajikistan.

On 16 November, 2016, the Day of the President of the Republic of Tajikistan, established in May 2016, was celebrated in Tajikistan for the first time.

This way, the deinstitutionalization of the institute of the President has occurred in Tajikistan, and as the result of this, the President started to be regarded not as a political institution, but exclu-

²⁴ *Signing of the Set of Laws*, The official website of the President of Tajikistan, available at [<http://www.president.tj/ru/node/10510>], 4 December, 2016.

²⁵ See: “Okonchatelnye itogi referenduma v Tadjikistane oglasiat do 1 iyunia,” RIA Novosti: Russia Today, available at [<https://ria.ru/world/20160523/1438276177.html>], 4 December, 2016.

²⁶ See: *The Changes in Staff*, President of the Republic of Tajikistan official website, available at [<http://www.president.tj/ru/node/10690>], 4 December, 2016.

sively as a personality of Emomali Rakhmon at the informal, as well as the formal level. In this regard, we can make a conclusion that the deinstitutionalization of presidency in Tajikistan has acquired formal legal grounds. The rules are now working not for the presidency institute, but for the life duration of the individual.

Conclusion

As a result of the formation of the institute of the Nation's Leader and consolidation of rules, regarding the single person, in the cases under consideration are the deinstitutionalization of the presidential institute, and its transformation into a personal rule. That means that the institutionalization of personalism took place. Normative regulation of activities now is discharged not by the institute of the President, but by the one person occupying the office. Of utmost importance is also the removal of restrictions, exclusively applying to the first President, who is able to get elected for an unlimited number of times. It is noteworthy that the word "nation," in this context, is used, more likely, in a political sense (as the "civic nation"), although the citizens and a part of the political elite are still perceiving it as an ethnic term.

Similar in all three cases are the official titles, ascribed to the incumbent: cancellation of terms, limiting tenure; setting of social safety guarantees for the leader, who ceased to fulfill presidential duties; institution of state awards with the name, title and (or) the leader's surname, dynastic tendencies and a clear focus in the succession of presidential power and its transmission. At the same time, the children of the acting leaders will, more likely, act as successors, and the leaders themselves will retain their statures even after resignations. Typical is the attitude of the Turkmenistan, Kazakhstan and Tajikistan's leaders toward main political parties (Democratic Party of Turkmenistan, headed by Gurbanguly Berdymukhammedov,²⁷ the party Nur Otan, headed by Nursultan Nazarbaev, and the People's Democratic Party of Tajikistan, headed by Emomali Rakhmon).

Of much interest is the fact that in all three countries, celebrations are held, directly or indirectly devoted to the President. In Tajikistan, the Day of the First President is celebrated on 16 November, the day of Emomali Rakhmonov's accession to the office in 1994, in Kazakhstan the Day of the First President coincides with the birthday of Nursultan Nazarbaev, and in Turkmenistan, the Week of Culture is celebrated on 24-30 June and is timed to coincide with the birthday of Gurbanguly Berdymukhammedov (29 June).

The difference in the status of the Nation's Leader regulation is observed, when comparing the competence of the leader after his resignation: while in Turkmenistan it is not fixed by law, in Tajikistan and Kazakhstan it is almost identical. The positions, which leaders will hold after their resignation from the post of the President, are different: in Turkmenistan, such a position is absent (and this, probably, may be attributable to the lifetime's presidency), in Kazakhstan, it is the position of the Constitutional Council Member and Member of the Security Council, in Tajikistan—a Member of the Parliament. All these positions will be occupied by the former presidents for their natural lives.

If Turkmenistan's political elite refuses to accept the concept of perpetual presidency, the concept of the Nation's Leader or Nationwide leader may be provided by the law.

The lack or weakness of traditions of statehood and the low level of national identity, perceived as civil and political identity, should be recognized as the main factor for the formalization of the institute of the Nation's Leader in the analyzed countries. These states possess strong regional, clannish and ethnic identities, and in Kazakhstan, there are also ethnic ones. In this situation, the institute of the Na-

²⁷ In 2013, Berdymukhammedov suspended his membership in the party.

tion's Leader acts as the most obvious way for the political elite to consolidate the nation. It is noted that a close parallel exists between strong national identities, civil societies, and national-democratic mobilization. A weak national identity directly facilitates the establishment of a sultanistic regime.²⁸

When the traditions of statehood and nation-building are weak, the solution can be found either in nationalism, often understood in the ethnic sense, or in the figure of the "father of the nation," who furthers "the creation" of national history. Under the conditions of the absence of the nation as a political community, the identity of the Nation's Leader, who, in this situation, is actually the "leader without nation," becomes the primary for the legitimization of a regime. The Central Asian countries have chosen exactly this way. In Kyrgyzstan, this path was invariably ill-fated, because of the severe sub-ethnic schisms, which prevented monism, and the attempts of the President, Askar Akaev, to establish the quasi-democratic regime, which resulted in the sharp and significant divergence of formal and informal institutions, and appeared to be the main reason for the collapse of the regime. In Uzbekistan, the Nation's Leader, in the person of Islam Karimov, existed, de facto, without being subjected to the legal formalization and ideological grounding.

In Azerbaijan, the concept of the "Nationwide Leader," not stipulated by law, but used in official documents, is applied to the President of 1993-2003, Heydar Aliiev,²⁹ but has not been used yet in reference to the acting president. It is likely that the institute of the Nationwide Leader will receive the legislative support of Azerbaijan in the future as well.

The institute of the Nation's Leader was introduced in order to preserve the powers and influence of the president in office, regardless of his position after the resignation. In the case of the most probable "successor" scenario as the result of the transfer of powers to the next President, the retired leader will have not only de facto, but also de jure powers, which will allow him to determine the main directions of domestic and foreign policy, to influence the staffing and budgetary processes.

It is noteworthy that Kazakhstan, Turkmenistan, Azerbaijan and Tajikistan were relegated by us to the types of political regimes with a high level of institutionalization of the presidency and low level of democracy foundations³⁰.

Table

**Comparative Analysis of the Institute of the Nation's Leader
in Turkmenistan, Kazakhstan and Tajikistan**

Criteria / States	Turkmenistan	Kazakhstan	Tajikistan
Official title	Turkmenbashi (Niyazov), Arkadag (Berdimukhammedov)	First President, The Nation's Leader (Elbasy)	The Instigator of Peace and National Unity—The Nation's Leader
Date of establishment	1999 28.10.2010 (informally)	20.07.2000 (First President) 14.06.2010 (Elbasy)	25.12.2015

²⁸ See, for example: S.M. Eke, T. Kuzio, "Sultanism in Eastern Europe: The Socio-Political Roots of Authoritarian Populism in Belarus," *Europe-Asia Studies*, Vol. 52, No. 3, 2000, p. 528.

²⁹ See, for example, the official biography: *National Leader Heydar Alirza oglu Aliiev*, Official website of the President of Azerbaijan Ilham Aliiev, available at [<http://ru.president.az/azerbaijan/leader>], 4 December, 2016.

³⁰ See: N. Borisov, "The Institution of Presidency in the Central Asia Countries: Personalization vs. Institutionalization," *Central Asia and the Caucasus*, Vol. 12, Issue 4, 2011, pp. 57-65; N. Borisov, "Institutsionalizatsia instituta prezidentsva i perspektivy konsolidatsii politicheskikh rezhimov na postsovetskom prostranstve," *Politiia*, No. 4, 2011, pp. 93-103.

Table (continued)

Criteria / States	Turkmenistan	Kazakhstan	Tajikistan
Legal grounds	Absent	The founder of a new independent state of Kazakhstan, the Nation's Leader; ensured its unity and defense of the Constitution, the rights and freedoms of the man and citizen. Made a significant contribution to the development of the independent state of Kazakhstan as the democratic, secular, constitutional, and social state	Presents an outstanding historical national personality, made a significant contribution to the state foundation system of sovereign Tajikistan, to the establishment of a constitutional system, to the achievement of peace, national unity; made the worthy contribution to the creation of the sovereign, democratic, constitutional, secular, and social state; prevented the collapse of the nation and the disappearance of the state, and relieved the people from the civil war; carried out the great fateful decisions concerning the political, socioeconomic, cultural and historical development of the independent state of Tajikistan
The right of the acting leader to be elected as the President	The number of terms is not limited	The number of terms is not limited	The number of terms is not limited
Competency after the resignation, formalized in the lawful way	Absent	The right to appeal to the people, public authorities and officials on important issues of political system, national security, domestic and foreign policy, consideration of which is obligatory for the state bodies and public officials; report on the issues discussed at the meetings of the Government. All the initiatives on the main directions of domestic and foreign policy of the state, being elaborated, are subject to approval of the First President—the Nation's Leader	The right to appeal to the people, public authorities and officials on important issues of political system, national security, domestic and foreign policy, considered obligatory for state bodies and public officials in reaching relevant decisions; participate in and report on the issues discussed at the meetings of the Parliament, the Government, and the Security Council; provide advice and recommendations in case of political, economic and social crisis and render assistance in its decisions. The important

Table (continued)

Criteria / States	Turkmenistan	Kazakhstan	Tajikistan
			state and social issues, key directions of domestic and foreign policy are subject to approval of the Nation's Leader
Positions, occupied after resignation, provided by the law	Not defined	Chairman of the Assembly of People of Kazakhstan; member of the Constitutional Council; member of the Security Council	The lifelong member of the Parliament and Chairman of the Civic Movement for the National Unity and Revival of Tajikistan
Social guarantees after resignation	The right of immunity. State apartment and villa; public security; medical service; compulsory state insurance; monthly allowance; assistants	The right of immunity. Government communications, public security, rent-free apartment and villa passed to the ownership; personal car with drivers, free medical care and spa treatment, a monthly pension equal to 80% of the President's monthly remuneration; health and life insurance in the amount, equal to the annual official remuneration of the President	The right of immunity. Residential house with the right of ownership and state residence, official car, free medical and recreational service, a monthly pension amounting to 80% of monthly remuneration, life and health insurance, gratis, in the amount of the official annual remuneration of the incumbent
Social guarantees for the Leader's family members	The right of immunity. State apartment and villa; public security; medical service; state insurance; monthly allowance; assistants. For the family members of the late President—monthly allowance, equal to 20 times the minimal amount of state survivor's benefit, lifelong right for the use of the state villa, special means of communication, transport, medical service	State security, free medical care and spa treatment, official car; each member of the family is entitled to receive a monthly allowance in the amount equal to 10 times the minimal amount of the old-age pension	State security and inviolability of property
Awards with the Leader's name	Turkmenbashi Order; Order of the First President of Turkmenistan, Saparmurat Turkmenbashi the Great	Order "The First President of the Republic of Kazakhstan Nursultan Nazarbaev," the State Prize of Peace and Progress of the First President of the Republic of Kazakhstan	Order "Leader of the Nation—Emomali Rakhmon," State Prize "Leader of the Nation—Emomali Rakhmon"

Table (continued)

Criteria / States	Turkmenistan	Kazakhstan	Tajikistan
Celebrations in honor of the President	“The Week of Culture” 24-30 June (day of the President’s birth—29 June)	The First President’s Day—1 December (the day of the President’s birth—1 December)	The President’s Day—16 November (the day of the President Rakhmonov’s accession to office—16 November, 1994)
Dynastic tendencies and possible successors	Son, Serdar Berdymukhammedov,—the delegate of the Mejlis	Daughter, Dariga Nazarbaeva,—the delegate of the Senate (Parliament)	Son, Rustam Rakhmon, is the head of the Agency for the State Financial Control and Fighting Corruption; daughter, Ozoda Rakhmon, is the head of the Executive Office of the President of the Republic, delegate of the Majlisi Milli in the Parliament

Therefore, in exactly this type of regime, preconditions for the Nation’s Leader institutionalization appear, which is confirmed once again by the political practice of the analyzed countries. Specificity of such institutionalization consists in the fact that the informal practices of domination, belonging to the personalistic type, are transformed into political and legal institutions, and that the legal rules regulate legal relationship, connected with the status of a particular person. The high level of institutionalization of personalistic presidency is considered by the ruling elites of the analyzed countries as the main base of political stability and sustainable legitimization of political regimes. The carrying out of the forthcoming power transfers in these countries is likely to confirm these expectations.