

DEMOCRATIC PROCESS AND POLITICAL CULTURE IN CENTRAL ASIAN STATES

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Abstract

The paper is related to democratic process and political culture in Central Asian states. Democracy is strongly influenced by particular political cultures. Political culture articulates people's rules and behaviour within their political world. Political culture influences how people see their political world and what they expect from it. For example, Alexis de Tocqueville, argued in his classic work "Democracy in America" that "American democracy was articulated by American values and attitudes". In a democratic society, individual citizens have the power and right to influence decisions about how their country will be governed. According to the constitutions of the republics, they are sovereign, secular, and democratic republics. Sovereign means an independent nation. Secular implies freedom to choose your religion, which means the state gives every citizen the right to practice and propagate a religion of his choice, the state treats all religions as equal, and there is no official state religion. In a democracy, political parties act as the bridge between social thought and political decisions. After the disintegration of the Soviet Union, the independent Central Asian republics introduced a multi-party system, periodic elections, etc. to strengthen democracy. The emergence of political parties and groups in the region was the outcome of Mikhail Gorbachev's reform policy, called Glasnost and Perestroika. Central Asia has been able to sustain its democracy quite successfully with periodic elections and increasing active participation of people. The objective of this study is to examine the various models of democracy and political culture. This study focused on the role of the state (the constitution, political parties, election commission, parliament, judicial system, and fundamental rights) and non-state actors (citizens, social movements, and the media) in making the Central Asian democracy more vibrant.

Keywords: Democracy, Political Culture, Constitution, Political Parties, Election Commission, Parliament, Judicial System, Fundamental Rights, and Media.

Democracy and Political Culture

In a democratic society, individual citizens have the power and right to influence decisions about how their country will be governed. As former president of the United States of America Abraham Lincoln stated, "Democracy is a government of the people, for the people, and by the people." The term "democracy" comes from the Greek word "demokratia" which means "rule of the people." It was created by combining two Greek words: "demos," which means "people," and "kratos," which means "power." Democracy is the institutionalization of freedom [1].

Political culture articulates people's rules and behaviour within their political world. Basically, political culture influences how people see their political world and what they expect from it. Democracies are strongly influenced by their particular political culture. For

example, in his classic work “Democracy in America,” Alexis de Tocqueville argued that “American democracy was articulated by American values and attitudes.”

Democracy and Political Culture in Central Asia

The Central Asian states, namely, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan share common features like common Turkic identity (except Tajikistan, which belongs to Persian identity), Muslim cultural condition, history (under Pre-Tsar, Tsar, and Soviet Union), the predominance of the rural population, low socio-economic mobility, low level of technical skills and qualification, etc. Basically, Central Asian states achieved national independence in a similar way. John Schoeberlein points out that “independence came to Central Asia peacefully, almost without their even trying for it.”¹ In political discourse, there is a great deal of “*democracy deficit*” in all the Central Asian Republics.¹ Because the policymakers of Central Asian states refuse to establish “*consensual democracy*” for the purpose of fundamental change.² That’s why the fragile character of the political system of Central Asian states is largely due to “*façade democracies*,” which are imposed from above.³ According to Robert Dahl, “competition and participation are ‘twin pillars’ of the democratic system.” Competition means “*competition of elites*,” and participation means “*participation of the whole people in the political process*.” He called that the Central Asian political systems are a “*tyrannical democracies*.”⁴

Following the demise of the Soviet Union, Central Asian republics embarked on their own distinct paths of political and economic development, led by the same old republican leadership, but this time in the form of democrats and nationalists. President of Tajikistan, Emomali Rakhmanov was a director of a state farm belonging to the party nomenklatura during Soviet rule. The President of Kyrgyzstan, Askar Akayev, was a member of the Central Committee of the Communist Party of Kyrgyzstan during Soviet rule. The presidents of the other three republics, namely Kazakhstan, Uzbekistan, and Turkmenistan, respectively, Nursultan Nazarbayev, Islam Karimov, and Saparmurad Niyazov, who were working as the first secretaries of the Communist Party in their republics during Soviet rule [2-3].

Theories of Democracy and Central Asian Democracy

We can call Central Asian democracy “elite democracy, representative democracy, and participatory democracy.” The “Elites Theory of Democracy” was originally developed against the

¹ **Democracy Deficit:** A “democracy deficit,” or insufficient level of democracy, means a lack of democratic accountability in political institutions compared to the theoretical ideal of a democratic government.

² **Consensual Democracy:** Consensual democracy is a model of democracy designed to find and create a common ground in pluralistic societies, and decision-making is based on consensus.

Arend Lijapert emphasised “*consociational democracy*” in his book “*Democracy in Plural Societies, 1977*” as a solution for states where traditional majoritarian democracy might not work due to deep ethnic, linguistic, or religious cleavages. Arend Lijapert described “*consensual democracy*” in another book “*Pattern of Democracy, 1999*” as the ideal governance type for any state, not just deeply divided states.

³ **Façade Democracy:** A democratic front in which elections were pre-arranged or unfairly influenced by fear and intimidation, and the media was also under state control. So, it’s instituted in accordance with the minimal principles of democracy.

⁴ **Tyrannical Democracy:** In a democratic system, tyranny refers to “the tyranny of the majority.” But according to the Elites’ Theory of Democracy, tyranny refers to the “tyranny of the minority” in a democratic system.

democratic values of liberalism by Vilfredo Pareto and Gaetano Mosca.⁵ Basically, the elites' theory of democracy depends on some people who belong to minorities in society and have the capability to govern the nation. According to 'Iron Law of Oligarchy' given by Robert Michels in his book 'Political Parties, 1911'. After the establishment of every human organisation, control comes into the hands of a small group within society, and this conception was also implemented in the democratic system. In his book "Mind and Society," Vilfredo Pareto divides the elites into two categories:

1. Social Elites
2. Ruler Elites

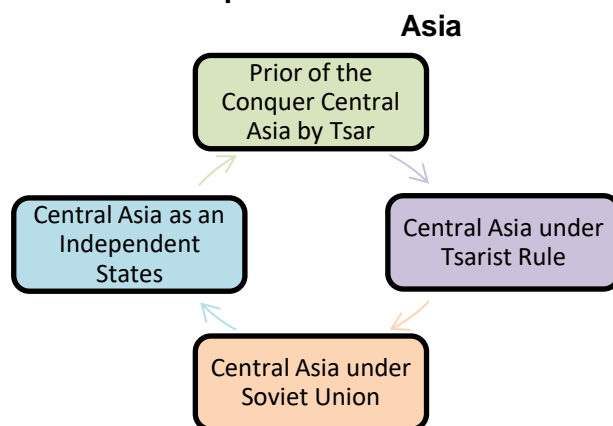
The social elites help the ruling elites in the governance of the nation. Central Asian democracy is governed by small groups that have the capability to govern the nation. Basically, they govern the nation in the name of the transition period. In Central Asia, the social elites like the Kazi, Mufti, etc. help the rulers to govern the nation [4-6].

The representative theory of democracy refers to the periodic election to elect the representator to govern the nation, and Central Asian states also have periodic elections and governments elected by the people. So, we can say that Central Asian democracy is related to the *elites' theory of democracy* and the *representative theory of democracy*.

In order to study the nature of political developments and democratic processes in Central Asia, it will be necessary to recount milestones that have deeply influenced the political culture of the region. These milestones are:

1. After the conquest of Central Asia by *Arabs* in the eighth century, Islam spread and Central Asian people established Islamic norms in their lifestyle.
2. In the 12th century, the *Mongol-Tatar* invasion and conquest of Central Asia and their subsequent assimilation and Islamization
3. Because of the rise and fall of the *Timurid Empire*, Central Asian peoples learned how the empire rose and fell.
4. *Tsarist Russia* conquers Central Asia and starts the development and exploitation of the Central Asian region.
5. After the *Bolshevik Revolution of 1917*, *Sovietization* and *secularisation* were starting in the Central Asian region.

Figure 1. Four Period of Development of Political Culture and Democratic Process in Central Asia



Prior of the Conquer Central Asia by Tsar

After the end of its mediaeval glory, Central Asia was divided into three major native Khanates

⁵ **Liberalism:** Economically, liberalism refers to open competition, where forces of demand and supply create an equilibrium between people. Politically, it's related to individual liberty, equality, private property, freedom of expression, and worship.

known as *the Khanate of Khiva, the Khanate of Kokand, and the Emirate of Bukhara*. The Khanates were feudal autocracies that were ruled by Khans and Emirs. Islam was the main source of political legitimization. The system of administration of land tenure and taxation was based on the *Perso-Arab administration of Transoxiana*.⁶ The system of justice was based on Islamic Law (*Sharia*) and the Customary Laws (*adat*), and the system of justice was headed by a member of the religious elite known as the *Kazi*. *Kazis* were appointed for life and had no fixed administrative district. But later, the *Kaziship* acquired hereditary characteristics. The *Kazi* enjoyed high social and economic status. The *Mufti*, who was the legal and spiritual leader of Khanates, was another religious elite.

In practice, the dynastic rulers of the Khanates and their subordinate officials did not generally follow the accepted principles and legal norms. The political power structure in Central Asia was feudal in nature, similar to that prevalent in mediaeval Europe.⁷ The government was autocratic where the ruler's words were law, and there was no space for the opposition. The people of the region had no right to participate in the political process, and they were not even aware of the various activities of the government. In a society rife with illiteracy and superstitions, the *clergy* held a high position and was well-respected. The *Khans* and *Emirs* got full support from institutions like *Kazi*.

During this government rule, people were picked up from all parts of the country to keep the roads in repair, build the houses, cultivate the grounds, and clean out the canals for the *Khans*. They were forced to work without any payment, and not even food was provided. On one side, half of the village population was forced to work like this, and on the other side, the other half of the village population was compelled to pay a tax of two *tengas* a day to each working man. Those who refused to pay the tax were whipped. People were sometimes whipped to death, while others were buried alive at their workplace [7-10].

Central Asia under Tsarist Rule

In the aftermath of the conquest of Central Asia by the Tsarist government in the second half of the nineteenth century, the Russian government established colonial administration in the region and functioned under the *Ministry of War*.⁸ The military plays a significant role in the administration of Turkistan. The offices of the Governor-General of Turkistan and the governors of its oblasts were staffed with military officers. The colonial administration of Turkistan was accountable to the Russian government. In other words, we can say that the Tsarist government established an autocratic type of administration in the region. The people of the region had no political rights, and even they were not allowed to know about the policies of the government.

Central Asia under Soviet Union

After the Bolshevik Revolution, the Soviet Union became a federation of fifteen "National Union Republics" and eight autonomous regions. All the republics had legally equal status, but geopolitical factors made the Russian Republic superior to the others. A single-party system existed in the whole of the Soviet Union, which meant opposition parties were not allowed to act and all issues were decided by the Soviet Communist Party in the name of "democratic centralism".⁹

⁶ **Perso-Arab Administration of Transoxiana:** The perso-Arab administration of Transoxiana was based on Islam. Basically, its administration was started when Arab Muslims conquered Transoxiana and Persia.

⁷ **Feudal Political System:** In the mediaeval era, the political, military, and social systems were based on the holding of lands in fief or free and on the resulting relations between lord and vassal.

⁸ **Ministry of War:** The administration under the ministry of war means all the officers, leaders, and staff are associated with the military. That means all administrative work is done by the military.

⁹ **Democratic Centralism:** Democratic centralism is a synthesis of democracy and centralization. The idea of democratic centralism was advanced by Karl Marx and Fredric Engels to create a structure for the revolutionary proletarian party, and after that, V. I. Lenin developed the principle of democratic centralism and also the centralised directive system in his work "*What is to be done?*". Basically, democratic centralism is a principle of Communist

In the Soviet political system, there was no scope for individual initiative and local autonomy; civil and political liberties were non-existent; individual participation was also not there; and there was no place for religious and cultural autonomy. But in spite of these, the Soviet political system was based on rapid economic transformation through a centralized planned economy and social justice through social participation. Basically, the Soviet system was based on the centralized directive system of the planned economy in its purest historical form, which was implemented by the Soviet authority in the former Soviet Union. Central Asia was part of the former Soviet Union, where all decisions were imposed by the central government and the communist party of the Soviet Union. The Soviet republics' bureaucracies were directed from Moscow, implying that the republics' leaders acted as agents of the Russian communists [11-13].

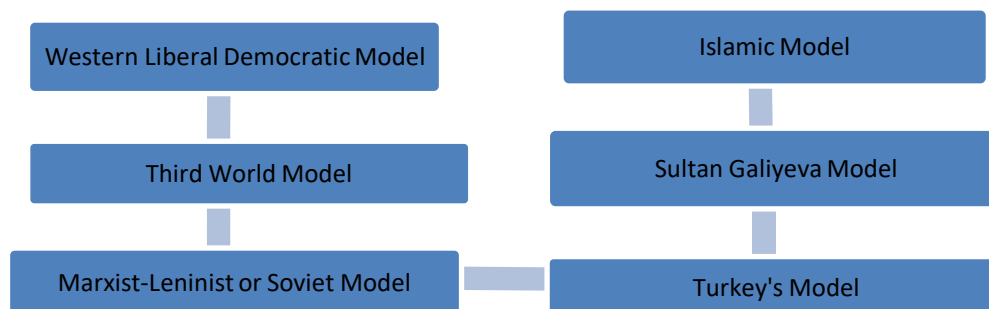
Central Asia as an Independent States

The collapse of the Soviet system provided an opportunity for the Central Asian republics, namely Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan, to start reconstructing and reshaping their political systems, which would be fundamentally different from the past Soviet authoritative system.¹⁰ After the disintegration of the Soviet Union, the leaders of Central Asian states introduced liberal measures in their economic sector and democratic values in their political system. After their independence, the Central Asian states faced the following problems:

- a. Nation-states building in multi-ethnic Central Asian society.
- b. How do they make a balance between keeping a distance from Russia and same time taking help from Russia?
- c. They want social modernization because of the lack of secure stability in Central Asian society.
- d. Create a balance between political institutions and social modernization.

After the disintegration of the Soviet Union, newly independent Central Asian states had a choice among various models of the political system for development, such as:

Figure 2. Models of Political Systems: Choice for Central Asian States



Western Liberal Democratic Model

After their independence, on the one side, the policymakers of Central Asian states were attracted by the model of western liberal democracy, and on the other side, western states were also worried that these newly independent states could adopt the model of Islamic states. This model is fundamentally based on *Liberty and Utilitarian Philosophy*, which promotes self-interest, individual initiative, individualism, civil liberty, private enterprise, and other similar concepts. Politically, people are equal in terms of “one man, one vote.” But this model is based on exploitation because it is related

Party organisation under which members take part in policy discussion and elections at all levels but must follow decisions made at higher levels.

¹⁰ **Authoritative System:** An “authoritative system” is a political system, principle, or practise where individual freedom does not exist or the authority of the state is not constitutionally accountable to the people.

to a free market economy, in which economic equality has no space.

Third World Model

The third-world model was developed after the Second World War (September 1, 1939, to August 1945), when some Asian, African, and Latin American states denied becoming part of any power bloc. In this model, democracy has not yet become a stable form of government. However, this model provides social, cultural, political, and civil liberties.

The policymakers of Central Asian states are attracted by the third-world model. The collapse of the Soviet system and the disintegration of the Soviet Union created an ideological vacuum, and Iran and Saudi Arabia tried to fill this vacuum. The leaders of Central Asian states were aware of external powers, and they did not want to become a pocket of those powers [14].

Marxist-Leninist or Soviet Model

The Soviet model was based on rapid economic growth through a centralized planned economy and social justice through social participation. The policymakers of Central Asian states were highly influenced by the Soviet model. The main features of the Soviet model are centralized control, harsh rationing, coercive mobilization of labor, the elimination of the market, etc. But in the Soviet model, there is a single-party system, and opposition and freedom of expression are not allowed [15].

Turkey's Model

After the independence, the policymakers of Central Asian states saw Turkey's model as an ideal one. Basically, Turkey's model is based on secularism, democracy, and the Keynesian economic system (mixed economy).¹¹

Sultan Galiyeva Model

Sultan Galiyeva was a Tatar-Muslim Marxist, and he talked about the mixed model of Pan-Islamism, Pan-Turkism, and Marxist ideology. The policymakers of Central Asian states are also influenced by this model.

Islamic Model

The Islamic model was also a debatable issue between policymakers of Central Asian states. Because after the independence Islamic revivalism was very high in Central Asia. In the Central Asian region, almost 7,800 mosques were established till 1994. After the sunset of Soviet rule, the socialist ideology lost its relevance and in Central Asia create an ideological vacuum.¹² Islam was trying to fill this gap [16].

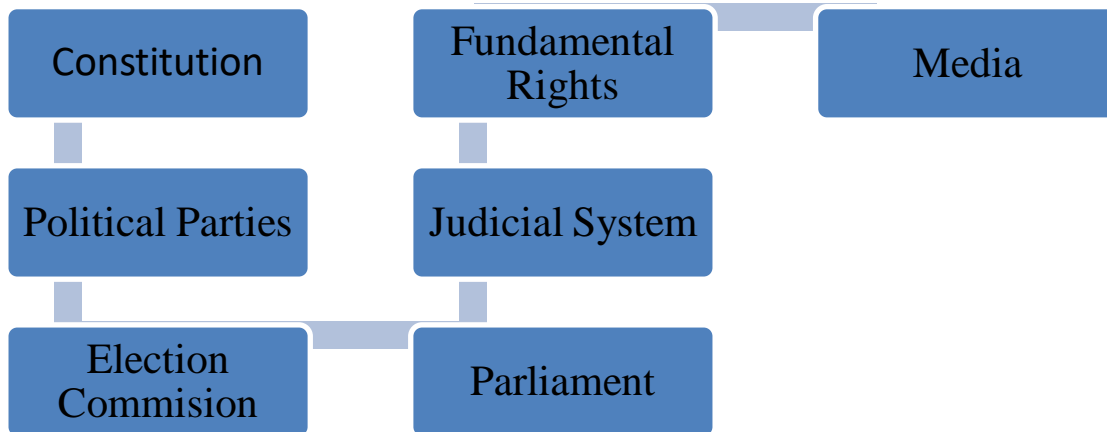
Some institutions are required for the development of democratic cultures, such as the

¹¹ **Keynesian Economic System:** The Keynesian economic system was advanced by the British economist John Maynard Keynes in his book "The General Theory of Employment, Interest, and Money," published in 1936, during the Great Depression. The Keynesian economic system advocates a mixed economy in terms of a predominantly private sector, but with a role for government intervention during the recession. That means Keynes advocated increased government expenditures and lower taxes to stimulate demand and pull the global economy out of the Depression. So we can see that the Keynesian economic system is considered a "demand-side" theory that focuses on changes in the economy over the short run.

¹² **Socialism:** In Marxist theory, socialism is an intermediate stage of social development between capitalism and communism. In socialism, the economic and political systems are based on public or collective ownership of the means of production. According to American socialist **Daniel de Leon**, "Socialism is that social system under which the necessities of production are owned and controlled."

separation of powers, multi-party systems, free and fair periodic elections, an independent and powerful judiciary, independent mass media, professional bureaucracies, the rule of law, and so on. There are some elements of democratic politics in Central Asia: -

Figure 3: Elements of Democratic Politics in Central Asia



Constitution

The Constitution is described as a “document or set of documents which sets the framework of a political system.”ⁱⁱⁱ After the disintegration of the Soviet Union, Central Asian republics adopted their own constitutions. The constitutions of all Central Asian republics profess sovereignty, democracy, and secularism as their underlying principles.¹³⁻¹⁴ Central Asians have been granted the right to practice and spread any religion that was not permitted to native peoples during the Soviet era. The constitutions of republics also guaranteed the rights and freedoms of their citizens regardless of nationality, ethnic origin, property holding, religious belief, and political convictions. The constitution provides equal rights to everyone, regardless of their gender. The constitution also allows the citizens to assemble and hold meetings, rallies, demonstrations, and marches peacefully. In short, the constitutions of central Asian countries grant the social, cultural, and political rights and civil liberties that were denied during the erstwhile Soviet Communist regime. The power structure of these states is formally based on the principles of ‘*separation of power*’, but in practice, the presidents are the center of all the powers in all the Central Asian constitutions.¹⁵ The constitutions of the Central Asian republics advocate free and fair elections. There is no place for vice presidents. The executive machinery in all of the region's countries is set up to have a governor (*Mir*) in Central Asia.

The Central Asian states adopted a unitary type of government with a single chamber (except Kazakhstan and Kyrgyzstan) of the national assembly.¹⁶ Republics wise constitutions are mentioned below:

¹³ **Sovereignty:** Sovereignty can describe the power of one state or thing over another or the freedom a state or thing has to control itself.

¹⁴ **Secularism:** Secularism involves two basic propositions: one is the strict separation of the state from religious institutions, and the second is that people of different religions and beliefs are legally equal before the law.

¹⁵ **Separation of Power:** Separation of powers means every administrative branch is independent from another branch, and each branch has a separate function.

¹⁶ **Unitary type of government:** The unitary government or unitary state is a system of political organisation with a central supreme government that holds authority over and makes decisions for subordinate local governments.

Constitution of the Republic of Kazakhstan

The Kazakh parliament ratified the country's first post-Soviet constitution in January 1993. In March 1995, the document was extensively revised to reflect the new political reality and placed for public approval. According to official statistics, the referendum held on August 30, 1993, attracted 91 percent of voters, of whom 89 percent supported the new look of the constitution.ⁱⁱⁱ The constitution of the Kazakh republic established a presidential form of government. The constitution describes a republic as a "democratic, secular, unitary state." Life, liberty, and the inalienable rights of the individual are of the highest value to the state.

Constitution of the Republic of Kyrgyzstan

The constitution of the Kyrgyz Republic was adopted by the 12th Supreme Soviet of the Republic of Kyrgyzstan on May 5, 1993. The constitution describes a republic as a sovereign, unitary, democratic republic based on the principles of a secular state.¹⁷ According to the constitution of the republic, human rights and civil liberties are under the protection of state law. The constitution says that discrimination against anyone or infringement of rights and liberties on the grounds of origin, sex, race, nationality, language, and political and religious beliefs are not permitted in the republic. The constitution provides equal rights for all citizens regardless of race, nationality, language, religion, etc. The constitution grants similar rights and liberties to foreigners and stateless persons as it does to its own citizens.

Constitution of the Republic of Tajikistan

The constitution of the Tajik Republic was adopted in April 1994. The constitution of the republic describes the state as "a sovereign, democratic, secular, united republic based on the rule of law." The Constitution provides a guarantee for equal rights and freedoms for every person, regardless of nationality, race, gender, language, religious beliefs, political persuasion, social status, knowledge, and property. Some 34 articles of the constitution elaborate on the rights and liberties available to the citizens of the republic.

Constitution of the Republic of Turkmenistan

The constitution of the Republic of Turkmenistan was adopted on May 18, 1992. The constitution of the republic describes the country as "a democratic, law-based, secular, and presidential state." But in practice, President Niyazov has transformed his presidential rule into a highly '*autocratic system of power*'.¹⁸ The constitution guarantees equal social, political, cultural, and economic rights to all citizens of the country, implying that the constitution grants no special rights to the republic's minorities.

Constitution of the Republic of Uzbekistan

The Constitution of Uzbekistan was adopted on December 8, 1992. The constitution describes Uzbekistan as a "sovereign and democratic republic." The constitution provides freedom, like freedom of thought, expression, speech, convictions, and professing or not to profess any religion, to all the citizens of the republic, along with economic, political, social, and cultural rights that were not provided during the former Soviet regime. Some 35 articles of the constitution are related to the rights, liberties, and duties of the country.

¹⁷ **Secular State:** A "secular state" is a concept of secularism where a state is intended to have an officially neutral position in matters of religion. A secular state claims to treat all its citizens equally, regardless of religion.

¹⁸ **Autocratic system of power:** An autocracy is a political system in which a single person—popularly known as an autocrat—holds all forms of power, such as political power, economic power, social power, and military power.

Political Parties of Central Asian States

Democratic values are associated with the presence of party-based politics, freedom of expression, and the rule of law, which ensures a safeguard against the arbitrary use of power by the state.^{iv} During the Soviet period, there was a single-party system, and opposition political parties were not allowed to operate in the country. But after the disintegration of the Soviet Union, the independent Central Asian republics introduced a multi-party system and periodic elections, etc. The emergence of political parties and groups in the region was the outcome of Mikhail Gorbachev's reform policy, called *Glasnost* and *Perestroika*.¹⁹ Citizens of Central Asian countries also have the right to create political parties and social associations within the framework of the constitutional order. Basically, the formation of political parties is based on their own social, national, cultural, and regional interests, co-existing with an increasingly monopolising government.^v In the case of Tajikistan, the ruling elites rejected the change, which ultimately led to the civil war. But in the post-civil war period, the Tajik government allowed the '*United Tajik Opposition (UTO)*' to participate in the government. Tajikistan is a good example of a country that has given political space to the opposition political party, like the *Islamic Renaissance Party*. Turkmenistan and Uzbekistan opted for gradual reforms in their political systems. Some Central Asian leaders have expressed concern that the region's political instability will be exacerbated by the drastic political liberalization. So far as Kazakhstan and Kyrgyzstan are concerned, they have opted for more '*pluralistic forms of political systems*.'²⁰ In Central Asian republics, there are so many political parties.

Election Commission

The Central Asian republics have established election commissions and also introduced periodic elections into their political systems. The elections are conducted by the Central Election Commission.

In Kazakhstan, voters elected the president for a five-year term on April 26, 2015. In the presidential election of Kazakhstan, 22 candidates were fighting for the seat of the president. In Kyrgyzstan, a parliamentary election will be held in the autumn of 2015 (end of 2015). The presidential election was held on October 30, 2011, and Kurmanbek Bakiyev became president. In Uzbekistan, the presidential election was held on March 29, 2015, and President Islam Karimov won with 90% of the vote. Parliamentary elections were held in Tajikistan on March 1, 2015. Finally, on December 15, 2013, Turkmenistan held its first multi-party parliamentary election, and the ruling Democratic Party won all 125 seats.

Parliament of Central Asian Republics

Republic of Kazakhstan

According to the Constitution, "the Cabinet of Ministers exercises the executive power of the republic and is responsible to the president of the republic." Local state administration is exercised by local representatives and executive bodies, which are responsible for the state of affairs on their own

¹⁹ **Glasnost and Perestroika:** Glasnost was a policy that called for increased openness and transparency in government institutions and activities in the Soviet Union. Perestroika is the reconstruction of the economy of the former Soviet Union. "Perestroika" basically refers to the restructuring of the Soviet political and economic system. Both policies were introduced by Mikhail Gorbachev in the second half of the 1980s. Gorbachev's publicized policy of glasnost has opened the door for political pluralism in Central Asian republics.

²⁰ **Pluralistic form of Political System:** Political pluralism is a participatory type of government in which the politics of the country are defined by the needs and wants of many. Basically, political pluralists are not inherently liberals or conservatives but advocate a form of political moderation. So we can say that political pluralism is a government of the people, by the people, and for the people.

territory. The local representative bodies are called *MASLAKHAT* and they're elected for a period of five years by secret ballot on the basis of equal and direct suffrage. The local executive bodies are part of the unified system of the executive body and are headed by the hakims of the corresponding administrative/territorial unit, who are the representatives of the president of the Republic of Kazakhstan. The lower house is the *Majlisi*, with 107 seats, elected to five terms, and the upper house is the Senate, which has 47 members.

Republic of Kyrgyzstan

According to the constitution, “the supreme representative body of the state is the parliament called *Zhogorku kenesh* (120 seats), comprising the *Zhogorku kenesh* presidium and deputies.” The parliament has the right to guide or formulate domestic and foreign policy, to effect constitutional changes, to approve the budget, etc.²¹ It also elects from the ranks of deputies, the *Togara* and his deputies, and forms committees, the control chamber, and temporary commissions. The *Togara* of the *Zhogorku kenesh* conducts the meetings of the *Zhogorku kenesh* and signs decrees and decisions adopted by the *Zhogorku kenesh* and its presidium etc.

The executive authority is exercised by the government of the Kyrgyz Republic, and the ministers, states, committees, administration departments, and local administrations are subordinate to it.

Local executive power is vested in the head of the local state administration. He was appointed by the President, and that’s why he is subordinate to the President. It is located in the oblasts, rayons, cities, and villages. The communities’ executive power is exercised by the chairman of the corresponding *kenesh*.

Republic of Tajikistan

After independence, Tajikistan adopted a presidential form of government. The *National Assembly* is the highest representative and legislative body of the Republic of Tajikistan. It's elected for a five-year term. The main functions of the *National Assembly* are to determine the directions of the domestic and foreign policy of the state; the adoption and revision of laws and decrees, and also their abrogation; the interpretation of the constitution and the laws; the formation of the commission for elections and referendums; the ratification of international treaties; the formation of the courts; and the confirmation of presidential decrees regarding peace. The Presidium of the National Assembly is composed of the chairmen of the *National Assembly*, his first deputy, deputies, and the chairmen of the committees and standing commissions of the *National Assembly*.

Local executive power is vested in *Mir*, and he is appointed by the president. It's located in Gorno-Badakhshan autonomous oblasts, oblasts, cities, and rayons. The local assembly elects the *Mir* of a city-type community or village.

Republic of Turkmenistan

According to the constitution of the republic of Turkmenistan, the highest legislative body, the *Majlisi* (parliament with 50 members), is directly elected for a period of five years. The deputies of the *Majlisi* also formed part of the *Khalk Maslakhaty* (people’s council). The *Khalk Maslakhaty* is the country's supreme presenting body, consisting of the president, parliament deputies, people's advisors elected by the people from each district, the chairman of the Supreme Court and Economic Court, the General Procurator, Cabinet of Ministers members, and Presidential representatives. The main

²¹ **Domestic and Foreign Policy:** On the one hand, “domestic policy” means a government’s policy decisions, programs, and actions that principally deal with the internal affairs of nations like tax, social security, welfare programs, environmental laws, etc., and on the other hand, “foreign policy” is a policy pursued by a nation in its dealings with other nations and designed to achieve national objectives.

functions of the *Khalk Maslakhaty* are to determine broad policy directions, ratify international treaties, determine state and administrative boundaries, and propose constitutional changes.

Local executive power is vested in hakims, who are appointed by the president, and they are located in *Velayati* (regions), *Shakherg* (towns), and *Etrapy* (districts).

Republic of Uzbekistan

Uzbekistan adopted presidential form of government.²² The Cabinet of Ministers is the government of the country. The Cabinet is subordinate to the president. The *Oliy Majlisi* is the highest state representative body that was elected for a five-year term and exercises legislative power. The *Oliy Majlisi's* main functions are to determine the direction of the state's domestic and foreign policies; to adopt and revise laws and decrees; to determine the structure and power of the legislative, executive, and judicial branches; to incorporate a new state into the Republic; and to approve the budget. The Soviets of people's deputies, led by hakims, are the representative body of authority in regions, districts, cities, and towns.

Judicial System of Central Asian States

The constitutions of the Central Asian countries have made provisions for an independent judiciary. The President of the country appoints judges to all courts. Judicial powers are to be exercised by the constitutional courts, the Supreme Court, the Supreme Economic Court, and the lower courts. The constitutional court has the power to interpret the constitution and resolve disputes between state authorities, and its jurisdiction is final. But all Central Asian republics are marked by a weak judicial system. The system is a legacy of the former USSR when the public prosecutor held wide powers. The system of public defense, public litigation, and writ petitions has not been institutionalized.²³ The judiciary, as the custodian of the constitution and democratic rights, still has to evolve.²⁴

Following the disintegration of the Soviet Union, the governments of Central Asian states implemented fundamental reforms in the judiciary. Even after 30 years of independence, the reforms are still in progress.

The judicial reform in Uzbekistan was initiated by Presidential Decree No. 2682 *on the improvement of the judicial system* of the Republic of Uzbekistan on August 14, 2000. Kazakhstan has also taken steps to reform the country's judiciary. In Kazakhstan, the constitutional law *on the judicial system and the status of the judges* (December 2000) and the state programme on legal reform (September 2000) have become the cornerstone documents of judicial independence. So, we can say that promoting and strengthening judicial independence is at the top of the agenda in the course of legal reforms aimed to achieve the rule of law and democracy in Kazakhstan and Uzbekistan. In Kazakhstan, the judges of all the courts, like the Constitutional Court, Supreme Court, and Higher Arbitration Court, are elected for a term of ten years. According to the constitution of the republic of

²² **Presidential form of government:** A presidential system is a type of government in which the president is both the head of government and the head of state, the president is directly elected by the people, and the president leads the executive branch, which is separate from the legislative branch.

²³ **Writ Petition and Public Interest litigation:** On the one hand, a writ petition is a request to the appellate court to grant immediate relief from a trial court order. Basically, writ practise is governed by a complicated set of rules and specifications that vary by jurisdiction. On the other hand, "public interest litigation (PIL)" refers to a legal action brought in a court of law to enforce a public interest or general interest in which the public or a class of the community has a monetary or other interest that affects their legal rights or liabilities.

²⁴ **Democracy and Constitutional Democracy:** In a democracy, the people are both sovereign and the ultimate source of power and authority. In a constitutional democracy, the majority's power and authority are constrained by institutional and legal measures to protect the rights of individuals and minorities.

Turkmenistan, “the judicial power is exercised by the Supreme Court, the High Commercial Court, the Military Court, and other courts anticipated by law in the form of civil, commercial, administrative, and criminal-legal proceedings.” In Turkmenistan, judges of all courts are appointed by the President for a period of five years. In Tajikistan, judges for the Supreme Court, the Higher Economic Court, the Oblasts Court, and the Courts of the City of Dushanbe are elected for a period of not less than five years. In Uzbekistan, judges for all courts are elected for a term of five years.

Fundamental Rights

The policymakers of the Central Asian states give so many fundamental rights to the people. The peoples of Central Asia have the right to practice and spread any religion, which was denied to the native people during the Soviet era. In Central Asian states, males and females have equal status in all spheres like political, economic, social, cultural, etc. Discrimination against anyone or violence against rights and liberties on the ground of origin, sex, race, nationality, language, etc. are not permitted in Central Asian states. Around 34 articles of the Tajikistani constitution and 35 articles of the Uzbek constitution deal with the Central Asian peoples' rights, liberty, and duties.

Media

During the Soviet era, the communist party of the Soviet Union and the government of the former USSR controlled the media with the help of a censorship board known as *Glavlit*. But Gorbachev relaxed control over the media through his policy of openness (*glasnost*). Following the disintegration of the former Soviet Union, Central Asian countries provided relative media freedom, which is still far from complete in practice.

Conclusion

In newly independent Central Asian states, democratic movements are weak because they got independence just 30 years ago, which is a very short period for establishing a democratic system in a country. So, they need some more time to fully establish a democratic political system. It is also important to understand that the Central Asian republics are passing through a transition period. Basically, the leaders of Central Asian republics have supported their authoritarianism by arguing that in the transition period. Central Asian states are undergoing democratic reforms, but their progress is influenced by political cultures shaped by historical legacies and contemporary geopolitical influences. This has resulted in varied degrees of democratization across the region, influenced by factors such as authoritarian tendencies, civil society engagement, and international relations.

sovereignty, democracy, and secularism as their underlying principles.²⁵⁻²⁶ Central Asians have been granted the right to practise and spread any religion that was not permitted to native peoples during the Soviet era.

Acknowledgment

It has been an interesting experience working on this insightful topic. I hope this research will benefit future studies in related areas. I am grateful to the professors at the Centre for Russian and Central Asian Studies, School of International Studies, Jawaharlal Nehru University, New Delhi, and to the staff of the Dr. B.R. Ambedkar Central Library. This research is part of Hemant Kumar's ongoing post-doctoral research, funded by a fellowship from the Indian Council for Social Science Research.

²⁵ **Sovereignty:** Sovereignty can describe the power of one state or thing over another or the freedom a state or thing has to control itself.

²⁶ **Secularism:** Secularism involves two basic propositions: one is the strict separation of the state from religious institutions, and the second is that people of different religions and beliefs are legally equal before the law.

Declaration

This is my original article and has not been submitted or published in any journal in India or abroad.

Declaration of Interest Statement

There is no conflict of interest.

Endnote

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