

**Between Bandits and
Bureaucrats:
30 Years of Parliamentary
Development in Kyrgyzstan**

Johan Engvall

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*Central Asia- Caucasus Institute
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Executive Summary

In 2010, Kyrgyzstan took a decisive step towards establishing a parliamentary form of government. A decade later, the parliamentary experiment had, at least for the time being, come to an end; in January 2021, the Kyrgyz electorate approved the return to a presidential form of government, and in May 2021, a new presidentialist constitution was adopted. To understand, the role and powers of Kyrgyzstan's parliament, unparalleled in the Central Asian region as well as in most other post-Soviet countries, this study details the evolution of this particular political institution over the past 30 years. It details continuities and changes, the interplay between formal rules and actual parliamentary practices, and analyses how the constitution of this political body has shaped its performance over the years. The conclusions reached in the study should help to inform the understanding of why Kyrgyzstan's national parliament proved unable to deliver on the promises of a parliamentary-style system of government.

Independence in 1991 meant that Kyrgyzstan's Soviet-elected 350-member strong Supreme Soviet overnight became the national parliament of a sovereign state. It became clear that the Supreme Soviet did not take this newfound status lightly. It quickly emerged as a focal point of debates over the future course of the new state, often positioning itself in opposition to the country's first President Askar Akaev. Its willingness to provide some checks and balances on executive authority as well as its adoption of several landmark laws, would lead the parliament to go down in Kyrgyzstan's history as the "legendary" parliament. However, it was also a peculiar institution, created for the altogether different Soviet system. It met only in

sessions, and the lack of continuous legislative work was hardly compatible to the systemic transformation that Kyrgyzstan had set out to accomplish. Many of its members simultaneously held positions in various executive bodies. Because of that, the separation of powers was unclear and the fact that a large portion of the members of parliament (MPs) was dependent on other state jobs for their livelihoods, enabled President Akaev to disband its services a year before its term had expired.

In 1995, Kyrgyzstan held its first competitive elections to fill a thoroughly revamped parliament that now had adopted its Kyrgyz name, Jogorku Kenesh (Supreme Council). It was a much smaller legislature, consisting of two chambers with a total number of 105 MPs elected in single mandate districts. This formative election turned out to be highly competitive and resulted in a parliament dominated by public officials and an emerging group of businessmen, who had benefited from the early privatization process. In this new competitive environment, many members of the “legendary” parliament failed to be re-elected. While the new parliament had to find its feet amidst organizational shortcomings and Soviet inertia, it nevertheless managed to promulgate an impressive number of new laws, although many pieces of legislation were hastily adopted and poorly implemented. Overall, the parliament retained a rather independent position and did not turn out to be as obedient to the executive as President Akaev had hoped for it to be.

The successor parliament with curtailed formal powers, following constitutional referendums in 1996 and 1998, respectively, was elected in 2000; again, the elections were competitive, but circumscribed by several fraudulent practices and an aggressive use of administrative resources in order to secure the outcome preferred by the authorities. A limited party quota had been introduced for some of the seats, but overall businessmen and bureaucrats from the central and regional levels continued to define the

parliament's composition. The parliament appeared pliant to begin with, but several controversial decisions taken by President Akaev forced an increasingly radical parliamentary opposition to emerge. Conventional parliamentary opposition did not characterize their oppositional activities as much as the practice of organizing mass protests.

Ahead of the 2005 parliamentary elections, constitutional changes pushed through a referendum ended Kyrgyzstan's decade with a bicameral parliament. A new unicameral legislature, with a significantly reduced number of seats for grabs exclusively in single mandate districts, raised the stakes further for electoral competition. At a time when President Akaev's popularity had long been in decline, the authorities nevertheless applied their best efforts to secure the desired electoral outcome. Losing candidates challenged the election results by organizing protests throughout the country, eventually building up to nationwide opposition movement against the incumbent leadership. When the protests reached the capital Bishkek, President Akaev fled the country. Following this first color revolution in Central Asia, new president Kurmanbek Bakiev confronted a couple of years of strong parliamentary opposition, which thwarted his attempts to establish authoritarian rule in the country. Eventually, in 2007, after two years of recurring mass protests on the streets of Bishkek led by the parliamentary opposition, Bakiev managed to co-opt the sufficient amount of MPs necessary to push through a new presidentialist constitution. He then dissolved the parliament and announced a snap election to bring the legislature in line with the new constitution.

The snap parliamentary vote brought about a parliament that was entirely new in its form. It was exclusively elected on the basis of proportional representation from nationwide party lists. Bakiev and his entourage ensured their control of the new legislature by quickly and effectively organizing a pro-presidential party, Ak Jol, which duly emerged victorious

with 71 of 90 available seats. With this parliament in their pocket, the president and his family members fully displayed their repressiveness. However, when growing frustrations among the elites and people canalized into sudden protests, the Bakiev regime quickly collapsed, despite its efforts to suppress the revolt. The new interim leadership quickly dissolved the parliament and cancelled the constitution.

Ahead of the election of a new parliament, the interim government introduced a new constitution, which stood out in the post-Soviet context; for the first time since Moldova in 2000, a post-Soviet country declared its ambition to establish a parliamentary-style system of government. The electoral system retained the proportional system based on national party lists introduced by Bakiev, but to prevent the emergence of a dominant party, the maximum number of seats a party could hold was fixed at 65 out of 120 seats. The assumption being that this would prevent Kyrgyzstan from slipping back towards authoritarianism. From a competitive point of view, the election was a success: it brought five evenly matched parties into the parliament, demonstrating the realness of political competition. For the first years, the parliament well and truly emerged as the focal point of political decision-making and debate in the country. Nonetheless, the parties were typically only formal shells with little real party content, and therefore most of them disintegrated from within. The coalition governments formed around parliamentary majorities fell apart in quick succession, leaving the role of the prime minister in this divided executive system increasingly subordinated to the president. In this environment, President Almazbek Atambaev did not have to resort to particularly repressive means in order to re-establish the presidency as the focal point of the political system.

This tendency strengthened further after the election of a new parliament according to the same basic rules in 2015. This parliamentary configuration served during the tenure of three different presidents, with the main

distinguishing feature being its unconditional support for the various heads of states' taking the country in an ever more authoritarian direction. Thus, it represented a litany of failures: it failed to serve as a safeguard against presidential authoritarianism, it failed to contribute any significant reform legislation and it failed to strengthen the development of political parties. However, it managed to outlive its formal tenure by more than a year following the invalidated 2020 parliamentary vote.

Over the course of the past three decades, Jogorku Kenesh's development has been a process of trial-and-error; progressive elements interact with regressive elements in defining the entire spectrum of parliamentary practices – from campaigning to composition and performance. The search for the parliament's rightful place in Kyrgyzstan's political system has been at the heart of much political debate and numerous constitutional and electoral changes. The recurrent changes in the formal rules of the game have forced political elites to adapt their behavioral strategies to a fluctuating environment. Despite the introduction of special quotas and the efforts to foster the rise of political party representatives based on ideological interests, the typical MP consists of a 50-year-old Kyrgyz man with a strong provincial attachment and a primary background in various business activities for whom party affiliation is an exchangeable political commodity.

This leads us to the peculiar role of political parties in Kyrgyzstan's political system. The party market in Kyrgyzstan is richly supplied, and a defining feature has been the inability of presidents to create viable ruling parties, unlike in other Eurasian countries. However, Kyrgyzstan's party system is extremely fragmented and weakly institutionalized; parties primarily, serve as temporary vehicles for particular political interests, not as channels for political representation. Their ideological platforms are underdeveloped with little in terms of concrete policy programs. Instead, they increasingly

tend to position themselves by emphasizing lofty values related to cultural and nationalistic specifics of the Kyrgyz nation.

In hindsight, it is clear that the fate of the 2010 constitution with greater parliamentary powers depended on the ability of Kyrgyzstan's political leaders to foster the development of strong parties. In practice, however, the party system placed at the center of the parliamentary-style system boiled down to little more than a political label required in order to compete in election, but had little meaning otherwise. In the absence of a robust party system, the more competitive parliamentary-style system failed to realize positive development outcomes.

The parliament in general and political parties in particular have been subjugated to a powerful market logic. Financial muscles have been key to securing access to parliament. Under proportional representation based on party lists, parties put a price on their slots, turning parliamentary mandates into subjects of an internal market. As candidates entered the parliament against the backdrop of large financial contributions, reportedly often amounting to several hundreds of thousands of dollars, they have had strong incentives to return their investments. Consequently, the parliament has emerged as a marketplace for transacting corrupt deals.

Overall, Kyrgyzstan's parliament has played a dynamic role in the country's political development. In some periods, it has been at the heart of the political struggle and provided some checks and balances, if erratic, on presidential authority. In other periods, it has served as a more pliant rubberstamp body. Over time, the technical, procedural and organizational framework for parliamentary work has steadily improved. At the same time, the corps of parliamentarians have become ever more primitive in its composition. While the "legendary" parliament represented the political, economic and intellectual elite of Kyrgyzstan, the last parliamentary convocations, defined by financial resources, have dissolved any remaining

boundaries for the qualities needed for being entrusted with a parliamentary mandate. As a result, a group of “entrepreneurs,” including oligarchs, racketeers, bazaar owners, construction magnates and civil servants with concealed business interests, has established a strong grip over parliament, to the detriment of the supply of nationwide legislation and the establishment of mechanisms of accountability to the electorate.

Finally, in a comparative perspective, Kyrgyzstan’s disappointing “parliamentary decade” from 2010 to 2020, mirrors the governance crises that have beset the other post-Soviet states attempting to establish a parliamentary system of government – Armenia, Georgia and Moldova. These challenging experiences underlines the complexity of democratization in states suffering from immature state institutions and low levels of economic development. It also reveals that, in such contexts, increased political competition is by no means likely to lead to improved governance, in terms of delivering state services and the adoption of sustainable economic development. This suggests the somewhat disheartening conclusion that the state must first get its core functions in place, such as the provision of elementary law and order and basic economic and social security, before a truly viable form of government characterized by meaningful political competition is likely to take hold. In short, a separation should be made between the normative aspects of democratization, i.e. the inherent virtues of pluralism, freedom and competitiveness, and the empirical relationship between democratization on the one hand and the quality of government, corruption and economic development, on the other.

Introduction

In contrast to the rubber-stamping parliaments in many post-Soviet states, Kyrgyzstan's national parliament, Jogorku Kenesh, has lived a surprisingly dramatic political life since Kyrgyzstan emerged as an independent state three decades ago. For the most part, it has been a dynamic and powerful institution significantly forming the country's development. Indeed, from 2010 to 2020, it took center stage when Kyrgyzstan attempted to establish a parliamentary-style system of government within which democratic practices could take root. This parliamentary experiment came to a halt following a dramatic political upheaval in October 2020. Popular protests against a fraudulent parliamentary vote forced the Central Election Commission to declare the election results invalid. The repercussions did not end there, as sustained turmoil forced President Sooronbai Jeenbekov out of office in favor of Sadyr Japarov, who was confirmed as Kyrgyzstan's new head of state in a snap presidential vote in January 2021. Concomitantly, the Kyrgyzstani electorate also endorsed Japarov's preference for abandoning the decade-long "parliamentary" system of government and returning the country to a strong presidential rule. In a constitutional referendum held on April 11, 2021, 85 percent of voters approved the new presidential constitution, which entered into force in May 2021.

This was not the first time that Kyrgyzstan's national parliament was the epicenter of a major political upheaval in the country. Already in 2005, mass protests occurred throughout the country in response to another controversial parliamentary vote, ultimately leading to the overthrow of Kyrgyzstan's first President Askar Akaev in what became known as the

Tulip Revolution. Another revolution, in April 2010, brought down the one-family rule of Akaev's predecessor Kurmanbek Bakiev and led to the immediate dissolution of a parliament seen as little more than an extension of the presidential apparatus. Overall, since independence the parliament has been disbanded ahead of time three times, while the legislature elected in 2015 outlived its mandate by more than a year. It was finally replaced, following the parliamentary vote on November 28, 2021.

Over the past 30 years, Kyrgyzstan's parliament has oscillated between being a counterweight to presidential power, a guardian of political pluralism, and a tool used for authoritarian consolidation. Questions related to its role, status and powers have been at the center of decades of constitutional debates and reforms in the continuous search for its place in Kyrgyzstan's political system. Throughout, it has had an unfaltering appeal among Kyrgyzstan's political and economic elite, as demonstrated by the fiercely contested nature of elections. In fact, all Kyrgyzstan's presidents have had stints as members of parliament (MPs) before reaching the very apex of power.

Against this backdrop, the purpose of this study is to understand the nature of Kyrgyzstan's parliamentary development over the past three decades. What role has the parliament played in building a sovereign political system? And which processes have formed its functioning and performance? By analyzing the evolution of the legislative branch of power over the past 30 years, the ambition is also to offer an improved understanding of why the widely hailed move towards a parliamentary system of government failed to stabilize Kyrgyzstan's political system and secure a genuine democratic breakthrough. In this regard, the case of Kyrgyzstan might provide some lessons for parliamentary development in the wider Eurasian region.

Chapters 1 to 8 focus on the seven different parliaments that Kyrgyzstan has sported between 1991 and 2021 (the eighth parliament was elected in late November 2021). Each chronological chapter pays attention to the institutional frameworks and electoral campaigns leading up to the formation of the different parliaments. Each chapter also analyzes the social composition, collective behavior and performance of the legislatures, including the relationship between the legislative and executive branches of power. Chapter 9 identifies and analyzes the general features of the parliament as it has evolved. The focus here is on singling out the major components of the parliamentary body and the major implications for its functioning. The conclusion reflects on the study's major findings with an eye on the future.

Chapter 1: The “Legendary” Parliament

When Kyrgyzstan declared itself an independent state on August 31, 1991, the country was on the verge between the old and the new. Institutions and actors, formed during seven decades of Soviet rule, had to adapt and modify to a new political reality. In the beginning of independence, Kyrgyzstan still adhered to the 1978 Soviet Constitution. Likewise, the parliament in charge of carrying out the daunting task of enacting laws for the new state, independently from Moscow, was the 12th and final conviction of the Supreme Soviet of the Kyrgyz Soviet Socialist Republic (Kyrgyz SSR) elected in February 1990 and inaugurated in April the same year.¹ Thus, Kyrgyzstan emerged as an independent state with a 350-seat unicameral legislature that had been elected in as many single-member districts using a two-round majoritarian system of voting.

The Supreme Soviet and the road to independence

From its “election” in February 1990 until its premature dissolution in September 1994, the Supreme Soviet (following the adoption of Kyrgyzstan’s first independent constitution in May 1993 its name changed to Jogorku Kenesh, meaning Supreme Council) experienced an unusually eventful political life. To start with the election process, the Central Committee of the Communist Party formally controlled the nomination of candidates through labor collectives, educational establishments and military units. Then, the Central Election Commission had the last say in

¹ Moscow elevated the Kyrgyz Autonomous Soviet Socialist Republic to the highest status of a full Soviet Socialist Republic in December 1936. Elections to its first conviction of the Supreme Soviet took place on June 24, 1938.

approving the nominated candidates. The Communist Party's control of the vetting process ensured that many of the leading party figures could run for a seat in the Supreme Soviet unopposed, often in rural districts. In total, 86 of the 350 deputies, nearly all of them party nomenklatura, were elected unopposed.² Consequently, the parliamentary election did not exhibit the degree of pluralism that had emerged in some western Soviet republics at the time.³ That said, the 1990 election represented the burgeoning of contested politics in Kyrgyzstan. There was genuine competition over several seats, and the election brought a respectable opposition into the parliament, indicating the Communist Party apparatus' inability to unequivocally control the nomination process.⁴

The composition of the Supreme Soviet, serving as both the last parliament of the Kyrgyz SSR and the first post-independent lawmaking body, spanned from farmers and workers to the political, economic and intellectual elite. There were also quotas to secure the representation of women and the various ethnic groups present in the multinational republic, where the Kyrgyz at the time of the 1989 Soviet census constituted only a slight majority of the population. Moreover, the titular population's presence was mainly confined to rural areas.⁵ At the elite level, the parliament harbored both an older generation that would continue to influence Kyrgyzstan's politics during the first decade of independence and a younger generation that would extend its influence beyond that period. Among them were long-time first secretary of the Communist Party Turdakun Usubaliev (1961-85)

² Eugene Huskey, "The Rise of Contested Politics in Central Asia: Elections in Kyrgyzstan 1989-90," *Europe-Asia Studies*, vol. 47, no. 5, 1995, p. 825.

³ John Anderson, *Kyrgyzstan: Central Asia's island of democracy?* Amsterdam: Harwood Academic Publishers, 1999, pp. 24-25.

⁴ Huskey, "The Rise of Contested Politics in Central Asia," pp. 825-826.

⁵ In 1989, Kyrgyz made up 52% of the population, followed by Russians who made up 22%, Uzbeks 13%, Ukrainians 3%, Germans and Tatars 2% each. See Richard R. Rowland, "National and Regional Population Trends in Kyrgyzstan, 1989-199: Results from the Recent Census of Kyrgyzstan and 2001 Update," *Eurasian Geography and Economics*, vol. 43, no. 7, 2002, pp. 529-581.

and his successor Absamat Masaliev (1985-91), future presidents Askar Akaev (1990-2005) and Kurmanbek Bakiev (2005-10), upcoming prime ministers, such as Tynychbek Chyngyshev (1992-93), Apas Djumagulov (1993-98), Amangeldy Muraliev (1999-2000) and Felix Kulov (2005-07). Many other individuals in the parliament held or would go on to hold top political offices, such as speakers of parliament, ministers, heads of state agencies and directors of state companies.

Seen from the perspective of conventional modern parliaments found for example in the West, Kyrgyzstan's Supreme Soviet was a peculiar institution. First, in the Soviet system, the parliament had largely played a decorative role, only meeting for sessions a couple of times a year, in order to approve the laws put forward by the Communist Party.⁶ Consequently, members of the parliament (MPs) were unprepared to carry out legislative activities in an independent manner. Second, a parliamentary seat did not represent a profession. MPs performed their legislative function on the side since they had their primary occupations elsewhere. Some held high-level offices in the executive and judicial branches of power, others in regional and local administrations. Yet, others were managers of industrial and agricultural enterprises. They received their salaries from these occupations, not their legislative work.

The inaugural session of the 12th convocation of the Supreme Soviet took place in April 1990. According to protocol, MPs elected Communist Party leader Masaliev as chairman of the new parliament. Following its traditional habit of expediting new laws on behalf of the wishes of the Communist Party, one prominent deputy noted, "it took only three hours to adopt the

⁶ Murat Ukushov, "'Legendarnyi' parlament," *Obshchestvennyi reiting*, June 18, 2009, <http://www.pr.kg/gazeta/number438/743>.

laws on private property, rental, and land use ... no one considered the fact that the laws should be understood and discussed article-by-article.”⁷

The second session in October 1990 played out against the backdrop of a violent interethnic conflict between Kyrgyz and Uzbeks in the southern Osh oblast (province) that had left more than 200 people dead in the summer of 1990. This dramatic and fateful session convened from October 24 to October 27. On the first day, the parliament approved the law on establishing the post of president of the Kyrgyz SSR. As elsewhere in the Soviet Union, this matter was expected to be little more than a formal confirmation of the appointment of the incumbent first secretary, Masaliev, as the republic’s first president. However, the violence in Osh had tarnished Masaliev’s reputation and had opened up rifts within the political elite. Instead of a coordinated selection of Masaliev, three different contenders emerged – all of them members of the Central Committee of the Communist Party. Besides Masaliev, they were Apas Djumagulov, Chairman of the Council of Ministers, and Jungalbek Amanbaev, Party first secretary for the Issyk-Kul oblast in eastern Kyrgyzstan. None of the candidates received a majority of the parliamentary votes and the law stipulated that they all had to be disqualified.

Following this open split in the Kyrgyz Communist Party, the nomination process reopened. One of the new candidates put before the MPs was Askar Akaev, at the time the head of the republican Academy of Science. On October 27, 1990, in the second round of voting, 179 of the 350 deputies voted in favor of the surprise candidate Akaev becoming the first president of Kyrgyzstan.⁸ Thus, save the union republics in the Baltics, Kyrgyzstan

⁷ Cholpon Baekova quoted in Nartsiss Shukuralieva, “Problems of Constitutionalism in the Republic of Kyrgyzstan,” *Central Asia and the Caucasus*, vol. 6, no. 48, 2007, p. 11.

⁸ Murat Ukushov, “Kto dolzhen izbirat glavu gosudarstvo: narod Kyrgyzstana ili Zhogorku Kenesh?” *Center.kg*, February 8, 2018, <http://www.center.kg/article/127>.

became the sole Soviet republic that did not elect its parliamentary chairman and Communist Party leader to the newly established presidential office.⁹

The third and final parliamentary session of 1990 gathered in December. This session is remembered for two things: First, MPs' declaration of state sovereignty of the republic of Kyrgyzstan, although still as a part of the Soviet Union. Second, Masaliev resigned as chairman of the parliament, arguing that he needed to focus on his role as first secretary of the Communist Party. In his place, MPs elected Medetkan Sherimkulov, a leading party ideologue.¹⁰

Less than a year later, on August 31, 1991, the Supreme Soviet declared Kyrgyzstan an independent state, outlawed the Communist Party and nationalized its properties. Before the end of 1991, the Supreme Soviet, which had now officially become the parliament of internationally recognized sovereign state of Kyrgyzstan, also adopted a groundbreaking law on privatization of state-owned assets.¹¹ From now on, the parliament set out to play its distinct role on the long road of transforming Kyrgyzstan from an integral part of the Soviet Union to a self-sustainable political entity.

A parliament staking its claim

Independence dramatically changed the role of the parliament in public affairs. It emerged as an institutional locus of power in its own right, no longer willing to serve as a rubberstamp political institution. From the

⁹ Henry E. Hale, *Patronal Politics: Eurasian Regime Dynamics in Comparative Perspective*, Cambridge: Cambridge University Press, 2015, p. 120.

¹⁰ For Sherimkulov's own recalling of the event, see Mamasaly Apyshev, "Medetkan Sherimkulov i nachalo 90-kh. Izbranie Akaeva, GKChP, gibel Isanova ..." *Akipress*, October 2, 2019, http://mnenie.akipress.org/unews/un_post:15226.

¹¹ Svetlana Begunova, "God 1991. Nezavisimost'. Nachalo..." *Novye Litsa*, February 3, 2016, <http://www.nlkg.kg/ru/projects/soviet-kyrgyzstan/god-1991-nezavisimost-nachalo%E2%80%A6>. By the end of 1993, the first phase of privatization had been completed, resulting in one-third of state assets shifting to private ownership.

outset, the parliament decisively tried to carve out its own powers, often in opposition to President Akaev. Many MPs were conservatives with a mindset firmly attached to the Communist ideals. Consequently, they viewed President Akaev's ambition to embark upon a path of radical liberal economic and political reform with skepticism, partly for ideological reasons, but also out of fear that the reforms would threaten their economic privileges and political influence.¹² This was especially the case with the influential corps of regional authorities who concomitantly

The Ideologue

Medetkan Sherimkulov, born in the Sokuluk district in Chui oblast on November 17, 1939, graduated from Kyrgyz State University in 1967. Thereafter, he spent two decades advancing the cause of Soviet socialism in various capacities. By 1987, he reached the highest echelons of the Kyrgyz Communist Party as head of its central committee for ideology. In 1991, as Chairman of the Supreme Soviet (parliament), Sherimkulov emerged as independent Kyrgyzstan's second most influential politician after President Akaev.

In the early 1990s, Sherimkulov played a central role as figurehead of a legislature with real political powers. A consensual and cautious politician, emphasizing political stability, he was also instrumental in managing the frail relationship between the president and the parliament. After the dissolution of the legendary parliament, Sherimkulov ended up on the losing side in the 1995 presidential elections, in a doomed attempt to compete for the same electorate as the incumbent president. To further add insult, he failed to get elected to parliament later the same year. In 1998, Akaev appointed him ambassador to Turkey and a decade later he served as ambassador to Iran.

In between these diplomatic spells, he attempted a few domestic political comebacks that failed to gain any real traction. A graceful and statesmanlike figure with a careful and consensual approach to politics, Sherimkulov increasingly found himself out-of-tune with the new uncompromising generation of revolutionary Kyrgyz politicians in demand by the electorate. However, in 2021, at the age of 82, he made a final attempt to run for parliament on the party list of Azattyk (Freedom), which just fell short of the 5 percent barrier.

¹² Akaev's reputation as an enlightened reformer helped Kyrgyzstan receiving a disproportional amount of western aid in the 1990s, see S. Frederick Starr and Svante E. Cornell, *The Long Game on the Silk Road: US and EU Strategy for Central Asia and the Caucasus*, Lanham: Rowman & Littlefield, 2018.

held seats in the national parliament. Meanwhile, another, less numerous but still substantial, camp of democratic reformers grew out of the collapsed Communist Party inside the parliament. This faction was considerably more supportive of Akaev's liberalization agenda.

In these early days of independence, there were thus real ideational differences regarding Kyrgyzstan's future path. President Akaev's preference for economic liberalization and promotion of inclusive nation-building policies focusing on Kyrgyzstan as home for all nationalities faced resistance from those parliamentarians, who favored a more statist economic system and an embrace of the Kyrgyz national identity at the expense of other nationalities.¹³ These differences led to clashes between the executive and the legislature over several policies, including language law, land reform and constitutional design.¹⁴

The Kyrgyz parliament, thus, laid a forceful claim on exercising its legislative oversight and the willingness to challenge presidential initiatives earned it the label "legendary" among the population. To this day, the legendary parliament retains a reputation of serving as a more forceful counterbalance to the executive power than its successors. Although elected during Soviet rule, the MPs came to display a growing plurality in political views; some remained loyal to the ideals of communism, others supported Akaev's marketization and democratization policies, while yet others represented a nascent nationalist political orientation. The parliament undoubtedly harbored the cream of the intellectual and political elites in Kyrgyzstan at the time of independence. Most significantly, however, the parliament took decisions that were truly legendary in the history of Kyrgyzstan: it declared Kyrgyzstan an independent state, elected the

¹³ Anna Matveeva, "Democratization, Legitimacy and Political Change in Central Asia," *International Affairs*, vol. 75, no. 1, 1999, p. 28.

¹⁴ Eric McGinchey, *Chaos, Violence, Dynasty: Politics and Islam in Central Asia*, Pittsburgh: University of Pittsburgh Press, 2011, pp. 85-86.

country's first president, adopted the first constitution, introduced a national currency, approved a national flag and anthem and concluded the first international treaties and agreements.¹⁵ Overall, the tasks of creating laws for a new political and economic system were accomplished owing to the parliament's ability to reach consensus on the most pressing issues for establishing and protecting the sovereignty of the new Kyrgyzstani state at a very challenging point in time.

The parliament nonetheless had some significant drawbacks. Its members were products of an entirely different system than the one emerging. It had largely formed according to social strata: from the political and economic elite down to workers and shepherds. Therefore, the vast majority of the deputies lacked the necessary experience and knowledge to carry out legislative tasks. Abdygany Erkebaev, a prominent member of the legendary parliament, recalls that only 10 to 15 percent of the deputies were actively involved in the legislative process. With its 350 deputies, it was also too cumbersome for a small country like Kyrgyzstan, which in the early 1990s had a population of 4.5 million. Finally, the parliament primarily worked during sessions, which were organized a couple of times a year. It was therefore not designed to be a professional body equipped to work on legislation on a continuous basis. This decision-making void was largely filled by the presidential office churning out decrees.¹⁶ The fact that many MPs simultaneously held positions in the central and regional administrations further meant that they performed the dual tasks of exercising executive and legislative powers. This conflict of interests would

¹⁵ Abdygany Erkebaev, "Mirotvorets," *Slovo Kyrgyzstana*, February 2, 2018, <http://slovo.kg/?p=95671>. Before its demise, the "legendary" parliament had approved more than 250 new laws, 780 decrees and 864 important documents (Usenaly Chotonov, *Kyrgyzstan po puti suvereniteta*, Bishkek: Altyn Tamga, 2007, p. 133).

¹⁶ Erkebaev quoted in Svetlana Begunova, "God 1994. Minus pravitelstvo i parlament, plus gerb i pasport," *Novye Litsa*, March 3, 2016, http://www.nlkg.kg/ru/projects/soviet-kyrgyzstan/god-1994-minus-pravitelstvo-i-parlament-_plyus-gerb-i-pasport.

later contribute to its demise, which was largely caused by disintegration from within when deputies sought to protect and rescue their individual bureaucratic privileges at the expense of the collective functioning of the parliament. After the prohibition of the Communist Party, MPs no longer had any formal party affiliation. In the lack of any party mechanism to discipline members, they were largely guided by their own beliefs and interests as well as the inertia provided by the old communist structures still lingering on, despite being officially denounced.

The most heated topic of public discussion and bargaining between the executive power and the legislative branch in the first years of independence concerned the adoption of a new constitution. The need for a new constitution quickly became a priority undertaking for the political elites; by spring 1992, several draft constitutions were in circulation, but none failed to gain approval. In the fall of 1992, the parliament drafted a text that was put in front of President Akaev who rejected it on the grounds that it placed most political power in the hands of the parliament. According to Akaev, such a move would not only be premature but would risk breaking the young state apart. The public discussion on the constitution reached a crescendo in the first months of 1993. The parliament, as well as Kyrgyzstan's fledgling, but rapidly developing, media, probed issues such as the status of the Russian language, economic rights, religion and, especially, how political power should be divided between the presidency and the legislature. In the end, the final version put before the parliament turned out to be fairly balanced in the distribution of powers, not least in comparison to many other post-Soviet constitutions, including neighboring Central Asian countries.¹⁷ On May 5, 1993, Kyrgyzstan's parliament approved the country's first constitution. As for the parliament, its name changed to its Kyrgyz title Jogorku Kenesh (Supreme Council), which from

¹⁷ Anderson, *Kyrgyzstan*, pp. 25-26.

the next election would consist of a smaller 105 seat unicameral structure. The constitution mandated the parliament the power to approve key presidential appointments and the power to legislate. In certain circumstances, it also had the right to over-ride the president's veto over legislation.

Besides the adoption of the first constitution, the month of May 1993 saw another pivotal decision – the introduction of the national currency, the Kyrgyz *som*. Abandoning the ruble in favor of a new currency became essential for Kyrgyzstan's ability to attract credits from international financial institutions and western governments. Initially, the parliament was far from enthusiastic and voted against a new currency in April. The president's office resubmitted the bill to the parliament the following month and this time the MPs approved it. The decision was, however, woefully underprepared; both citizens and neighboring countries were uninformed. Uzbekistan, in particular, reacted strongly, and even blocked economic exchange with Kyrgyzstan for a period of time; a move that created additional hardships for the already battered Kyrgyz economy.¹⁸

Towards disbandment

Following the parliament's 1993 investigation of the first of many high-level corruption scandals in post-Soviet Kyrgyzstan – related to the disappearance of 1.5 tons of state-owned gold from the country – the relationship between the president and the parliament took a decisive turn for the worse. The parliament had set up a commission, which devoted nine months to investigating the so-called gold scandal. The commission's final report concluded that Boris Birshtein, a shadowy foreign commodities trader serving as an adviser to President Akaev, and his company Seabeco

¹⁸ Ian Pryde, "Kyrgyzstan: The Trials of Independence," *Journal of Democracy*, vol. 5, no. 1, 1994, p. 113.

had organized the transfer of gold out of Kyrgyzstan with the complicity of the president's entourage. Prime Minister Chyngyshev was forced out of office in December 1993 after the report had accused him of squandering the state's gold resources. Akaev himself managed to survive the investigation, but the whole episode dealt a blow to his image.

Tensions continued to rise in 1994 when one faction of the parliament extended the investigation of corruption to cover the privatization process and the participation in it of MPs, ministers and regional authorities. The other parliamentary faction, fearing that their names would be publicly exposed in the investigation, objected to the commission's work arguing that the parliament should concentrate on legislation rather than conducting investigations.¹⁹ The commission was due to report its findings in the parliamentary session in September 1994. However, on the eve of the gathering, several deputies announced that they would boycott the session, while others were unable to come to the capital since the government had closed all airports. Among those wishing to attend, law enforcement personnel prevented some of them access to the parliament. In the end, 140 deputies managed to attend the session, but they did not constitute a quorum. With the parliament unable to gather, Prime Minister Djumagulov's government resigned, stating that it could not work without a parliament. Akaev responded to the orchestrated crisis by issuing a decree dissolving the parliament.²⁰

The collapse of the parliament nonetheless stemmed as much from internal inconsistencies and internal rivalries as from external pressure and manipulation from the president and his team. Internally, there were irreconcilable divisions between, on the one hand, deputies representing the interest of their particular regions where they held top posts in the regional

¹⁹ Chotonov, *Kyrgyzstan po puti suvereniteta*, p. 135.

²⁰ Zamira Sydykova, *Za kulisami demokratii po-kirgizski*, Bishkek: Res Publica, 1997, pp. 70–73. See also Ian Pryde, "Kyrgyzstan's slow progress to reform," *The World Today*, 1995, p. 115.

administrations and legislators who had stronger affiliation to republican level affairs and to a large extent defended the interest of the parliament as an institution, on the other. An additional dividing line separated MPs supportive of President Akaev's rapid reforms from those opposing his policies. In his memoirs from 2002, Akaev recalled his frustration with having his hands tied by the parliament's lead faction of former Communist Party functionaries.²¹ To untie himself from the parliament, Akaev took advantage of the legislature's internal divisions and pushed it into self-dissolution. Thereafter, the president called a referendum, which included significant amendments to the constitution adopted only one and half year earlier. The new parliament would no longer consist of a single chamber of 105 deputies but a bicameral structure with the same amount of MPs in total.²² The population affirmed the proposed changes in the vote held on October 22, 1994. Elections to the new parliament were subsequently set for February 1995. Thus, for well over half a year, from September 1994 to April 1995 (when the new parliament started its work), the country was ruled by a provisional government without a parliament.

In the end, the "legendary" parliament's own peculiarities and internal contradictions were incompatible with an open and pluralistic political system.²³ The fact that many of the MPs simultaneously served in the government, blurred the boundaries between the legislative and executive branches of power and affected the role and identity of the parliament.

²¹ Askar Akaev, *Pamyatnoe desyatiletie*, Bishkek: Uchkun, 2001, p. 156.

²² The constitutional amendments introduced in the referendum meant that no parliamentary election ever took place in accordance with the rules stipulated in the 1993 constitution. According to the 1993 constitution, the parliament would be organized into two chambers, with the professional Legislative Chamber having 56 seats and the Assembly of People's Representative's having 49 seats.

²³ After all, the "legendary" parliament was originally a product of the all-encompassing Soviet socialist system, in which all powers were vested in the Communist Party. Thus, in the Soviet system, inconsistencies related to division of powers and the independent role of the parliament had little actual meaning.

Akaev cunningly exploited the built-in tensions by accelerating the appointment of deputies to positions in the central administration or in the regional- and district-level administrations. For those MPs, their main loyalty was no longer to the parliament, which they continued to represent, but to the president. In the end, the combination of presidential machinations and internal inconsistencies proved fatal for the country's first independent parliament.

Chapter 2: The Birth of Political Competition

President Akaev justified the decision to create a new two-chamber parliament, consisting of a 35-seat Legislative Assembly (the lower chamber) and a 70-seat Assembly of People's Representatives (the upper chamber) on the grounds that he needed to consolidate political support for the implementation of economic reforms.²⁴ The larger Assembly of People's Representatives would convene for sessions only and its members could combine its legislative duties with positions in the state apparatus. Professional full-time parliamentarians without the right to hold other positions in the government of the state would occupy the smaller Legislative Assembly. While the former was assigned the task of caring for regional territorial interests, the latter's responsibility was to further the interests of the entire population. According to Akaev, the following reasoning lied behind the division of responsibilities:

The constitution of the Kyrgyz Republic prohibits deputies of the Jogorku Kenesh from holding state or judicial appointments or conducting business ventures while serving in the legislature. In my opinion, this prohibition applies only to the professional deputies. ... It is a different matter when we consider the other chamber, the Assembly of People's Representatives. Meeting only on a part time basis, it is clear that these deputies cannot give up their regular employment. As a matter of fact, these deputies likely will be elected because of their regular employment, the work they are doing at the local level.

²⁴ In Akaev's view, the parliament's mental hangover from the Soviet era slowed down the reform pace. See Akaev, *Pamyatnoe desyatiletie*, p. 156.

Thus, with regards to the Assembly of People's Representative's, only those holding national-level appointments, for example state ministers – for whom pursuing local interests may conflict with their obligation to the state – should be prevented from running for election.²⁵

In short, drawing on the successful experience of neutralizing the legendary parliament with the help of parliamentarians at the mercy of the executive, Akaev deliberately retained this element in order to constrain the independent power of the parliament. Dividing Jogorku Kenesh into two chambers, he clearly expected the new legislature to emerge a weaker political institution than its predecessor had been. As a result of the constitutional machinations, the new parliament represented a kind of “halfway house” not yet designed to be a fully independent branch of power.

An electoral market takes shape

Candidates to the new parliament were elected based on two groups of single-member constituencies. As a result of a presidential decree in late 1994, the right to nominate candidates had expanded to include public associations and local communities alongside political parties, labor collectives, meetings of voters at their place of residence, and self-nominated candidates.²⁶ By instituting electoral rules that favored individual candidates representing local communities rather than the development of political parties, Akaev saw an opportunity to prevent the emergence of parties and leaders that could emerge as rivals to him on a national level. The Central Election Commission registered more than thousand candidates for Kyrgyzstan's first parliamentary election. Among them were

²⁵ Akaev quoted in McGlinchey, *Chaos, Violence, Dynasty*, p. 90.

²⁶ Gregory Koldys, “Constraining Democratic Development: Institutions and Party System Formation in Kyrgyzstan,” *Demokratizatsiya*, vol. 5, no. 3, 1997, p. 356.

representatives of the embryonic political parties that had popped up since 1990, often in opposition to the government. Another major group consisted of top-level officials at the central and regional levels. A highly important new political force emerged in the form of numerous wealthy entrepreneurs who could back up their candidacies with financial resources. Observing the unfolding of the electoral campaign, President Akaev raised a warning flag regarding this latter group of entrepreneurs with political aspirations. He described them as representatives of narrow interests, who had profited from the accumulation of capital at a time when the legal order was catching up with the privatization rather than setting the framework for the privatization process. Now, he argued, they had set their sights on a parliamentary mandate to cover up their unrighteous wealth. The president pledged to voters: "Do not sell your fate for a bag of flour and a bottle of vodka. Whoever buys voters today will tomorrow sell his people, his fatherland."²⁷

The elections took place in February 1995 in two ballots circumscribed by a festive atmosphere befitting of the landmark event. To win in the first ballot, a candidate needed to receive a majority of the votes, otherwise the two leading candidates were to stand in a second ballot, two weeks later. In the fiercely contested elections, only 16 candidates managed to secure victory in the first round. The remaining seats were decided in the runoff. For the first time in Kyrgyzstan's history, independent international observers monitored the elections, in total more than 200. Although they noted irregularities, including ballot box stuffing, family voting and voter fraud in some regions, their general assessment was quite positive.²⁸ However, some local experts gave a considerably more downbeat assessment of the process, noting gross violations of the constitution as well as listing up to 500

²⁷ Akaev quoted in Sydykova, *Za kulisami*, p. 90.

²⁸ United States, Congress, Commission on Security and Cooperation in Europe, *Report on the Parliamentary Election in Kyrgyzstan: February 5, 1995*, Washington, DC: April 1995.

different types of violations.²⁹ Overall, the 1995 parliamentary election became a formative experience for the use of so-called administrative resources in shaping the outcome of elections in post-Soviet Kyrgyzstan. Those candidates enjoying the support of the presidential administration could count on campaign support from central, regional and local administrators as well as state-paid workers, such as teachers, doctors, policemen, judges and village authorities.³⁰

A new political landscape

The new legislature differed from its predecessor both in form and in content. Whereas many deputies of the legendary parliament tried their luck in the elections, most of them did so unsuccessfully. For example, a political heavyweight, such as former Speaker Sherimkulov, was among those ending up on the losing side, beaten by a candidate favored by Akaev in a run-off with alleged voting irregularities.³¹ When the dust had settled, twenty MPs from the legendary parliament managed to retain their seats. Only three of them were associated with the renamed Party of Communists of Kyrgyzstan.³² Thus, Kyrgyzstan's first elections did not produce the kind of communist legislature as happened at the time in various other ex-Soviet republics and Eastern European countries.

A few candidates with a more oppositional orientation, some of them elected on a political party platform, managed to obtain parliamentary seats, including Tursunbai Bakir Uulu, Adakhan Madumarov, Omurbek Suvanaliev, Omurbek Tekebaev, Sheraly Sydykov and a few others.

²⁹ Chotonov, *Kyrgyzstan po puti suvereniteta*, p. 138.

³⁰ Sydykova, *Za kulisami*, p. 90.

³¹ *Ibid.*

³² John Anderson, "The Kyrgyz Parliamentary and Presidential Elections of 1995," *Electoral Studies*, vol. 15, no. 4, 1996, pp. 529-535. For example, the former Communist Party bosses Usabaliev and Masaliev both ran successful campaigns.

Interestingly, Kyrgyzstan's presidents two decades later, Almazbek Atambaev (2011-17) and Sooronbai Jeenbekov (2017-20), were elected to parliament already in 1995. Both had run for a mandate under the banner of the Social Democratic Party of Kyrgyzstan (SDPK). At the time, neither of the two ranked among those MPs seen as particularly critical towards President Akaev. Atambaev was a successful entrepreneur and known as the financial and organizational engine of SDPK, while Jeenbekov, a much less charismatic figure, had headed a Soviet farm (sovkhoz) in his native Kara-Kulja district in Osh oblast. The first convocation of Jogorku Kenesh provided both men with their first experience of republican level politics.

The dominant group in the new parliament was the emerging post-Soviet class of businessmen-cum-politicians. Some of them had their

background in the nomenklatura, and had used their political and administrative capital to profit from the privatization process. Others came from outside the nomenklatura and had made their luck due to early mass privatization in the sectors of trade and services as well as the black market

The Party-Builder

Few politicians have had such profound impact on Kyrgyzstan's political life over the past 30 years as Omurbek Tekebaev. Born in a village in the southern Jalal-Abad oblast in 1958, Tekebaev trained as a pedagogue in Soviet times, but added an education in law in the early 1990s. His political career started when he was elected to the 12th and final convocation of the Kyrgyz Supreme Soviet in 1990. At the same time, he was a prominent member of the Democratic Movement of Kyrgyzstan – the mother of Kyrgyz political parties. After leaving the movement in early 1991, he participated in the creation of Kyrgyzstan's first political party Erk. He soon moved on to set up his own Ata Meken party, which he still heads to this day.

Tekebaev has been an MP in all parliaments, apart from 2007-10, although his mandate from 2015 was revoked when he was imprisoned in 2017. He is known as the father and guardian of the 2010 constitution, which introduced a more parliamentary-oriented system of government in Kyrgyzstan. That achievement represented the peak of Tekebaev's political achievements. Indeed, his political reputation was probably highest during Bakiev's rule, when he remained the most uncompromising critic of the regime's authoritarian drift, despite being the subject of massive harassment from the presidential family.

for legal and illegal products.³³ Irrespective of background, many of them organized political campaigns to run for parliament to protect their newly gained wealth, often acquired and developed in the legal outskirts, from competitors and state prosecution. In particular, the immunity from prosecution granted MPs served as a powerful motive to seek a legislative seat. Reportedly, almost one-third of the new MPs were being investigated by the State Prosecutor's Office for illegal financial activities.³⁴ Early on, Eugene Huskey, perhaps the most astute western observer of Kyrgyzstani politics since independence, noted:

If the 1995 parliamentary elections represent a defining moment, it is not in the consolidation of democracy, but in the criminalization and regionalization of politics in Kyrgyzstan. The entry of large numbers of corrupt businessmen into the legislature was certain to complicate attempts by Akaev to clean out his administration and to make less likely elite adherence to democratic rules and procedures. To ensure its sway over the distribution of such products as tobacco, alcohol, petroleum, and opium, 'the mafia' already participates in the political process inside the country.³⁵

As soon as the parliament got about its work, it rejected a motion to annul MPs' immunity from prosecution.³⁶

Overall, the single-member district election system produced a parliament filled with MPs representing specific local constituencies rather than specific political ideologies or visions. Ethnic Kyrgyz dominated the new parliament holding 87 of the 105 seats, while the non-Kyrgyz representing 44 percent of

³³ Scott Radnitz, *Weapons of the Wealthy: Predatory Regimes and Elite-Led Protests in Central Asia*, Ithaca: Cornell University Press, 2010.

³⁴ Pryde, "Kyrgyzstan's slow progress to reform," p. 115.

³⁵ Eugene Huskey, "Kyrgyzstan: The Fate of Liberalization," in Karen Dawisha and Bruce Parrot (eds.), *Conflict, Cleavage and Change in Central Asia and the Caucasus*, Cambridge: Cambridge University Press, 1997, p. 265.

³⁶ United States, Congress, *Report on the Parliamentary Election in Kyrgyzstan*.

the population at the time had to settle for the remaining 18 seats. The gender balance also took a turn for the worse, as only five women gained representation.³⁷

The electoral outcome shifted the regional balance between northern and southern Kyrgyzstan.³⁸ This time, candidates from the south managed to increase their strength and control key positions in the new parliament at the expense of northern candidates. Several of these influential southern politicians would emerge as Akaev's fiercest opponents in the late 1990s and early 2000s. Thus, as political figures hailing from the north increasingly came to dominate Akaev's administration, the parliament became the stronghold of southern opposition.³⁹

Political parties?

Where in all this were those political parties that had started emerging in Kyrgyzstan? The idea was that they would now emerge on the national political scene and provide the foundation for Kyrgyzstan's democratic development. In Kyrgyzstan, like in the other Soviet republics, the seed of political parties emerged during perestroika in the late 1980s when cracks appeared in the unity of the Communist Party. Conservatives, reformers and even anti-communist forces all claimed to advance the cause of perestroika, and each of them proposed its own interpretations of how the socialist system should be reformed. Simultaneously, several informal

³⁷ Anderson, *Kyrgyzstan*, p. 52.

³⁸ While the division between north and south is not always explicitly acknowledged, it is often politically manipulated, and it is always implicitly present in the country's affairs.

³⁹ The opposition was the strongest among southern elites in the parliament, most notably Masaliev, Tekebaev, Dooronbek Sadyrbaev and Usen Sydykov. Eventually, Atambaev and Daniyar Usenov, two influential northern entrepreneurs elected to parliament, would also go into open opposition to Akaev. Masaliev finished a respectable runner-up to Akaev in the 1995 presidential election. Tekebaev ran in 1995 as well as in 2000 and Atambaev in 2000, but both stood no chance against Akaev.

discussion clubs formed, primarily in the capital. These clubs attracted segments of the intelligentsia, but were not anti-socialist in nature. In May 1990, these informal groupings united under the banner of the Democratic Movement of Kyrgyzstan (DDK), which became an umbrella organization for more radical political demands and even criticism against the policies of the ruling Communist Party. DDK predominantly emphasized the rights and interests of the Kyrgyz, with little representation from minorities. In this sense, DDK was similar to the “popular fronts” emerging in other Soviet republics, with the exception that it never raised the idea that Kyrgyzstan should become an independent state.⁴⁰

The loose association of forces, which constituted the DDK, soon evaporated. In February 1991, several prominent former DDK members, such as Topchubek Turganaliev and Omurbek Tekebaev, announced the creation of Kyrgyzstan’s first political party Erkin Kyrgyzstan, or just Erk (Freedom). Shortly afterwards, another party emerged out of the DDK – the Party of National Resurrection Asaba. Both parties were anti-communist, but while Erk was moderately nationalistic, Asaba took a more hardcore nationalist position. Soon, Tekebaev and other founding members of Erk abandoned the party to set up the Ata Meken (Fatherland) Party, a centrist party that later styled itself as socialist. DDK itself was registered as a party in 1993, but by that time the movement had been drained of its human resources.⁴¹

In July 1993, a group of politicians, regional leaders and emerging entrepreneurs created the centrist Social Democratic Party of Kyrgyzstan (SDPK). Together with Ata Meken, this party would prove the most durable of the political parties established in the early 1990s. Then, there was the peculiar story of the Communist Party, which was banned as a result of the

⁴⁰ Zaynidin Kurmanov, “Evolution in the Party Structure in Kyrgyzstan,” *Central Asia and the Caucasus*, no. 5, 2004, p. 8.

⁴¹ Anderson, *Kyrgyzstan*, p. 35.

declaration of independence. However, the remnants of the Communist Party eventually regrouped and re-established under the name of the Party of Communists of Kyrgyzstan in June 1992. Its main desire was to return the system that had been in place until the collapse of the Soviet Union.⁴² Although a shadow of its former self, it remained the strongest party in the country in terms of organizational structure and membership base. Nonetheless, its members mostly included an ageing cohort, and the party failed to attract the interest of the new generation of Kyrgyz, who found little appeal in Soviet nostalgia in a time of emerging nationalist sentiments. Instead, the party had stronger appeal among minorities, especially Russians who had to come to terms with seeing their status dwindling in the newly independent state. In time, former Kyrgyz first secretary Masaliev returned at the helm of the Party of Communists. From that platform, he challenged Akaev in the presidential election in 1995, just as Gennadiy Ziuganov would challenge Boris Yeltsin in the Russian presidential race a year later. Other parties created in anticipation of the 1995 elections included the Democratic Women of Kyrgyzstan, the Party of Unity of Kyrgyzstan, the Agrarian Party and the Political Party of Afghan War Veterans. In total, at the time of the 1995 parliamentary vote the country had 12 political parties registered in accordance with the 1991 Soviet law "On Public Associations." However, from a party perspective, the 1995 parliamentary election proved disappointing, as their right to nominate candidates did not translate into party representation in the legislature. When all was said and done, party affiliated candidates only took one-third of the seats in the parliament. By some margin, SDPK turned out the most successful party. It managed to obtain no less than 12 seats in Jogorku Kenesh. Its official leader, Erkebaev, was eventually elected as Speaker of the Assembly of People's

⁴² B. Kydyraliev, "Evolyutsiya politicheskikh partii v Kyrgyzstane," *International Journal of Humanities and Natural Sciences*, vol 10-1, p. 107.

Representatives in 1997. In total, representatives of eleven parties managed to get elected, but no other party than SDPK received more than four seats. Most parties only managed to obtain one seat. A contributing factor to the poor showing of political parties was a presidential decree shortly after the October 22, 1994 referendum, as a result of which Akaev extended the right to nominate candidates to public associations and local communities. The removal of the special status of political parties as the only public associations allowed to nominate candidates undermined parties' importance in fielding candidates. The decree blurred the lines between political parties and other public associations at a point of time when political party development was in its infancy.⁴³

The fact that some MPs were nominated by political parties did not mean that they had a political party identity in the parliament. Parliamentarians had a "free" mandate, and mainly represented themselves and the residents in their election districts, they relied on their own capabilities, not that of any party. Indeed, none of the parties nominally present through various MPs managed to form any parliamentary factions.

As a result of the single-mandate district election system, deputies attached themselves to the specific districts and villages to whom their electoral success depended rather than interacting with citizens on the basis of a national policy platform. In short, parliamentary affairs in Kyrgyzstan fragmented along narrow regional and business lines at the expense of national level political issues. Local strongmen, including those running local trade monopolies, were hugely popular in their electoral precincts, but

⁴³ Koldys, "Constraining Democratic Development," p. 356.

on a countrywide scale, they lacked support, and some were even referred to as criminal authorities.⁴⁴

Finding its feet

The parliament initially turned out to be more independent than President Akaev had hoped for. It successfully rejected an initiative to extend Akaev's presidency until October 2001 on the grounds that this stood in flagrant violation of the constitution. The parliament also fought hard to prevent Akaev from running for president a third time, but to no avail as the Constitutional Court decided to grant him this right in 1998.⁴⁵

During the second half of the 1990s, Kyrgyzstan experienced a legislative boom. While fundamental political, social and economic changes had swept over the country in the early 1990s, legislation had lagged behind in many areas. For example, although a privatization law had been drafted already in the end of 1991 and the first stage of mass privatization was carried out in 1992-1993, the completely outdated legal system inherited from the Soviet Union remained on the books. In the period 1996 to 1999, the parliament approved a major overhaul of legislation to support the transition from the command-administrative system to a market system.⁴⁶ Indeed, the parliament approved an impressive number of highly significant laws that left virtually no spheres untouched. Among these were basic market laws, the civil code, the tax code, the law on state enterprises and the law on

⁴⁴ Erica Marat, *The State-Crime Nexus in Central Asia: State Weakness, Organized Crime, and Corruption in Kyrgyzstan and Tajikistan*, Washington, DC: Central Asia-Caucasus Analyst – Silk Road Studies Program, October 2006, p. 70.

⁴⁵ Cholpon Baekova, the Chairwoman of the Constitutional Court, issued the verdict that since Akaev had only been elected once under the 1993 constitution, a re-election in 2000 would technically be only his second term in office. See Kathleen Collins, *Clan Politics and Regime Transition in Central Asia*, Cambridge: Cambridge University Press, 2006, p. 232.

⁴⁶ On the problem of Kyrgyzstan's legal vacuum during the Akaev period, see Talaibek Koichumanov, Djoomart Otorbaev and S. Frederick Starr, *Kyrgyzstan: The Path Forward*, Washington, DC: Central Asia-Caucasus Institute – Silk Road Studies Program, November 2005.

foreign investments. In addition, an entirely new system of administrative, criminal, civil and labor legislation was introduced, including the civil procedure code, the criminal code, the criminal procedure code, the arbitration procedure code, the labor code, the administrative responsibility code, and many other new laws. Overall, from 1995 to 2000 Jogorku Kenesh adopted more than 500 laws.⁴⁷

While the parliament passed a great number of new laws, many of them were poorly implemented. As Usenaly Chotonov noted, foreign experts prepared some of the laws, which were then passed through the parliament without adapting them to the local context. The new tax code adopted in 1996 represented one such case. After its adoption, it was soon altered three times at a cost of US\$3.5 million. Similar problems beset the law on joint stock companies and the law on bankruptcy, both of which did not function in practice. The MPs lack of legislative skills incurred additional costs. In the Legislative Assembly, each parliamentarian held two consultants to cover this “intellectual deficit” to a considerable monthly cost.⁴⁸

Thus, the problem in Kyrgyzstan at the end of the first decade of the transition was not the actual passing of laws. In comparison to many other post-Soviet transition countries, Kyrgyzstan had promulgated an impressive number of laws. The main issue was the substantial implementation gap between the newly adopted laws and the use and enforcement of these laws. Indeed, according to a World Bank study based on data from 1999, Kyrgyzstan displayed the largest post-Soviet gap between legal extensiveness (quantity of legislation) and legal effectiveness (the quality, or actual implementation, of laws). A Kyrgyz policymaker

⁴⁷ Marat Ukushov, “Kyrgyzstan i parlamentskaya forma pravleniya: opyt razocharovaniya. Chast 2,” *TsPPI*, November 9, 2017, <http://www.center.kg/article/91>.

⁴⁸ Chotonov, *Kyrgyzstan po puti suvereniteta*, pp. 140–141.

quoted in the study put it bluntly at the time: “We started out drafting laws, saw them passed and now we watch as they are not implemented.”⁴⁹

Unsurprisingly, the new parliament suffered from organizational shortcomings, including an unclear division of labor and power between the Legislative Assembly and the Assembly of People’s Representatives. In practice, the two chambers duplicated each other’s work leaving the activities of the parliament poorly organized. Both chambers could pass laws as long as they were approved by the other chamber. That said, the structure of the new parliament represented an update compared to its Soviet-inherited predecessor. Standing committees were introduced to structure parliamentary work and the legislature was equipped with a much larger administrative support apparatus. Whereas no more than around 50 staff members had served the 350 deputies in the legendary parliament, the new bicameral parliament with 105 deputies had a staff of about 350. As a result, the costs for maintaining the new parliament increased ten-fold.⁵⁰

Overall, the first convocation of Jogorku Kenesh elected after independence did not provide President Akaev with the loyal corps of deputies he had hoped for when he disbanded the legendary parliament. During the period 1995-2000, Akaev’s leadership also took a more authoritarian turn. In order to bypass parliamentary objections, he continued the precedent set in 1994 and used referendums in 1996 and 1998 to introduce constitutional revisions that expanded presidential powers at the expense of the parliament and the prime minister. Akaev justified stronger presidential powers on the grounds that since he had received the people’s mandate to be responsible for the country’s affairs, he needed corresponding powers. The constitutional amendments approved in the 1996 referendum largely removed the

⁴⁹ James H. Anderson, David S. Bernstein and Cheryl W. Gray, *Judicial Systems in Transition Economies: Assessing the Past, Looking to the Future*, Washington, DC: The World Bank, 2005, p. 13.

⁵⁰ Ukushov, “Kyrgyzstan i parlamentskaya forma pravleniya.”

parliament's control functions in the economic sphere and other sectors. The parliament also lost the right to approve ministers; it was only granted the power to approve the prime minister, who could be dismissed by the president without parliamentary consent.⁵¹ The referendum in 1998 removed parliamentary immunity from prosecution, making the parliamentary tenure increasingly uncertain.⁵²

Despite these diminished powers, Jogorku Kenesh remained a voice critical of Akaev's policies, especially in the economic and social spheres. There were signs of opposition blocs forming, although their political demands were vague and their organization fluid. Instead of politically motivated dividing lines within the parliament, different MPs mainly aligned on the basis of informal relations, such as personal and professional ties or regional affiliations. Politics fragmented along the north-south line, with roughly half a dozen MPs from the south emerging as Akaev's main opponents.

⁵¹ Naryn Aiyp, "With Overwhelming Voter Approval, Referendum Bolsters Executive Power," *Transitions*, April 5, 1996, pp. 59, 64; Bruce Pannier, "President Acquires more Power in Kyrgyzstan," *Transitions*, February 7, 1997, p. 94.

⁵² Thereafter, the General Prosecutor's Office initiated corruption charges against several MPs, and a few were arrested. See "Kyrgyz Parliamentary Deputies Arrested in Anticorruption Campaign," *Eurasia Daily Monitor*, June 28, 1999.

Chapter 3: Parliamentary Opposition Taking to the Streets

Ahead of the 2000 parliamentary election, revisions to the electoral code meant that the bicameral parliament remained in place, but the size of the Legislative Assembly grew from 35 to 60 seats, while the size of the Assembly of the People's Representatives shrank from 70 to 45 seats. Of the 105 total seats, 90 were contested in single-mandate districts on a majority basis, and the additional 15 seats in the Legislative Assembly were distributed via proportional representation based on nationwide party lists with a 5 percent threshold.⁵³ The introduction of a 25 percent quota of seats in the lower chamber of the parliament to political party representatives, provided increased incentives to party competition. The status of political parties had also strengthened following the adoption of a new law "On Political Parties" in 1999. Until then, the law "On Public Associations" from 1991 regulated the provisions for establishing and operating political parties. The new law specified that the registration of a political party required no more than ten members.⁵⁴ As a result, setting up and registering a political party became a small matter, and the number of political parties in the country grew steadily: from a few pioneering parties in the early 1990s to more than thirty in 2000.

⁵³ OSCE/ODIHR, *Kyrgyz Republic Parliamentary Elections, 20 February & 12 March 2000*, Final Report, Warsaw, April 10, 2000.

⁵⁴ Shairbek Juraev, "The Evolving Role of Political Parties in Kyrgyz Politics," in Marlene Laruelle and Johan Engvall (eds.), *Kyrgyzstan beyond "Democracy Island" and "Failing State": Social and Political Changes in a Post-Soviet Society*, Lanham: Lexington Books, 2015, p. 23.

A few new parties were registered ahead of the 2000 elections, including Ar Namys, led by Felix Kulov, a former Minister of National Security, who had broken ranks with Akaev prior to the election and emerged as the president's main rival. The majority of the new parties were however in the process of organizing themselves, or existed solely on paper. Most of them had a narrow appeal, limiting themselves to catering for war veterans, women, pensioners or the youth. No more than a handful of the parties were showing some signs of aspiring to reach out more broadly to society. New parties were also constrained by changes to the election law pushed through the Legislative Assembly in April 1999, which required "political parties taking part in the elections to register at least 12 months prior to the elections."⁵⁵ The court later disqualified eight parties from participation with reference to this technicality.

Administrative resources and skewing competition

On Election Day, February 20, 414 candidates were in the running in the single-mandate districts – 219 to the Legislative Assembly and 195 to the Assembly of People's Representatives.⁵⁶ After the first round of voting, the authorities turned the heat on several leading regime opponents. The court removed incumbent deputy Daniyar Usenov, who was winning in his district, ahead of the final ballot for failing to disclose all his properties. After the election, he was sentenced to three years in prison after the public prosecutor reopened a four-year old case against him. The court de-registered another eight candidates who had qualified for the second round on similar grounds. Kulov ended up on the losing side in a fraudulent vote. Shortly afterwards, Kulov was arrested and sentenced to prison for abuse of

⁵⁵ Rafis Abazov, "The Parliamentary Elections in Kyrgyzstan, February 2000," *Electoral Studies*, vol. 22, no. 3, September 2003, p. 547.

⁵⁶ Originally, about 455 candidates were registered, but some withdrew and others were removed by court decisions.

office during his tenure as Minister of National Security; a sentence widely seen as politically motivated.⁵⁷

Thus, compared to the 1995 election, the 2000 election was even more non-transparent and, in many cases, blatantly rigged. This time, election monitors from the Organisation for Security and Co-operation in Europe (OSCE) concurred in the election observation report, noting the multitude of obstacles that state authorities had put before opposition parties and candidates. In particular, OSCE observers found that the “pre-election period was marred by a high degree of interference in the process by state officials, a lack of independence of the courts, resulting in a selective use of legal sanctions against candidates, and a bias in the state media.” Thus, “the opportunity for particular political parties and

The Racketeer

Bayaman Erkinbaev was born in the southern Suzak district in Jalal-Abad oblast in 1967. In the late Soviet years, he gained prominence as a martial arts fighter. During the privatization in the early 1990s, he claimed stakes in various local businesses in southern Kyrgyzstan. By the mid-1990s, he had asserted himself as the owner of the Karasuu bazaar, the biggest marketplace in southern Kyrgyzstan next to the border with Uzbekistan. Around the same time, he was elected to Jogorku Kenesh, a feat he managed to repeat in the elections in 2000 and 2005.

By that time, he had also established a reputation as a criminal authority with a hand in the lucrative the drug trade in southern Kyrgyzstan. His control over wrestling clubs, Alysh, in Osh gave him authority over cohorts of athletes. After falling out with the Akaev regime, Erkinbaev mobilized these sportsmen in support of the Tulip Revolution, including bussing them to Bishkek for the final protests. Erkinbaev enjoyed strong popularity in the south for his provision of charity and services to the local population.

In the aftermath of the Tulip Revolution, rivals from the south and the north increasingly challenged Erkinbaev’s authority. He was eventually assassinated in September 2005. Erkinbaev’s legacy lives on, however, as the prototype of the local racketeer and strongman that continues to wield strong political influence in Kyrgyzstan, not least in the parliament.

⁵⁷ International Crisis Group, *Kyrgyzstan at Ten: Trouble in the ‘Island of Democracy’*, ICG Asia Report 22, August 28, 2001.

candidates to be represented in the new Parliament was systematically undermined.”⁵⁸

Overall, in the single mandate districts most candidates chose to run without any party affiliation. The turnout of 57.8 percent in the first round and 61.9 percent in the second round represented a significant decrease compared to the novel 1995 elections.⁵⁹ The results confirmed the picture from the previous election, with a dominance of businessmen and local bosses, whom the rural electorate preferred over outsiders from cities or Bishkek-based political parties.⁶⁰ For the election of deputies to the 15 seats allocated for party representatives through proportional representation, nine political parties and two election blocs (each consisting of a handful parties) were allowed to stand in the election. Besides the Party of Communists of Kyrgyzstan, none of them took a strongly oppositional position. In the end, five parties and one electoral bloc passed the five percent threshold. While all of the candidates elected in the single-mandate districts had run without a party affiliation, it was estimated that after the election 17 of them aligned with a particular party group in the parliament.⁶¹ In other words, in the single-mandate districts, candidates drew the conclusion that standing at the polls as an independent represented a more favorable strategy compared to aligning with a political party.

Overall, the election results appeared as a success for President Akaev as only 11 of the deputies affiliated with opposition parties (Communists, Ata Meken, People’s Party and Erkin Kyrgyzstan) after the election, while the pro-government parties counted 21 deputies in their ranks. Moreover, the majority of the 73 officially unaffiliated MPs were considered as “pro-

⁵⁸ OSCE/ODIHR, *Kyrgyz Republic Parliamentary Elections, 20 February & 12 March 2000*, Final Report, Warsaw, April 10, 2000.

⁵⁹ The turnout for the 1995 parliamentary election was 76.25 percent.

⁶⁰ Abazov, “The Parliamentary Elections in Kyrgyzstan,” p. 550.

⁶¹ OSCE/ODIHR, *Kyrgyz Republic Parliamentary Elections, 20 February & 12 March 2000*.

Akaev.”⁶² Apart from the new status quo parties that had been established to support presidential control of parliament, the 2000 elections marked the return of the Party of Communists as it secured more seats than any other party did.

Social Composition and Practices

While the introduction of the party quota brought a few deputies with more ordinary professions into parliament, the overall outcome confirmed the social composition of the parliament formed in 1995. The majority of MPs, approximately 60 percent, were bureaucrats from the central and regional levels. The second biggest groups were businessmen, with one-fourth of the MPs.⁶³ Voters wanted candidates with strong ties to their respective constituencies, who could be trusted to take care of their interests by offering tangible support at the local level. This demand became especially pronounced in light of the dramatic weakening of state power in Kyrgyzstan after independence. Locally attached candidates with economic resources to support their constituencies and provide elementary public goods and services, thus, increasingly came to function as a substitute to weak and ineffective local state bodies. In other words, regional factions continued to hold the upper hand over political party factions in determining the political balance in the parliament.⁶⁴

The weak party structure also exacerbated some of the major problems of the parliament. For instance, as deputies essentially were on their own, with no party mechanism to discipline them, they continued to expand the practice of charging for their favors and taking advantage of their mandate

⁶² Abazov, “The Parliamentary Elections in Kyrgyzstan,” p. 551.

⁶³ Zayinidin Kurmanov and Ilyas Kurmanov, “Parlamentarizm v Kyrgyzstane: osobennosti, problemy, dostizheniya,” *Central Asia and the Caucasus*, vol. 16, no. 2, 2013, p. 118.

⁶⁴ Boris-Mathieu Pétric, “Post-Soviet Kyrgyzstan or the birth of a globalized protectorate,” *Central Asian Survey*, vol. 24, no. 3, 2005, pp. 323-324.

for personal benefit. As a result, corruption became ever more ingrained in the legislature. In an increasingly authoritarian political environment, the parliament became a safe haven for wealthy individuals seeking protection against tax authorities and the financial police through political influence.⁶⁵ Consequently, lobbying of shadow economic interests and corruption flourished in the legislative branch of power. MPs used their legislative powers to raise issues related to certain economic activities, including mining, casino gambling and various trade activities as a form of pressure on certain local and foreign businesses in return for kickbacks and other forms of corrupt deals. Weak enforcement of discipline and the personalized mandate meant that parliamentary sessions invariably displayed a low level of attendance. The intra-institutional procedures were equally fragmented, with the Legislative Assembly having a whopping 28 committees for no more than 60 MPs to fill.⁶⁶ An increasingly hasty legislative process ensured that parliamentarians approved new bills without considering their implementation.⁶⁷ As a result, the gulf continued to widen between the laws on the books and their actual implementation, making the vacuum in the legal field an increasingly permanent feature in the country.

From Pliant to Oppositional

The developments during the first year of the new parliament strongly suggested that Akaev's hopes for an obedient legislature had been met.⁶⁸

⁶⁵ Author's interviews with Kyrgyz experts, Bishkek, May and June 2006.

⁶⁶ Kurmanov and Kurmanov "Parlamentarizm v Kyrgyzstane," p. 119.

⁶⁷ Ukushov, "Kyrgyzstan i parlamentskaya forma pravleniya."

⁶⁸ The only real exception were heated discussions in the parliament following the incursion of international terrorists into southern Kyrgyzstan in early fall 2000. To resist the terrorists, Akaev deployed the armed forces, which were woefully un-trained for the task, leaving several Kyrgyz soldiers dead. Opposition parliamentarians accused the president of violating the constitution and abusing his power by using the army against the terrorists. See, Zainidin Kurmanov, "The 2005 parliamentary election in Kyrgyzstan and collapse of the Akaev regime," *Central Asia and the Caucasus*, vol. 3, no. 33, 2005.

Indeed, the parliament appeared seriously disenchanted, reduced “to a theatre of infighting, presidential toadying and fear,” according to a report at the time.⁶⁹ Akaev’s habit of announcing referendums had eroded parliamentary autonomy, both financially and politically. Moreover, the major opposition figures had toned down their profiles following Akaev’s resounding win in the presidential election in October 2000.

The relative calm would, however, not last for long. A first crisis erupted in early fall 2001, when the parliament attacked the president and the government following the leaking of a memorandum between the Kyrgyz and Uzbek governments on the transfer of Kyrgyz territory to Uzbekistan. The parliament emphatically rejected the memorandum.⁷⁰ Another contentious issue was Akaev’s decision to sign an agreement with the United States, which permitted the US air force to rent a base at the Manas International Airport outside of Bishkek to support the military campaign in Afghanistan. The ratification of the treaty was subject to stormy debates in the parliament and opposition politicians participated in several rallies against the American presence.⁷¹

However, these issues would pale in comparison with a particular series of events that would lead to a protracted political crisis in the country and a permanent loss of legitimacy for Akaev. It all started in early 2001, when Azimbek Beknazarov, at the time a nationally unknown MP, raised strong criticism against Akaev and the government’s decision to transfer disputed, but unpopulated, land to bordering China. The decision had been taken a few years earlier, but without submission to or approval from the parliament as constitutionally required. Under Beknazarov’s leadership,

⁶⁹ Igor Grebenshchikov, “Kyrgyz Parliament Under Threat,” *IWPR Reporting*, February 15, 2001.

⁷⁰ International Crisis Group, *Kyrgyzstan at Ten: Trouble in the ‘Island of Democracy,’* August 28, 2001, p. 9.

⁷¹ Ainura Elebaeva, “Kyrgyz Republic: General Overview,” in *Central Eurasia 2005. Analytical Annual*, Luleå: CA&CC Press, 2006, p. 204.

smaller protests grew into a campaign calling for the impeachment of Akaev for betraying the state's interests. Some other parliamentarians, primarily from the south of the country joined the movement. In an effort to silence Beknazarov, the authorities arrested him in February 2002 on charges of abuse of power back in 1995, when he worked as a district prosecutor in his native Jalal-Abad oblast. In response, Beknazarov's supporters called a hunger strike and organized protests demanding the release of the parliamentarian. In a demonstration in the small town of Kerben in Beknazarov's home district of Aksy in March 2002, police opened fire, killing six people and injuring more than 50.

These "Aksy events," as they came to be known, sent shock waves throughout the country. For the first time since independence, the political leadership had ordered the police to use violence to crack down on protesters. In the wake of the violence, Prime Minister Bakiev and his cabinet resigned. In the summer, the court closed the case and released Beknazarov, who was also allowed to keep his parliamentary mandate. Concomitantly, the parliament passed an amnesty law for those involved in the Aksy events, and, as a result, none of the perpetrators were ever brought to justice.⁷²

The Aksy events saw the birth of a new movement called "For the Resignation of Akaev." Out of this movement emerged a radical opposition bloc, For People's Power, led by Beknazarov and two southern members of parliament known for their uncompromising stand against Akaev, Ismail Isakov and Bektur Asanov, as well as several other opposition politicians.⁷³ The Aksy events also set a wider precedent for opposition politicians in the parliament and beyond. If the opposition earlier had been largely powerless

⁷² On the Aksy events, see International Crisis Group (ICG), *Kyrgyzstan's Political Crisis: An Exit Strategy*, Brussels/Osh, August 20, 2002.

⁷³ International Crisis Group, *Political Transition in Kyrgyzstan: Problems and Prospects*, August 11, 2004, p. 13.

when facing state persecution, the Aksy events had clearly demonstrated to political elites' the protective power of mobilizing supporters in their home turfs. This practice of "transforming community social networks into a political weapon", to use the words of Scott Radnitz, would dominate political confrontations in Kyrgyzstan throughout the decade.⁷⁴

Inside the parliament, MPs took the first steps in organizing and identifying themselves into factions and parliamentary groups based on certain ideological differences. Three rudimentary blocks formed along the classical political scale, with a right wing and a center being predominantly pro-presidential while the left wing became the main opposition. Thus, compared to its predecessor, the second convocation of Jogorku Kenesh represented a step forward in the development of political pluralism in the country. That said, the parliament's main divisions continued to run according to informal lines, such as personal interests and allegiances based on profession or inter-personal chemistry.⁷⁵

In sum, in the early 2000s, political life in Kyrgyzstan became increasingly volatile, with the risk of instability never far away. A small, but vocal, parliamentary opposition took the center stage in the opposition to Akaev on a growing list of issues, even trying to impeach him at one point. Thus, despite the prediction that the parliament elected in 2000 would be a rubberstamp institution, numerous clashes erupted between the two branches of power. How to explain this apparent paradox? To some extent, the answer can be found in the multiple referendums Akaev pushed through in the 1990s, which significantly reduced the powers of the parliament. In the face of diminishing formal political powers, parliamentary representatives were increasingly forced to concentrate their

⁷⁴ Scott Radnitz, *Weapons of the Wealthy: Predatory Regimes and Elite-Led Protests in Central Asia*, Ithaca: Cornell University Press, 2010, p. 103.

⁷⁵ Kurmanov and Kurmanov, "Parlamentarizm v Kyrgyzstane," p. 119.

oppositional activities to specific issues and employ extra-constitutional methods rather than adhere to conventional parliamentary practices in raising their criticisms. Akaev's attempts to discredit the legislators, particularly through state media campaigns, referring to them as demagogues working against the state interest and focusing on lining their pockets instead of passing laws, did little to quell the opposition.

Chapter 4: The “Revolutionary” Parliament

In anticipation of the parliamentary and presidential elections scheduled for March and October 2005, respectively, President Akaev had supported the creation of a pro-presidential party *Alga Kyrgyzstan* (Forward Kyrgyzstan) under the tutorship of his daughter *Bermet Akaeva*. *Toichubek Kasymov*, the head of the presidential administration, oversaw another pro-presidential party, *Adilet* (Justice). In response to the regime’s attempt to consolidate pro-presidential forces ahead of the elections, the opposition coalesced into several loosely knit blocs. In 2004, former Prime Minister *Bakiev*, who had been elected to a vacant parliamentary seat in an off-year election, was promoted to head the largest bloc, the *Popular Movement of Kyrgyzstan*. The movement incorporated several opposition leaders and their political parties, such as *Usen Sydykov* and *Beknazarov*. By the end of 2004, three prominent members of parliament, *Sadyrbaev*, *Madumarov* and *Tekebaev*, joined forces with ex-minister of foreign affairs *Roza Otunbaeva* to spearhead another new opposition bloc, *Ata-Jurt*. Industrialist and leader of *SDPK* *Atambaev* created the political force *National Congress of Kyrgyzstan*, while diplomats *Muratbek Imanaliev* and *Ishenbai Abdurazakov* led the bloc *Jany Bagyt*, which also included some members of parliament. Finally, the opposition persuaded *Misir Ashyrkulov*, a long-time Akaev loyalist, to join its ranks and serve as figurehead of the coalition *Civic Union for Free Elections*. Ahead of the elections, most of these forces nominally united under the *Coordinating Council of the People’s Unity Movement* with *Bakiev* as leader. Several independent incumbent MPs also

joined the movement.⁷⁶ Besides the two opposing blocs of pro-presidential forces and opposition forces, there was also a large group of businessmen who preferred running from an independent platform while generally supporting the status quo.

Raising the Stakes

At no point in time have any elections in Kyrgyzstan been as dramatic as the 2005 parliamentary vote. Raw political competition combined with desperate efforts of state authorities as well as candidates themselves to use any means available to tilt the voting balance in their own favor. The stakes had already been raised considerably following another referendum in 2003, which introduced, yet again, new rules of the game. After a decade of bicameralism, the parliament reverted to a unicameral structure. Moreover, the number of parliamentary mandates were reduced to 75, which represented a reduction of almost 30 percent. All seats were elected in single-mandate districts, thus, eliminating the proportional representation based on party lists altogether. The new constitution approved in the referendum had reinstated some powers of the parliament as well as the attractive parliamentary immunity from prosecution. At the same time, the constitutional reform had introduced additional presidential privileges.⁷⁷

The stage was set for businessmen, local strongmen, former government officials, criminal authorities and representatives of the presidential family and its entourage and others to go up against each other at the polls. In total, about 400 candidates competed for the 75 seats available in the revamped Jogorku Kenesh. Only four parties were included on the ballots, including

⁷⁶ G. O. Pavlovskii, *Kirgizskii perevorot, Mart-aprel 2005*, Moscow: Evropa, 2005; Kurmanov, "The 2005 parliamentary elections in Kyrgyzstan."

⁷⁷ Rafis Abazov, "The parliamentary election in Kyrgyzstan, February/March 2005," *Electoral Studies*, vol. 26, no. 2, June 2007, p. 529.

the two pro-Akaev parties *Alga Kyrgyzstan* and *Adilet*. The president's two eldest children were among the candidates as well as two close relatives of Mairam Akaeva, the first lady. With the exception of the Party of Communists, the opposition exclusively fielded self-nominated candidates since the removal of proportional representation based on party lists virtually rendered party affiliation meaningless. In fact, most parties advised their members to run as independent candidates.⁷⁸ Low elite demand for political parties meant that even the pro-presidential parties, *Alga Kyrgyzstan* and *Adilet*, only managed to field candidates in roughly half of the electoral districts. In short, parties were not seen as primary vehicles for ambitious politicians seeking political representation. Strong substitutes to political parties had already emerged on the electoral market, primarily in the form of financial-industrial groups and the state bureaucracy. In comparison to weakly financially endowed political parties, entrepreneurial groups could provide strong financial support for their candidates, and use money, services and goods to bribe voters. In turn, candidates supported by the Akaev regime relied on the assistance of the state machinery – from local civil servants to the Central Election Commission – for a successful outcome. Against these forces, political parties with meagre resources offered no competitive advantages.

Within the large heterogeneous group of wealthy independent candidates, some were financially and politically linked to the Akaev family, while others had no direct affiliation with the presidential family. Even among candidates widely seen as supportive of Akaev, several chose to run as independents, in order to hedge their bets, well aware of the president's and his family's growing unpopularity among large swaths of the electorate and in many regions.

⁷⁸ Kurmanov, "The 2005 parliamentary elections in Kyrgyzstan."

The Tulip Revolution

Unrest occurred before, during and after the first round of elections on February 27, as supporters of disqualified or losing candidates took to the streets in the northern provinces of Issyk-Kul, Naryn and Talas as well as in the southern provinces. The protesters mobilized against unfair, rigged elections. Following the first round of elections, slightly more than 30 candidates, half of them affiliated with the pro-presidential Alga Kyrgyzstan party, had managed to win their constituencies. However, with more than half of the seats still undetermined, the stakes were higher than ever ahead of the second ballot on March 13. The results from the second round produced another disappointment for the opposition. The overwhelming majority of winners were businessmen or officials affiliated with the Akaev regime. Some of the major opposition forces – Beknazarov (already in the first round), Madumarov, Sadyrbaev, Tekebaev and new Communist Party leader Iskhak Masaliev (son of former leader Absamat Masaliev who died in 2004) – did win their constituencies. But many others lost out, including Bakiev, who surprisingly lost with a considerable margin to Saidilla Nyshanov, an unknown entrepreneur affiliated with Alga Kyrgyzstan. For the majority of incumbent MPs, the results were a disappointment, as candidates from the business world or officials from the national or local government beat them at the polls. This turnover meant that three out of four of the deputies elected were newcomers.⁷⁹ They had used their own wealth or raised funds to dole out gifts and money to voters. Their main campaign promise was to take care of the needs of the local constituencies.⁸⁰ Election monitors and media representatives reported massive voting violations throughout the country, including mass fraud of voter lists, ballot stuffing after the closure of polling stations, vote buying

⁷⁹ Leila Saralaeva et al., “Kyrgyz Opposition Fights On,” *IWPR Reporting*, March 16, 2005.

⁸⁰ Abazov, “The parliamentary election in Kyrgyzstan,” p. 532.

and several other forms of violations. Many unsuccessful candidates challenged the results, through court and by organizing protests.

Large-scale protests erupted throughout the country. In the south, supporters of losing opposition candidates captured regional and local administrative buildings. As more elites defected from the ailing Akaev regime, which seemed powerless in bringing back order, the protests subsequently spread to Bishkek. On March 24, as masses marched the streets of the capital calling for Akaev to resign, the president and his family blinked and fled the country into exile in Moscow. The series of events leading to the removal of Akaev was dubbed the Tulip Revolution. While the election violations had served as the trigger, the movement against Akaev could tap in to widespread social and economic frustration and unemployment among large parts of the population.

For parliamentary affairs, the immediate aftermath of the Tulip Revolution represented nothing less than total uncertainty. For a few days, opinions differed inside the country regarding which parliament was legitimate – the outgoing or the newly elected. On the day of the revolution, the old parliament convened an emergency session to appoint opposition leaders to fill the leadership vacuum after Akaev had fled the country. Then, the Supreme Court declared the new parliament invalid due to the disputable election process. However, the Central Election Commission quickly intervened and ruled that the new parliament indeed had a valid mandate. To complicate the matter further, the two main leading figures in the interim government, Bakiev and Kulov, who had been released from prison after Akaev was overthrown, held opposing views, with the former favoring the old parliament and the latter acknowledging the legitimacy of the new parliament. Amidst all of this, the outgoing and incoming parliaments held

rivaling sessions in different parts of the parliamentary building.⁸¹ After a few days of wrangling, the new single-chamber legislature prevailed, and elected Tekebaev, one of the few opposition candidates to win a mandate, as its speaker. The new parliament approved the government headed by Bakiev, who performed the double roles as prime minister and acting president.⁸² Thus, in the end, the new authorities decided against dissolving the new parliament, fearing that such a move would destabilize the country even further. The court stripped a few of the newly elected deputies, including Akaev's children of their mandates, but otherwise confirmed the election results.

The Oligarch

Omurbek Babanov, born in 1970 in Chymgent in Talas oblast, started out as a businessman in Taras in southern Kazakhstan in the mid-1990s. Returning to Kyrgyzstan in the late 1990s, he eventually made himself a name in the petroleum business in cooperation with President Akaev's son Aidar. He entered politics during the 2005 parliamentary elections. Drawing on his financial resources, he managed to secure a win in his home district in Talas. As an MP, Babanov joined the For Reforms movement against Bakiev in 2006.

After the dissolution of the parliament in 2007, he left the opposition to join the government as first deputy prime minister. After Bakiev's ouster, Babanov set up the Respublika party, which gained representation in the parliament in 2010 as well as in 2015. Babanov himself managed a stint as prime minister and was runner-up in the 2017 presidential race. After the election campaign in 2017, he fled the country under the threat of criminal prosecution.

He returned in 2020 and tried to stage a political comeback during the protests following the October election. Emerging on the losing side in the standoff with Sadyr Japarov, he announced again that he would step away from politics. For Babanov, often referred to as Kyrgyzstan's wealthiest individual, political influence has been part of his business strategy over the past two decades. Ultimately, however, his expanding business empire holds priority over politics, leading him to back off when things get too risky. However, in June 2021, he was placed in custody for two months on charges related to his dealings with the Kumtor gold mine during his tenure as prime minister nearly a decade earlier.

⁸¹ Leila Saralaeva and Alisher Saipov, "Kyrgyz Institutions Take Shape," *IWPR Reporting*, March 26, 2005.

⁸² Ainagul Abdrakhmanova, "New Kyrgyz Leaders Struggle to Win Legitimacy," *IWPR Reporting*, March 31, 2005.

Yet, by early April, the country remained in a limbo as Akaev insisted that he remained the country's legitimate president. To settle the matter once and for all, a delegation of MPs, led by speaker Tekebaev, travelled to Moscow. In meetings at the Kyrgyz embassy, the delegation persuaded Akaev to sign his resignation letter and announce his abdication to the people of Kyrgyzstan in a speech at the embassy broadcasted on Kyrgyz television.⁸³ Bakiev was subsequently elected president in early elections in June. Kulov opted not to run for the presidency after striking a deal with Bakiev, which allowed him to become prime minister after the elections.

The Power of Money

Why had a parliamentary mandate become such a highly valued asset in a formally strong presidential system of government that it produced such intense elite competition that it eventually led to a change of power? First, a parliamentary seat attracted the attention of all major elite categories: high-ranking civil servants, wealthy entrepreneurs, regional strongmen and incumbent MPs seeking re-election. The political elite perceived the parliament as a vital strategic arena for influence and power. In a study by the French anthropologist Boris Petric, an advisor to a parliamentary candidate described the motive for a parliamentary seat in the following words:

Nowadays, when you are a civil servant you can be fired at any time, this does not happen if you are a Member of Parliament ... the Parliament is also a place of confrontation between the different lobbies and we need to be part of it to defend our economic interests.

⁸³ For a detailed first-hand account of the circumstances of the negotiation between Akaev and the members of parliament at the Kyrgyz embassy in Moscow, see Bermet Bukasheva, "2005 god. Otrechenie Akaeva. Chast 2," *Novye Litsa*, July 6, 2016, <http://www.nlkg.ru/projects/soviet-kyrgyzstan/2005-god-otrechenie-akaeva-chast-2>.

My candidate is also interested in the immunity given by his status as Member of Parliament in order to protect his private business.”⁸⁴

As detailed above, the situation did not emerge out of nowhere, for a substantial club of business elites had formed inside the parliament since 1995. The main difference in 2005 was a matter of degree rather than kind.

New President Bakiev’s relationship with parts of the parliament quickly took a toxic turn. The group of economic barons previously operating under the umbrella of the Akaev family either shifted their loyalties to Bakiev overnight, or fiercely resisted being subdued under a new patron and, thus, became the new president’s most bitter foes. In addition to threat to properties, the most basic aspect of all – personal security – was under constant threat in the aftermath of the Tulip Revolution. Before 2005 had ended, three MPs and several other high-profile individuals had been assassinated, allegedly because of disputes linked to the criminal underworld or disputes over properties.⁸⁵ Persistent allegations, however, placed the Bakiev network at the midst of the violent showdowns. The developments frightened some members of the parliament to the point that they started wearing bulletproof vests and carrying firearms. One of the main talking points in the capital at the time was the merging of politics and organized crime, of which the new parliament was right at the center. According to some experts, at least a handful, perhaps up to a dozen, of the 75 members of the parliament had connections to organized crime, either as direct leaders of organized crime groups or by providing *krysha* (protection) for the interests of organized crime groups.⁸⁶

⁸⁴ Pétric, “Post-Soviet Kyrgyzstan or the birth of a globalized protectorate,” p. 324.

⁸⁵ To this date, Kyrgyz law enforcement agencies have never managed to convincingly determine the perpetrators or the actual motive behind many of these contract killings.

⁸⁶ Alexander Kupatadze, “Organized Crime Before and After the Tulip Revolution: The Changing Dynamics of Upperworld-Underworld Networks,” *Central Asian Survey*, vol. 27, no. 3-4, 2008, pp. 279-299; Johan Engvall, “Kyrgyzstan: Anatomy of a State,” *Problems of Post-Communism*, vol. 54, no. 4, 2007, pp. 33-45.

The Street Parliament

The confrontation between the president and the parliament intensified further in 2006 – a year characterized by a knife-edge balance between the president and the parliamentary opposition. The only balance of power stemmed from their inability to neutralize one other. The president, clearly frustrated with his inability to secure a reliable parliamentary majority, upped the stakes in a speech to the parliament early in the year. In the address, he accused MPs of being the main source of political instability in the country and argued that some of them were using their parliamentary authority to further enrich themselves: “Quit your vodka-selling businesses – by the way, it is against the law for members of parliament. Then you won’t need bulletproof vests.”⁸⁷ The president’s main adversary the speaker of parliament, Tekebaev, responded furiously to the attack, calling the president a dog that should hang himself.⁸⁸ Bakiev did not take the humiliation lightly and demanded the speaker's immediate resignation. Under pressure also from his colleagues in the parliament, Tekebaev eventually had no option but to step down. His replacement, Marat Sultanov, an Akaev-era Minister of Finance, adopted a much more conciliatory tone in heading the parliament’s work as well as its relationship with the president.

While vocal, the parliamentary opposition to Bakiev lacked sufficient representation to challenge the president through conventional legislative means. According to one of the most active members of the parliamentary opposition, the president used financial means to assert some control over the parliament. An oppositional MP claimed that certain policies and ministerial candidates were approved by sufficient numbers of

⁸⁷ Bruce Pannier, “Kyrgyzstan: President Warns Parliament Over ‘Course of Confrontation,’” *RFE/RL*, February 3, 2006, <https://www.rferl.org/a/1065403.html>.

⁸⁸ “Murat Sultanov stal novym spikerom parlamenta Kyrgyzstanan,” *Radio Svoboda*, March 2, 2006. <https://www.svoboda.org/a/133302.html>.

parliamentarians in exchange for individual payments in the range of US\$5,000-10,000.⁸⁹ Moreover, the opposition united mainly around their common resentment of Bakiev. Former Kyrgyz politician Bakyt Beshimov described the opposition as “a group of politicians who exploit temporary alliances and associations, which at the same time continue to compete with each other to the detriment of common interests”.⁹⁰ The lack of integrity made the parliament vulnerable to presidential attempts to divide and co-opt its members. Attempts were made to structure the intra-parliamentary work in several semi-formal factions and parliamentary groups. In total, around 6-8 such groups formed, typically on the basis of shared political, economic or regional interests. However, members of these factions often differed in their stances toward the president.

The alternative to conventional parliamentary opposition was to pressure Bakiev through the tried and tested method of organizing mass demonstrations. Throughout 2006, street politics became the defining feature of Kyrgyzstan’s political competition. On three occasions, the opposition led by members of parliament organized major protests, each time gathering thousands of supporters in the streets of Bishkek.⁹¹ The first protest took place in April. The opposition, led by the anti-Bakiev faction in the parliament, had established the For Reforms movement, and called a mass protest on the central square in the capital. The main demands of the demonstration were constitutional reforms, the removal of some of the most infamous high-level officials and the end of corruption and criminalization

⁸⁹ Author’s interview with member of parliament, Bishkek, June 2, 2006.

⁹⁰ Bakyt Beshimov, “Kyrgyzstan: Is Democracy on the Agenda for the Country?” *Kyrgyzstan Brief*, Bishkek: Institute for Public Policy, January-February 2008, p. 15.

⁹¹ The author followed these protests on the ground in Bishkek during 2006. For an insider account from one of the leaders of the “For Reforms” movement in 2006, see Temir Sariev, *Shakh kyrgyzskoi demokratii*, Bishkek: Salam, 2008. Other illuminating analysis include Hale, *Patronal Politics*; Askar Jakishev and Zaynidin Kurmanov, “Kyrgyz Republic: Politics,” *Central Eurasia 2006. Analytical Annual*, Luleå: CA&CC Press, 2007, pp. 183-189.

of the government. The opposition gave the president a month to address their demands. As the deadline had passed without Bakiev making any efforts to appease the opposition, a second rally took place in May. This time around, Bakiev sacrificed the head of the presidential administration, his State Secretary and the chairman of the national security service. He also promised to present a draft constitution to the parliament in the fall.

When discussions on constitutional reform proved unproductive, the parliamentary opposition convened a third mass rally in central Bishkek in early November. This event, sustained for a week, represented the most serious threat to the Bakiev regime. The opposition's attempt to force Bakiev to adopt a constitution with stronger legislative powers was soon accompanied by calls for his immediate resignation. At this time, the opposition even managed to muster a parliamentary majority in favor of constitutional reform. Unless Bakiev would yield, the possibility of another regime change appeared likely. However, Bakiev managed to survive the crisis by the help of a series of tactical steps. He accepted to sign the opposition's proposed new parliamentary constitution, with only minor adjustments. As the opposition believed they had won, the protestors dispersed after a week of sustained efforts. In reality, Bakiev's retreat had only been temporary. In 2007, he used divisions within the parliament to eventually push through a new constitution with even greater presidential powers than the one the opposition in the parliament had spent the previous year trying to undo. A disillusioned and outsmarted opposition fell apart, as only three out of the fifteen oppositional MPs that had rallied the masses around constitutional reform for the past year, voted against the president's new constitution.⁹² The constitution was approved by a referendum on

⁹² Some MPs remained in the oppositional corner; others changed sides, co-opted by the president either through coercion or material rewards. The president offered a few of them high-level government jobs, and they suddenly became staunch Bakiev supporters. The opposition

October 21, after which Bakiev dissolved the Jogorku Kenesh and announced snap parliamentary elections for December 2007 in order to bring the legislature in line with the new constitutional requirements of elections based on proportional party list representation. Thus ended the two-and-a-half-year story of the third convocation of Jogorku Kenesh – which turned out to be among the most unruly and influential of all Kyrgyz parliaments. Given how it all started, referred to as Akaev’s “pocket parliament”, and the controversies it endured, that was not an entirely unimpressive lifespan. It provided plenty of political drama and brought open opposition to the president to a new level. However, in the end it burned its life in both ends. Despite its combativeness, or perhaps because of it, this parliament had precious little legislation to show for its work, often finding itself paralyzed in its legislative duties.

was in its “death throes,” as observed by Maksim Bakiev, the president’s son in a conversation with the International Crisis Group (International Crisis Group, *Kyrgyzstan: A Hollow Regime Collapses*, Bishkek/Brussels, April 27, 2010, p. 3).

Chapter 5: Bakiev's "Pocket" Parliament

Just as Akaev before him, Bakiev had circumvented the parliament and used a national referendum to strengthen his constitutional powers. The changes handed the parliamentary majority the right to nominate the prime minister, who would suggest cabinet members for the president's approval. The main adjustment to the electoral system was the move to a proportional system in which 90 members of parliament were to be elected from nationwide party lists. The new legislation introduced special quotas for women and youth (30 percent) and national minorities (15 percent), leading to a more diverse inclusion of candidates.⁹³ On paper, these changes would strengthen the role of political parties and provide the foundation for real competition between parties.⁹⁴

Engineering a Pro-Presidential Legislature

Ahead of the election, the authorities swiftly created and organized a new presidential party, Ak Jol (Bright Path), modelled on Russia's ruling party United Russia and Kazakhstan's dominant Nur Otan party.⁹⁵ The intention was to take advantage of the weakening of the opposition and establish an integrated "power vertical" similar to many other post-Soviet states.⁹⁶ As a

⁹³ For an excellent article on the political representation of women in post-Soviet Kyrgyzstan, see Cholpon Turdalieva and Medet Tiulegenov, "Women, the Parliament and Political Participation in Post-Soviet Kyrgyzstan," *Central Asian Affairs*, vol. 5, no. 2, 2018, pp. 134-159.

⁹⁴ Juraev, "The Evolving Role of Political Parties in Kyrgyz Politics," p. 25.

⁹⁵ Kazakhstan had adopted similar changes to the electoral system earlier in 2007. In the founding PR elections, the pro-presidential Nur Otan party received 88 percent of the votes.

⁹⁶ International Crisis Group, *Kyrgyzstan: A Hollow Regime Collapses*, p. 3.

political project, Ak Jol was the construction of President Bakiev's nuclear family and Medet Sadyrkulov, the powerful chief of the presidential administration. Ak Jol was essentially an assembly made up of several political groupings and parties. Politicians and intellectuals mainly hailing from the northern regions dominated one party wing; they were associated with several parties, such as Sadyrkulov's Moya Strana (My Country), Sodruzhestvo (Commonwealth), the Party of Labor and Unity. Government officials and regional elites loyal to Bakiev constituted another category of members; as a rule, they were primarily associated with Janysh Bakiev, the president's younger brother who was consolidating his control over law enforcement agencies. Finally, more than a third of the party's representatives were entrepreneurs included on lists of the country's wealthiest individuals; some of them believed to be confidants of Maksim Bakiev, the president's

The Lawman

Rashid Tagaev, born in 1958 in Suzak district, Jala-Abad oblast, graduated from the pedagogical faculty of Kyrgyz State University. In the mid-1980s, he started a career in the Ministry of Interior's department for combating theft of socialist property. After independence, he continued in high-ranking positions in the ministry's office in Jalal-Abad oblast: from 1991 to 1995 as head of its department for combating economic crimes and between 1995 and 1997 as first deputy head of operational work. He then spent a decade heading the department of internal affairs in the regions of Talas, Osh and Jalal-Abad reaching General's rank.

Thereafter, he sets his sight on politics, successfully running for parliament in 2005. During his parliamentary stint, he chaired the committee on defense, security, law enforcement and information policy. Overall, Tagaev did not stand out as an opposition figure to President Bakiev, and in 2007, he was re-elected as a member of the pro-presidential Ak Jol party, serving as chairman of the committee on security, legal affairs and anti-corruption.

After the April revolution and the immediate dissolution of the parliament, Tagaev disappeared from the public eye. In 2016, he resurfaced when appointed director of Gazprom Kyrgyzstan's Osh branch. Following the political upheaval in fall 2020 and the announcement of a snap presidential election on January 10, 2021, Tagaev registered as a self-nominated candidate. He withdrew his candidacy less than two weeks before the election without providing any explanation.

youngest son who was rapidly ascertain control over many lucrative business sectors. Thus, rather than a political party, it was a coalition of diverse elite groupings representing the north and south of Kyrgyzstan. The candidates had varying backgrounds, including as artists, athletes, doctors, scientists, entrepreneurs, civil servants and little-known local potentates. Many of them were political newcomers; most lacked previous legislative experience.⁹⁷

During the campaign, the cards were stacked against the opposition. Ak Jol had the advantage of initiative and surprise and could count on the deployment of administrative and media resources in favor of its campaign. Changes introduced to the electoral code “prohibited parties from contesting parliamentary elections under a single alliance.”⁹⁸ In an effort to circumvent this rule, prominent opposition leader and member of the dissolved parliament, Temir Sariiev, incorporated his Ak Shumkar (White Falcon) party under the banner of Ata Meken, the leading opposition party. The only other parties with the organizational resources to muster a nationwide campaign were the SDPK and the Party of Communists. But even these parties largely lacked the organizational and human resources to readjust from constituency-based elections to a nationwide electoral campaign.

⁹⁷ The top spot on the list, however, belonged to a public veteran, namely Cholpon Baekova, the chair of the Constitutional Court since its establishment more than a decade earlier. It is not especially far-fetched to suspect that this was a way of rewarding her for the Constitutional Court’s decision to cancel the previous constitution. Overall, inclusion in the party was a convenient way of rewarding those who had proven to be loyal supporters of the regime (Johan Engvall, “From Monopoly to Competition: Constitutions and Rent Seeking in Kyrgyzstan,” *Problems of Post-Communism*, vol. 65, no. 4, 2018, p. 277).

⁹⁸ Eugene Huskey and Gulnara Iskakova, “Narrowing the Sites and Moving the Targets: Institutional Instability and the Development of a Political Opposition in Kyrgyzstan,” *Problems of Post-Communism*, vol. 58, no. 3, 2011, p. 7.

The election represented a triumph for Bakiev, but a serious blow to Kyrgyzstan's already tarnished democratic credentials. As predicted, Ak Jol won a resounding majority, claiming 71 of the 90 parliamentary seats. Two other parties, the nominally oppositional Party of Communists and the more vocally oppositional SDPK, managed to slip into the parliament. Ata Meken, the main opposition party, officially received 11 percent of the national vote. However, it did not make it into the parliament due to failing to pass a regional threshold that stipulated that each party must receive more than 0.5 percent of the votes in all Kyrgyzstan's seven provinces and the cities of Bishkek and Osh in order to be eligible for the parliament. According to the Central Election Commission, Ata Meken had failed to clear this threshold in Osh city. The implications of this was that Ak Jol, while "only" receiving 62 percent of the votes, conquered 79 percent of the parliamentary seats.

The absence of Ata Meken led by Tekebaev, the sworn enemy of the president, in the parliament was largely seen as politically ordered. Overall, the opposition as well as local and international experts decried the electoral process, from campaigning and voting procedures to the actual count of the votes, as massive violations of the principles of free and fair elections. Kyrgyz journalist Bermet Bukasheva recalled how some citizens showed up at their voting stations only to find out that their names could not be found on the voter lists. In their place, fictive persons appeared, and duly cast their votes.⁹⁹

Progress, Stagnation and Collapse

In certain respects, this parliament differed from its predecessors. The legislative paralysis along competing business interests and along pro-Bakiev and anti-Bakiev forces that had characterized its predecessor was

⁹⁹ Bermet Bukasheva, "Kyrgyzstan-2007. Apofeoz verlomstva i rukhnuvshie nadezhdy," *Novye Litsa*, September 15, 2016, <http://www.nlkg.kg/ru/projects/soviet-kyrgyzstan/kyrgyzstan-2007-apofeoz-verolomstva-i-ruxnuvshie-nadezhdy>.

replaced by seamless and extensive legislative activity. Like in other Central Asian states and Russia, the president and his team had a comfortable majority in the parliament to pass any law they wanted. In particular, through legislative acts, the process of privatization of valuable state assets re-ignited in spheres such as hydropower and telecommunications with Maksim Bakiev and his entourage of international financial hustlers the main beneficiaries.¹⁰⁰ The majority pro-presidential party possessed strong disciplining measures to keep its members in line. For all purposes and intent, the parliament transformed into a legislative decorator, while all the real decisions on legislation took place in the president's office.¹⁰¹ Kyrgyz experts alleged that Bektur Zulpiev, the head of the presidential administration's legal department, was the actual legislative mastermind, the person "all laws had to pass through."¹⁰² The parliamentary majority played no independent role, but was for all intent and purposes a body that turned its back on democracy and embraced the one-family rule.

The major divergences within the parliament remained weakly connected to ideology or professional disagreements over national policy programs. Instead, conflicts primarily evolved over influence within the pro-presidential party. In the absence of common ideological ground, Ak Jol consisted of several informal groupings. In this game of influence, each of these loose "associations" tried to secure access to the presidential family to elevate their status and political and economic influence. In other words, a party whose members turned to the president and his office, not the people, for support, determined the parliament's work. As a venue for ventilating various issues, this parliament functioned more as an elite club than as an

¹⁰⁰ Johan Engvall, *Flirting with State Failure: Power and Politics in Kyrgyzstan Since Independence*, Washington, DC: Central Asia-Caucasus Institute – Silk Road Studies Program, July 2011, pp. 64-66.

¹⁰¹ Nur Omarov, "'Franco Syndrome': Informal Politics in Kyrgyzstan," Bishkek: Institute for Public Policy, 2008.

¹⁰² Author's interview with Kyrgyz expert, Bishkek, July 28, 2008.

executioner of its formally stipulated legislative function.¹⁰³ Lobbying on behalf of particular interests became ever more brazen and open, and in this burgeoning power vertical, parliamentarians and representatives of the executive branch increasingly colluded in their pursuit of corrupt deals.

Despite its submissive nature, certain organizational improvements marked parliamentary work during this period. Working procedures became more efficient and streamlined. Notably, committees and factions started to play a more prominent role in structuring the parliament's work. The number of parliamentary committees were significantly reduced, avoiding duplication and fragmentation. Parliamentary sessions were held less frequently, with improved attendance as a result. Instead of flamboyant speeches from the parliamentary tribune, the preparation of bills took place in a more routinized and systematic manner according to a schedule. To guide and coordinate the activities in Jogorku Kenesh, a new Coordination Council was instituted, consisting of the speaker, the vice-speakers, heads of the factions and chairs of the committees. From now on, MPs began to debate draft bills in several readings.¹⁰⁴ Nonetheless, much of this was a formal façade; in the end, the presidential administration took all the decisions, turning the parliament into an extension of the presidential office.

The years from 2008 until 2010 are generally seen as a dark period in Kyrgyzstan's contemporary history. The country stormed towards full-fledged dictatorship. As Bakiev had outmaneuvered the opposition and deprived it of its stronghold in the parliament, there were no longer any obstacles to the presidential family fully displaying its greediness and brutality.¹⁰⁵ Political persecution against the opposition intensified

¹⁰³ Johan Engvall, "Efter 'transitionen': Kirgizistans postsovjetiska politiska system," *Nordisk Østforum*, vol. 22, no. 3–4, 2008, p. 262.

¹⁰⁴ Kurmanov and Kurmanov, "Parlamentarizm v Kyrgyzstane," p. 121

¹⁰⁵ During Bakiev's tenure, five members of parliament were assassinated, and a handful of others were forced into exile.

dramatically, forcing several politicians out of the country. Nobody was safe, as assassinations of politicians continued. The most prolific victim turned out to be the once mighty Sadyrkulov, who had resigned as head of the presidential administration in early 2009 and thereafter made tentative attempts to reach out to the political opposition. In retaliation for this betrayal, he was brutally murdered in what was masqueraded as a car accident.¹⁰⁶ The gruesome murder sent shockwaves through Kyrgyzstan's political elite, not least among the dozens of MPs and high-profile members of the Ak Jol party who considered themselves as associates of Sadyrkulov. With the notable exception of Elmira Ibraimova, Ak Jol's deputy chair, they all remained silent fearing for their own lives. After calling Sadyrkulov's death a political murder, Ibraimova was promptly removed from the party's leadership.¹⁰⁷

Meanwhile, the crackdown on mass media accelerated: journalists reporting critically on the regime were intimidated, attacked and in some cases assassinated. Janysh Bakiev, the most powerful of the president's brothers, supervised the power ministries. With Sadyrkulov out of the way, he established a menacing shadow over the parliament. The legislature ceased to exercise any oversight leaving the president *carte blanche* to usurp power. In 2008 alone, the parliament adopted new legislation that restricted the right of citizens to assembly as well as restricting the activities of non-governmental organizations. A new law on freedom of religion and religious organizations hardened the requirements for registration in the religious field. The few opposition MPs that tried to raise their voices and criticize the government were constantly pressured by the authorities and unable to make any real impact.

¹⁰⁶ Philip Shishkin, *Restless Valley: Revolution, Murder and Intrigue in the Heart of Central Asia*, New Haven: Yale University Press, 2013, pp. 94-96.

¹⁰⁷ Anara Yusupova, "Vozmozhen li raskol pravyyashchei partii Kyrgyzstana," *IWPR Reporting*, April 3, 2009.

In the end, Bakiev's kleptocracy did not prove as long-lived as feared. His strategy of building power around a small network of close family members and trustees backfired as he alienated too many powerful elites and radicalized parts of the population.¹⁰⁸ Neither competing elites nor the public believed that Bakiev was ever going to regulate political succession through constitutional means, leaving desperate means as the only perceived way to change the situation. Consequently, another "revolution" unfolded in April 2010. Unlike Akaev, who relinquished power without bloodshed, Bakiev tried to violently suppress the revolt, resulting in the death of 89 people and many more casualties. Bakiev initially fled Bishkek for his homelands in the southern Jalal-Abad region, from where he attempted a counter-revolution. However, facing disappointing support even in his native region as well as the threat of arrest, he fled to Belarus via Kazakhstan, where the Lukashenko regime granted him asylum. In Kyrgyzstan, he was missed by few, except his core supporters and individuals whose careers and business ventures had benefited from his time in power. Among them were several members of the Ak Jol party who saw their privileges vanish as the opposition now in control in Bishkek promptly dissolved the parliament, thus, ending the two-year tenure of Bakiev's pocket parliament.

¹⁰⁸ For more, see Engvall, *Flirting with State Failure*.

Chapter 6: The Rise of Multi-Party Parliamentarism

After the fall of the Bakiev administration, the opposition created an interim government to take command and set out the future direction for the country. The new leaders immediately issued a number of decrees. The first decree dissolved the parliament; others disbanded the president's office and invalidated the constitution adopted in 2007. In the days, weeks and months following the revolution, tensions were running high throughout the country, especially in the south where the interim leadership had difficulties establishing its legitimacy. The situation became increasingly dangerous as it evolved into a showdown between Kyrgyz and Uzbek elites and their supporters in the southern provinces of Jalal-Abad and Osh, respectively. It reached the point when the interim government in Bishkek – led by provisional president Otunbaeva – became a powerless bystander as massive inter-ethnic violence broke out, lasting from June 10 to June 14. The violent clashes left several hundred dead and tens of thousands displaced.¹⁰⁹

Meanwhile, Tekebaev, one of the leaders of the interim government, had been in charge of drafting a new constitution with an empowered legislature and decentralized executive power. The new form of government had as its main objective to alleviate the risk of the state being captured by one extended family, thereby securing a degree of balance among competing interests.¹¹⁰ In a low turnout referendum on June 27, 2010, less than two

¹⁰⁹ On the inter-ethnic conflict in June 2010, see Kyrgyzstan Inquiry Commission (KIC), *Report of the Independent International Commission of Inquiry Into the Events in Southern Kyrgyzstan in June 2010*, undated.

¹¹⁰ This argument is compellingly made by Erica Marat, "Kyrgyzstan: A Parliamentary System Based on Inter-Elite Consensus," *Demokratizatsiya*, vol. 20, no. 4, 2012, pp. 325-344.

weeks after deadly clashes between Kyrgyz and Uzbeks in the south, 90 percent of the voters endorsed the new constitution, which combined a directly elected president with a prime minister elected by parliament. The constitution made the presidency a non-partisan role with curbed powers in several areas, such as in setting the budget and influencing the legislative process. The constitution also limited the president to a single six-year term.¹¹¹ A new electoral law reaffirmed parts of the 2007 constitution that held that parliamentary representation would be determined exclusively through a proportional system based on national party lists. In a competitive twist, intended to prevent the re-appearance of an all-powerful ruling party in control of an empowered parliament, the maximum number of seats a party could hold was fixed at 65 out of 120 seats. In an attempt to avoid further fragmentation of Kyrgyz politics along regional and communal lines, the election code retained the double threshold from the previous elections, which meant that parties needed to surpass a 0.5 percent regional threshold in addition to the 5 percent national threshold in order to gain seats in the parliament.

Genuine Uncertainty

The Central Election Commission registered 29 political parties before parliamentary elections on October 10, 2010. The formal requirements to run in the elections included the composition of a closed party list of 100 members with a quota for ethnic minorities, female candidates and youth. Many of the parties were difficult to separate from one another as they often duplicated each other's policy programs.¹¹² The main dividing line ran along

¹¹¹ Initially, local and international observers enthusiastically referred to the new constitution as parliamentary. However, the constitution does not conform to a conventional parliamentary system of government in which the executive is chosen by, and responsible to, the parliament.

¹¹² Anvar Bugazov, *Socio-Cultural Characteristics of Civil Society Formation in Kyrgyzstan*, Washington, DC: Central Asia-Caucasus Institute – Silk Road Studies Program, Silk Road Paper, July 2013, p. 52.

those parties that belonged to the leaders of the interim government and parties that represented the interests of former Bakiev era top officials and remnants of the collapsed Ak Jol party. The other salient division ran along regional lines. SDPK, Ar Namys, Ata Meken and Ak Shumkar primarily relied on northern voters and, to a lesser extent, ethnic minorities for support. Two new political parties, Ata Jurt and Butun Kyrgyzstan, attracted former high-level officials under Bakiev and former members of Ak Jol, and cast themselves as nationalistic with their main electoral base among ethnic Kyrgyz in the south.¹¹³ The campaign saw fierce contestation, but generally in a calm atmosphere. International observers praised the election as the freest and fairest ever observed in Central Asia.¹¹⁴ The elections did not produce a clear winner, but five relatively evenly matched parties gained seats in the parliament. This served to testify that no party was able to control the process by the use of administrative resources, as had been the case in the past. To the surprise of many observers, and shockingly to the party leaders of the interim government, the nationalistic Ata Jurt party, dominated by individuals considered to be close to the former Bakiev regime received most votes and gained 28 seats in the parliament. The rest of the mandates were distributed as follows: Atambaev's SDPK 26; Kulov's Ar Namys 25; Omurbek Babanov's Respublika 23; and Tekebaev's Ata Meken 18.

The poor showing of the fancied Ata Meken represented a major electoral surprise. One of the leading members of Ata Meken recalled:

After the revolution, there was a state of euphoria in the party. We got rid of Bakiev, and now it was our turn to influence the future of Kyrgyzstan. But after the elections, when we became the smallest

¹¹³ Eugene Huskey and David Hill, "The 2010 referendum and parliamentary elections in Kyrgyzstan," *Electoral Studies*, vol. 30, no. 4, December 2011, p. 878.

¹¹⁴ OSCE/ODIHR, *Kyrgyzstan's Vibrant and Pluralistic Parliamentary Elections Constitute Further Consolidation of Democracy*, Warsaw: ODIHR, October 11, 2010.

party in the parliament, there was complete apathy. No one wanted to believe the results. It was a state of shock. We were so convinced we would win.¹¹⁵

The main reason behind this disappointment was that the standing of *Ata Meken* and its leader *Tekebaev* had faded after the inter-ethnic violence in the south. Parts of the Kyrgyz electorate, especially in the south, saw the party's leadership as having collaborated with ethnic Uzbek leaders to counter *Bakiev* supporters in the lead up to the deadly clashes in June.

Ak Shumkar, the party of the interim finance minister *Temir Sariev*, did not even make it into the parliament. Overall, the emergence of the new *Ata Jurt* party as the largest party in the parliament and the strong results for *Ar Namys* and *Respublika*, two other parties with no links to the provisional government, can hardly be interpreted in other terms than as a vote of mistrust in the leaders that had taken over the country after *Bakiev*.

As intended, this fifth convocation of *Jogorku Kenesh* provided a sharp contrast to *Bakiev's* rubberstamp parliament. With a few notable exceptions, the major political forces in the country were represented in the legislature and the government through the formation of coalition governments. This competitive outcome, however, presented significant challenges to the formation of a viable coalition government. The process was obstructed by the political aspirations of the leaders of the five parties that gained parliamentary representation. Following a month of stalemate and no signs of tangible progress, President *Otunbaeva* felt compelled to intervene. In an effort to break the deadlock, she assigned the *SDPK* the mandate to form a coalition. *SDPK* managed to convince *Respublika* and *Ata Meken* to form a government. However, the proposed coalition fell apart when the three

¹¹⁵ Author discussion with minister in the government from *Ata Meken* party, *Bosteri*, *Issyk-Kul oblast*, July 2012.

parties failed to muster the required 61 votes from their own MPs in support of Tekebaev's candidacy as speaker of parliament.¹¹⁶

Following SDPK's failed attempt, Otunbaeva passed the task of forming a governing coalition to Respublika. The efforts bore fruit and in mid-December, the parliament finally approved a new government, ending an eight-month period of provisional rule. The first majority coalition government comprised Respublika, SDPK and, to the surprise of most observers, Ata Jurt.¹¹⁷ A parliamentary majority approved the leader of SDPK, Atambaev as prime minister, while the main broker of the agreement – Respublika's leader and business tycoon Babanov – took up the post of first deputy prime minister in charge of economic affairs. Prominent Ata Jurt member Akhmatbek Keldibekov, a former MP and head of the state revenue administration during Bakiev's reign, became speaker of parliament.

The Technocrat

Born in 1964 in Balykchy city in Issyk-Kul oblast, Akylbek Japarov trained as an engineer. After spending the 1990s in various civil services jobs, Japarov won a parliamentary seat in the 2000 election. In parliament, he chaired the state revenue committee. This experience carried on leading him to focus his expertise on tax issues, which eventually led him to defend a doctoral dissertation on tax policy.

During Bakiev's presidency, Japarov held the posts of Minister of Finance and Minister of Economy before ending up as first deputy prime minister in charge of economic affairs. Following the 2010 parliamentary election, Japarov became an MP for the Ar Namys party. As Ar Namys joined the coalition government in 2011, Japarov vacated his parliamentary seat for another stint as Minister of Finance. He lost the position following the change of government in 2012. However, by 2015, Japarov re-appeared as MP for a third time, this time on the party list of the newly created Bir Bol party.

In spring and summer 2021, he spearheaded the Kyrgyz government's drive to seize the control over the Kumtor gold mine from its operator, the Canadian company Centerra Gold. In October 2021, President Sadyr Japarov (no relation) repaid him by appointing him Chairman of the Cabinet of Ministers. This ability to seamlessly find a way of working under any president or government means that while presidents come and go in Kyrgyzstan, Akylbek Japarov remains. However, even his many critics tend to acknowledge his expertise on issues related taxation and finance.

The painstaking process of forming a brittle coalition government was indicative of things to come. As Atambaev emerged victorious in the presidential election on October 30, 2011, and was sworn in as president on December 1, a new coalition formed with Babanov as prime minister. Babanov would remain in office for less than a year. Thereafter, the high turnover continued. In total, during the electoral cycle from 2010 to 2015, Kyrgyzstan had no fewer than five different coalition governments led by as many prime ministers. All five parties were at some point of time part of at least one of the ruling coalitions.

On the positive side, to a higher degree than before, the conflicts among elites were mostly discussed and managed inside the parliament rather than by bringing supporters onto the streets, which had been the preferred elite strategy in the past. In the daily parliamentary work, factions were gradually finding their feet in cooperating and forming coalitions while the position of the parties outside the coalition became more systematically associated with a political opposition. Modernization and standardization of parliamentary activities also continued to develop, exemplified by the procedural separation of discussing and voting on legislative proposals.¹¹⁸ As intended, the autonomy of the new parliament improved under the new constitution. Compared to its predecessor who in the period 2008 to 2010 had initiated 27 percent of the laws, the new parliament from 2010 to 2015 was the original source of close to 50 percent of the bills.¹¹⁹

Who Were the New MPs?

The more competitive political system arising after the 2010 parliamentary elections and the subsequent formations of coalition government did however not lead to an improvement in the quality of government. The

¹¹⁸ Kurmanov and Kurmanov, "Parlamentarizm v Kyrgyzstane," p. 122.

¹¹⁹ Gerrit Krol, "Parliamentary initiative in authoritarian regimes power sharing in Eurasian legislatures," *The Journal of Legislative Studies*, vol. 26, no. 2, 2020, p. 261.

essential outcome was an institutionalization of the dispersion of power along party lines. The parties forming the different coalition governments divided among themselves all national ministries and agencies as well as regional administrations on the level of provinces, districts and cities. The same division also extended to profitable financial and economic sectors. This practice weakened the legitimacy of the central government, rendered local governance ineffective and spurred conflicts between local residents and their administrations as trustees of different parties with limited authority at the local level were set to administer different parts of the country based on a kind of quota system.¹²⁰ Corruption continued to be widespread on all levels, which led veteran Kyrgyz politician Beknazarov to describe the new system as coalition-based corruption.¹²¹ Over the course of the five-year tenure, law enforcement agencies arrested no fewer than 15 MPs on corruption charges, proving that parliamentary immunity no longer was absolute.

Several scholars also noted the substantial impact of money in the make-up of the parliament elected in 2010. In an analysis of the formation of party lists, Kyrgyz political scientist Shairbek Juraev succinctly noted:

In order to be placed high on the list (and thus have a realistic chance of winning a seat in the parliament), a potential candidate needs to make a substantial contribution to party coffers or be able to deliver votes. The ultimate candidate is one who can do both.¹²²

In practice, the commercialization of party lists approximated a formal contract specifying both the sum a candidate must contribute to party funds

¹²⁰ Johan Engvall, "The Political Sources of Kyrgyzstan's Recent Unrest," *Central Asia-Caucasus Analyst*, June 26, 2013, <https://www.cacianalyst.org/publications/analytical-articles/item/12766-the-political-sources-of-kyrgyzstans-recent-unrest.html>.

¹²¹ On coalition-based corruption, see Azimbek Beknazarov, *Ne imeyu pravo molchat*, Bishkek: Continent Print, 2012.

¹²² Juraev, "The Evolving Role of Political Parties in Kyrgyz Politics," p. 29.

and how many votes the same candidates commit to the party from his or her constituency.¹²³ This basic logic goes a long way to explain the controversies that surrounded the internal distribution of parties' seats in the parliament after the elections. Several candidates elected to parliament had to surrender their mandates before the new parliament convened since they had failed to fulfill the money-and-vote criteria. Their seats were taken by those lower on the lists, but more successful in mobilizing voters or contributing funds.¹²⁴

The combination of money and votes also individualized party candidates rather than making them true party representatives. According to Esther Somfalvy, after having successfully campaigned and secured votes in their home regions, the candidates tended to feel that the party owed them rather than the other way around.¹²⁵ In the subsequent elections, MPs would use their record as a bargaining chip in their search for the most favorable position on a party list.

Devoid of succinct political programs and loosely structured on the basis of quickly assembled alliances according to the twin-logic of money and votes, internal rebellions and formal splits emerged in the parties in the parliament. In practice, MPs identification and loyalty with their parties remained weak. This weakness partly stemmed from their free representative mandates, which contributed to disunity and collapse of several parties and factions.

A study of the profiles of deputies conducted in 2012 by the local NGO "Citizens against Corruption" found that businessmen and state functionaries were the dominant categories in the parliament holding 62

¹²³ Author's conversation with Kyrgyz journalists, Bishkek, summer 2013.

¹²⁴ Engvall, "From Monopoly to Competition in Kyrgyzstan," p. 279; Juraev, "The Evolving Role of Political Parties in Kyrgyz Politics," p. 30.

¹²⁵ Esther Somfalvy, "The Challenges to De-localising Constituencies through Electoral Reform in Kazakhstan and Kyrgyzstan," *Europe-Asia Studies*, Published online November 20, 2020.

percent of the seats. Respublika hosted the most businessmen (48 percent of its ranks) followed by SDPK (42 percent of its ranks) whereas Ata Jurt and Ar Namys were the prime parties of state officials (54 and 48 percent, respectively). The most common educational background among the parliamentarians were as teachers, engineers, lawyers, economists and agricultural specialists.¹²⁶ That said, there was a marked absence of highly skilled lawyers and economists versatile in writing laws. To cover the deficit, the parliamentary apparatus swelled as the 120 deputies were served by more than 1,100 employees. Compared to the previous parliament, it spent more than twice as much government funds for every new law adopted.¹²⁷ Thus, while the 2010 parliament was the most competitively elected and the most balanced in terms of elite representation, its low level of competence and professionalism arguably meant a step backwards compared to its predecessors’.

The lack of party discipline or respect for the legally stipulated parliamentary duties meant that parliamentarians interfered in the work of the judiciary, security organs, revenue collecting bodies, and informally exercised influence over public procurement for their own benefits.¹²⁸ The parliament also made a habit of setting up special commissions to investigate old corruption cases. The most notable examples included investigations of the looting of businesses after the fall of the Bakiev regime, an investigation into the activities of the State Directorate for Reconstruction of Osh and Jalal-Abad created after the ethnic violence in southern Kyrgyzstan and, of course, the circumstances around the country’s most valuable economic asset – the giant Kumtor gold mine. The never-ending

¹²⁶ For a thorough summary of the study, see Vadim Nochevkin, “Parlament Kyrgyzstana – neprofessionalnyi, prozhorlivyi, skandalnyi i korrumpirovannyi,” *Delo No*, November 15, 2012, <https://centrasia.org/newsA.php?st=1353299040>.

¹²⁷ Ibid.

¹²⁸ Author’s interview with Kyrgyz experts, Bishkek, May and June 2014.

story of the Kumtor gold mine, which has been the source of political conflicts since independence, was a recurrent debate topic in the parliament, with most MPs believing that the terms of the deal with the mine's operator, the Toronto-listed Centerra Gold were unfavorable for the state. All investigations were highly political and targeted the alleged involvement of prominent elites. In the end, despite all the time and resources spent on these commissions', they failed to produce any conclusive results.¹²⁹ In these and other cases, the parliament came to function as a quasi-law enforcement body, which diverted its attention away from legislative activities.

Decisions and Controversies

In an international perspective, by far the most significant decision taken by the parliament was the unanimous vote in support of President Atambaev's decision not to renew the agreement with the U.S. for the military base at Manas airport in June 2013.¹³⁰ The U.S. armed forces had used the base as a logistics hub for the war in Afghanistan since 2002. Thus, the parliament's decision and the subsequent removal of U.S. troops a year later marked the end of more than decade-long U.S. military presence in Kyrgyzstan. During this period, Kyrgyzstan was the only country in the world simultaneously hosting both U.S. and Russian military troops on its territory.

The Kyrgyz parliament also attracted some international attention when it voted to declare the Finnish diplomat Kimmo Kiljunen *persona non grata* in the country. Kiljunen had led an independent international commission formed in October 2010 to investigate the ethnic conflict in southern Kyrgyzstan. When the commission presented its final report, which noted

¹²⁹ For a poignant analysis of the performance of the parliament and its deputies, see Chris Rickleton, "Kyrgyzstan: Parliament Failing Public-Faith Test," *Eurasianet*, June 13, 2013, <https://eurasianet.org/kyrgyzstan-parliament-failing-public-faith-test>.

¹³⁰ "Manas: Kyrgyzstan backs closure of US airbase," *BBC News*, June 20, 2013, <https://www.bbc.com/news/world-asia-22988967>.

that Uzbek communities had taken the brunt of the violence, it provoked a public outcry in Kyrgyzstan. Parliamentary deputies accused the diplomat of taking bribes from Uzbek separatists during the investigation and promptly banned him from entering the country again.¹³¹

The parliament introduced several controversial and repressive legislative proposals. In 2014, lawmakers adopted a bill that recriminalized libel.¹³² In addition, MPs devoted much time debating proposed bills on declaring organizations funded from abroad as foreign agents and a ban on propaganda of nontraditional sexual relations. Both laws had similarities with legislative initiatives in Russia and were discussed over several years before they were eventually dropped by the successor parliament in 2016.¹³³

One role that lawmakers excelled at was as executioner of prime ministers. No less than three consecutive prime minister had to resign after drawing the ire of parliamentarians. In late summer 2012, representatives of the Ata Meken faction initiated a concerted campaign against Babanov, accusing him of corruption in relation to Turkish investors. As a result, Babanov was forced to step down, taking the coalition government with him in the fall.¹³⁴ His successor Satybaldiev lasted longer in office but when Ata Meken again withdrew from the ruling coalition in March 2014, also his tenure ended.

¹³¹ "Head of Commission on Kyrgyz Violence Declared Persona Non Grata," *RFE/RL*, May 26, 2011, https://www.rferl.org/a/head_of_commission_on_kyrgyz_violence_declared_persona_non_grata/24205930.html.

¹³² Asel Kalybekova, "Kyrgyzstan Re-Criminalizes Libel With New Vague Law," *Eurasianet*, May 20, 2014, <https://eurasianet.org/kyrgyzstan-re-criminalizes-libel-with-vague-new-law>.

¹³³ Anna Lelik, "Kyrgyzstan: Foreign Agent Bill Nixed, NGOs Rejoice," *Eurasianet*, May 12, 2016, <https://eurasianet.org/kyrgyzstan-foreign-agent-bill-nixed-ngos-rejoice>; Anna Lelik, "Kyrgyzstan: Anti-LGBT Bill Hits the Buffers," *Eurasianet*, May 24, 2016, <https://eurasianet.org/kyrgyzstan-anti-lgbt-bill-hits-buffers>.

¹³⁴ Alyssa Meyer, "Respublika Leaves the Kyrgyz Government," *Carnegie Endowment for International Peace*, September 5, 2012, <https://carnegieendowment.org/2012/09/05/respublika-leaves-kyrgyz-government-pub-49272>.

Party leader Tekebaev referred to the government's inability to take a stance in negotiations with the Canadian company Centerra over the Kumtor gold mine, as one of the principal reasons for its defection.¹³⁵ The same fate awaited Djoomart Otorbaev's government a year later, also this time in relation to MPs' dissatisfaction with the government's position towards Kumtor.¹³⁶ This disposability suggested a *de facto* weak and subordinated role of the office of the prime minister in the new system, despite the constitution stipulating a divided executive. The government turned into a tool for political infighting, devoid of any stability and characterized by short-sighted work. Thus, contrary to the intention of the constitution, in this environment of short-lived coalition governments the office of the president consolidated rather than weakened as the stable focal point of the political system.

To summarize, the parliament and the coalition governments gradually weakened as a counterweight to the president. Without too much of an effort, Atambaev managed to fairly rapidly re-establish the presidency as the unequivocal center of the political system and regain powers that the new constitution had intended for the parliament.¹³⁷ MPs hardly made things difficult for the president to exert his dominance over the legislature: political infighting increased both within and between parties as MPs primarily were occupied with catering for their own business interests and focus on local issues in their *de facto* constituencies rather than nationwide policies.¹³⁸ Frequent axing of prime ministers made the government cabinet weak, characterized by a very short time horizon, lack of continuity and few

¹³⁵ "Kyrgyz President Accepts Prime Minister's Resignation," *RFE/RL*, March 19, 2014, <https://www.rferl.org/a/kyrgyzstan-government-collapse-resignation/25302382.html>.

¹³⁶ David Trilling, "Kyrgyzstan's PM Resigns; Fourth Down in Five Years," *Eurasianet*, April 23, 2015, <https://eurasianet.org/kyrgyzstans-pm-resigns-fourth-down-in-five-years>.

¹³⁷ Elvira Temir, "Khudo-bedno parlamentarizm," *Vecherniy Bishkek*, March 6, 2015, <http://www.sayasat.kg/advertisement/37714-bad-poorly-parliamentarism.html>.

¹³⁸ Erica Marat, "Kyrgyzstan," in *Nations in Transit 2015*, New York: Freedom House, 2015, p. 347.

incentives to adopt any long-term policies. Consequently, all promised reforms failed to materialize, leading to a stagnating political, economic and social situation.

Chapter 7: The Collapse of Political Representation

The implosion of the parties voted into parliament in 2010 had a profound impact on the parliamentary vote in October 2015. Even though 93 of the 120 members of the outgoing parliament decided to run anew in 2015, most of them chose to alter their party affiliation. For example, only four of 20 parliamentarians from Respublika and five of 21 from Ata Jurt ran for re-election under the banner of the merged Ata Jurt-Respublika party. The rest of the two mother parties' former deputies joined other parties. Ar Namys saw similar heavy losses as only seven of its 25 former MPs remained with the party for the new campaign. Ahead of the elections, the oldest parties, SDPK and Ata Meken, maintained the highest level of continuity in their ranks.¹³⁹

Six months before the elections, changes had been introduced to the electoral code, which raised the two thresholds for earning representation from 5 to 7 percent nationwide and from 0.5 to 0.7 percent in the seven regions and the cities of Bishkek and Osh. Moreover, the government introduced a mandatory biometric voter registration system and the use of ballot scanners. Of the 28 parties initially registered for the electoral contestation, half managed to provide their electoral lists according to procedure and paid the US\$75,000 deposit. Campaigning was as competitive as during the previous election but undertaken in a less volatile political environment. Observers agreed that the vote was the cleanest ever held in Kyrgyzstan. As noted in a journalistic reporting, the election set a

¹³⁹ OSCE/ODIHR, *Kyrgyz Republic Parliamentary Elections 4 October 2015, Election Observation Mission Final Report*, Warsaw: ODIHR, January 28, 2016, p. 5.

new standard for Central Asia, as it was both “competitive and technological.”¹⁴⁰

Despite the higher threshold, six parties reached the parliament. SDPK, actively supported by President Atambaev, emerged as the largest party with close to one-third of the seats. This share nevertheless fell short of what most observers had expected.¹⁴¹ All three parties created by defectors from Respublika – Kyrgyzstan, Onuguu (Progress) and Bir Bol (Stay United) – ran successful campaigns to gain representation in the parliament.¹⁴² The merged Ata Jurt-Respublika party only managed to obtain as many seats as Ata Jurt had managed on its own in 2010, but nevertheless came in second. Ar Namys was the biggest loser, dropping out of the parliament with less than one percent of the vote. The veteran Ata Meken party just crawled over the 7 percent threshold.

This time around, the post-election formation of a coalition government proved a swift matter. In line with expectations, SDPK, Kyrgyzstan (at the time seen by many as an appendix to SDPK), Onuguu and Ata Meken concluded the coalition agreement. Incumbent Prime Minister Temir Sariev

¹⁴⁰ Joanna Lillis and Peter Leonard, “Kyrgyzstan: Nation Awaits Results as High-Tech Election Sets New Standard for Region,” *Eurasianet*, October 4, 2015, <https://eurasianet.org/kyrgyzstan-nation-awaits-results-as-hi-tech-election-sets-new-standard-for-region>.

¹⁴¹ The distribution of seats among the six parties voted to the parliament was as follows: SDPK 38; Ata Jurt-Respublika 28; Kyrgyzstan 18; Onuguu-Progress 13; Bir Bol 12; Ata Meken 11.

¹⁴² Asel Doolotkeldieva and Alexander Wolters detail how members of Respublika-Ata Jurt, Ar Namys and Ata Meken either defected or were expelled from their parties in the aftermath of the 2015 elections. In the case of Respublika, one member, Bakyt Torobaev, established the parliamentary group Önuguu together with five MPs; another prominent representative, Kanat Isaev, set up the parliamentary group Yntymak, while a third, Altynbek Sulaimanov, created the parliamentary group Bir Bol. All three groups emerging out of the faltering Respublika party subsequently transformed into political parties (Yntymak changed its name to Kyrgyzstan) ahead of the elections in 2015. Astonishingly, they all passed the 7 percent barrier and entered the new parliament. The same process repeated in the new parliament (Asel Doolotkeldieva and Alexander Wolters, “Uncertainty Perpetuated? The Pitfalls of a Weakly Institutionalized Party System in Kyrgyzstan,” *Central Asian Affairs*, vol. 4, no. 1, 2017, p. 41).

remained in charge under the new coalition. However, like its predecessor, the new parliament was soon on track to axe another prime minister. After less than a year in office, Sariev resigned in May 2016 due to accusations of government violations in relation to granting a Chinese company a road construction contract.¹⁴³ In the end a parliamentary commission absolved the former prime minister of any wrongdoings but by that time Sariev was already out. The parliament approved a new government, led by Sooronbai Jeenbekov, the former head of the presidential administration, lending support to the suspicion that president Atambaev had played a part in the dissolution of Sariev's government.

The Kyrgyz-Style Parliamentary Contract

A closer look at the election results revealed that the division of parties into north and south, which characterized the previous election, were less pronounced this time around. Indeed, most of the new parties in the parliament performed rather equally well across the country. According to Asel Doolotkeldieva and Alexander Wolters, this can be explained by the formation of party lists on the basis of a combination of money and the ability to attract voters. Party lists were tailored to incorporate prominent individuals who were expected to bring votes from particular districts. This informal conditionality led to uncertainty regarding which candidates would actually receive the mandates in the end. In this regard, the slots on the party lists quickly turned out to be far from the last word. In the months following the elections, a flurry of re-arranging and trading of mandates occurred among members on the parties' lists. In Ata Jurt-Respublika's party list, 70 candidates of 100 had withdrawn from the list by the time of

¹⁴³ "Temir Sariev podal v otstavku," *Sputnik.kg*, April 11, 2016, <https://ru.sputnik.kg/politics/20160411/1024090730.html>.

the announcement of the final election result. Mass dropouts also swept through the Kyrgyzstan party as soon as the campaign had ended.¹⁴⁴

Some of those who earned a mandate by virtue of their high positions on the party lists but failed to meet the performance criteria, i.e., attract enough votes for the party in their local strongholds, tried to resist removal. Others, however, accepted that these were the rules of the game. For example, Cholpon Sultanbekova, elected on the Kyrgyzstan party sheet, said the following about three members of the party who had their mandate stripped: "Those who do not get enough votes cannot be a member of parliament if there are no voters behind them.... The threshold was not met by these MPs."¹⁴⁵ Similarly, in the Bir Bol party, Bakirdin Subanbekov, a police general and Akaev-era minister of internal affairs, brought the party many voters from his home district in Chui oblast. In the elections, Bir Bol won 12 mandates, but Subanbekov was 13th on the list. In the end, however, one of the candidates ahead on the list, but less successful in attracting votes, had to abandon the mandate to give way to the general. Subanbekov himself explained it succinctly: "From the beginning we had agreed: the candidate who brings in more votes should receive the mandate."¹⁴⁶ This meant that the proportional system in practice still evolves around the specific ability of candidates to win votes, either through popularity or through vote buying, in certain districts.

¹⁴⁴ Doolotkeldieva and Wolters, "Uncertainty Perpetuated?" p. 45.

¹⁴⁵ Anna Lelik, "Kyrgyzstan: Murky deals remain the norm in parliament," *Eurasianet*, March 25, 2016, <https://eurasianet.org/kyrgyzstan-murky-deals-remain-norm-in-parliament>.

¹⁴⁶ "Bakirdin Subanbekov, deputat fraktsii 'Bir bol' v ZhK general-leitenant militsii: 'Sobral sootvetstvuyushchie golosa, poetomu ne chuvstvuyu sebya nelovko,'" *Gezitter.org*, February 19, 2016, https://www.gezitter.org/interviews/47867_bakirdin_subanbekov_deputat_fraktsii_bir_bol_v_jk_general-leitenant_militsii_sobral_sootvetstvuyushchie_golosa_poetomu_ne_chuvstvuyu_sebya_nelovko/.

The ever more predominant role of money in forming political party lists and, hence, the constitution of the corps of parliamentarians strengthened the commercial nature of the parliament even further. In 2019, *Kaktus*, a Kyrgyz online news agency, estimated from open sources that 73 percent of the MPs were involved in business activities, either themselves or through their close family members.¹⁴⁷

An Amorphous Parliament

The centrifugal forces of the 2010 constitution were increasingly countered by centripetal forces at the

The Civil Servant

Iskender Matraimov, born in 1962 in the Karasuu district in Osh oblast, had spent his entire career in the civil service mainly in his native oblast until elected to parliament on the SDPK party ticket. The offices were however both lucrative and influential. From 1991 to 2003, he worked in the State Property Committee and from 2006 to 2015 as head of the southern branch of Kyrgyzstan state personnel service. Thus, he held influence over the distribution of state assets as well as access to state jobs.

Simultaneously, his younger brother Rayimbek Matraimov was a top customs official in the south eventually advancing to deputy chief of the entire customs service. Since 2019, a series of journalistic investigations have revealed how Rayimbek Matraimov had used his customs authority to orchestrate gigantic smuggling schemes, costing the Kyrgyz state around \$700 million in revenues. After the investigations, the Matraimov family, which largely had managed to fly under the public radar for more than a decade, suddenly became synonymous with the type of grand corruption that has defined much of Kyrgyzstan's development.

The parliament reluctantly set up a commission to investigate the claims of the journalists with Iskender one of its members. Meanwhile, the family was stepping out of the shadows, financially bankrolling a new party *Mekenim Kyrgyzstan*, which emerged victorious in the cancelled October 4 vote. While Iskender remains an MP, Rayimbek entered an opaque plea agreement with the new authorities, in which he agreed to pay back \$24 million in exchange for freedom. The family's influence remains as Iskender was re-elected to parliament in his home district in November 2021.

¹⁴⁷ Aleksandr Shabalin, "73% deputatov parlamenta KR – biznesmeny. Chto ob etom dumayut prostye lyudi i eksperty," *Kaktus*, April 1, 2019, https://kaktus.media/doc/389059_73_depytatov_parlament_a_kr_biznesmeny_chno_ob_etom_dy_maut_prostye_ludi_i_eksperty.html. In percent, the business representatives had the following distribution among the parliamentary factions: Kyrgyzstan 83; Onuguu 77; Respublika-Ata Jurt 75; Bir Bol 70; SDPK 70; Ata Meken 55.

time of the 2015 parliamentary election. From fall 2015 until fall 2017, when Atambaev was due to leave office, he and his party, the SDPK, had strengthened their influence over the parliament. By 2016, there were signs of SDPK merging with the president's office, as several of Atambaev's top aides took positions on the party's political council. Atambaev used the increasingly obedient parliament to push for changes to the constitution and on December 11, 2016, the parliament passed a bill on holding a referendum to approve a set of constitutional amendments. The amendments were designed to shift more power from the president to the prime minister in what was widely interpreted as Atambaev's preparation for his presidential afterlife. Civil society representatives criticized the revisions for weakening the legislative and judicial branches of power as well as introducing opaque references to nationalistic cultural values.¹⁴⁸ As has always been the case in Kyrgyzstan, a resounding majority of the citizens approved the amendments, which in the end had little overall impact on the system of government, as demonstrated after Atambaev's presidential tenure ended in 2017.

Some parliamentarians, led by Tekebaev, made a few attempts to challenge the president's attempt to undermine the parliament. However, Tekebaev's open opposition came with a high price as he was arrested on corruption charges and subsequently sentenced to eight years' imprisonment. After that, most MPs quickly fell in line, preferring to remain silent and vote with the majority to approve of the wishes of the presidential administration.

Another defining moment during the tenure of the sixth convocation of Jogorku Kenesh occurred when President Atambaev left office in accordance with his six-year single mandate limit. As successor, Atambaev handpicked Prime Minister Sooronbai Jeenbekov, an ally, on whose behalf

¹⁴⁸ Eugene Huskey, *Encounters at the Edge of the Muslim World: A Political Memoir of Kyrgyzstan*, Lanham: Rowman & Littlefield, 2018, pp. 210-211.

Atambaev campaigned aggressively in the presidential race in November 2017. As Jeenbekov emerged victorious, Atambaev seemed to have fulfilled his objective of steering a loyal ally to power. However, what happened thereafter was not what Atambaev had in mind. Jeenbekov, it soon turned out, was not prepared to allow the former president to be in charge from behind the scenes. Even by Kyrgyz standards, Jeenbekov executed an unprecedented purge from office of all of Atambaev's closest allies, including Prime Minister Sapar Isakov. Others, feeling the direction of the wind, defected to Jeenbekov's camp.

Deprived of all his allies in the government and with many of his once loyal allies in parliament having sided with Jeenbekov, the net tightened further around Atambaev in June 2019 when the parliament voted to strip him from the immunity from prosecution he had enjoyed because of his status as ex-president. In a desperate attempt to resist detention, Atambaev barricaded himself with his supporters in his residential compound outside of Bishkek. The standoff ended with a violent two-day confrontation between law enforcement agencies and the former president's supporters on August 7-8. Atambaev eventually surrendered to the police. Faced with criminal charges on multiple counts, both related to his presidency and his violent resistance to arrest, he was sentenced to 11 years in prison in June 2020.¹⁴⁹

While the parliament continued to modernize in form and procedure, the quality of legislators further hollowed. A high proportion of its members has proven highly unqualified of supplying the country with the kind of legislation befitting a national parliament. Many of the laws debated and adopted revolved around populistic and short-term issues with little consideration devoted to the wide range of pressing issues of strategic

¹⁴⁹ See Johan Engvall, "The Capture of Atambayev and What it Means for Kyrgyz Politics," *Central Asia-Caucasus Analyst*, September 10, 2019, <https://www.cacianalyst.org/publications/analytical-articles/item/13585-the-capture-of-atambayev-and-what-it-means-for-kyrgyz-politics.html>.

national importance. Moreover, some of the deputies appear anonymous to the extent that their voices were only heard in parliament when they swore their oath on inauguration day.¹⁵⁰ Thus, as Elmira Nogoibaeva noted, this parliament will be “remembered for illiterate speeches, bogus pressing of the voting button, and lobbying of discriminatory bills that were in use in authoritarian states.”¹⁵¹

In a perceptive article, Almazbek Akmataliev offers a sobering verdict on the evolution of Kyrgyzstan’s proportional “parliamentary” system. First, the rationale that a formally strengthened parliament would serve as a safeguard against presidential authoritarianism failed to materialize. Staffed with business representatives and shadow economic interests, its independent function gave way to becoming an appendix of the presidential administration, essentially serving to legitimize its decisions. This development bore a resemblance with the situation under Bakiev’s final years in power a decade earlier.

Second, since 2010, the parliament has persistently failed to contribute any significant legislation that could support critical reforms in areas such as the judiciary, anti-corruption, public administration or economic development. If reform efforts during the 2010 parliament stalled because each parliamentary faction had its own “views” on the direction of reforms, its successor, devoid of any systematic opposition and marred by shady lobbying interests, no longer pretended to take any interest in legislating reforms.

¹⁵⁰ Author’s interview with Kyrgyz journalist, Bishkek, July 2019. Also see the website *Deputat.kg* (<https://deputat.kg/persons>), which provides information on the number of statements and presentations given by individual deputies in the parliament. Among those in office by the end of 2020, more than one-third had never made any statements.

¹⁵¹ Elmira Nogoibaeva, “Parliamentary Elections in Kyrgyzstan: Scene and Developments,” *Cabar*, September 11, 2020, <https://cabar.asia/en/2020-parliamentary-elections-in-kyrgyzstan-scene-and-developments>.

Finally, what comes into the system also determines what comes out of it. The monetization of political party lists undermined the integrity of parties and subdued parliamentary mandates to a powerful market dynamic. The increasingly formalized and open trade of slots on party lists reduced ideology and political programs to the point of irrelevance. Economic interests hide under political parties in the parliament and in order to avoid attracting attention, they vote with the majority. Needless to say, this conformism among MPs and political parties suggests that party-building on the basis of competition between political programs have, if anything, taken a step backwards compared to a decade ago. Parties formed ahead of elections are then reshaped inside the parliament and eventually relaunched to the electorate ahead of the next election with a new constellation of known and unknown political figures. In this development cycle, ideology and political programs have little impact on the evolution of parties and how they relate to one another. For example, since 2010 the most unharmonious inter-party relationship has been between the two veteran parties SDPK (until its disintegration) and Ata Meken, despite both parties' charters being very similarly oriented towards a social-democratic position.¹⁵²

Legislative performance has been constrained to niche laws often under the guise of populism. Several laws were controversial, in particular a proposed law on manipulation of information, which was approved by parliament in June 2020. The law provoked a public outcry, as civil society activists saw it as an attempt to curtail the freedom of speech. This led President Jeenbekov to return the law to the parliament for revision.¹⁵³ A study of the voting on

¹⁵² Almazbek Akmatallyev, "Parlamentarizm v Kyrgyzstane: opyt i problemy," *Alibi*, March 23, 2017,

https://www.gezitter.org/society/58580_parlamentarizm_v_kyrgyzstane_opyt_i_problemyi/.

¹⁵³ Darya Podolskaya, "Law on Manipulating Information Returned to Parliament of Kyrgyzstan," *24.kg*, August 3, 2020,

all draft bills from September 2017 to the end of 2019 revealed that MPs only voted against 2 percent of the bills. According to the study, this not only reveals the absence of the parliament's control function, but also raises serious questions over the attention MPs pay to details when debating and voting on bills.¹⁵⁴ Other criticisms voiced against the parliament included frequent violations of procedural norms, such as MPs voting on behalf of absent colleagues, and an inflation in parliamentary initiation and approval of laws. MPs seemed to operate on the premise that parliamentary effectiveness equates the quantity of laws initiated.¹⁵⁵ Amidst the preoccupation with promulgating laws on matters of highly varied importance, the parliament's representative and controlling functions faltered badly. Taken together, this led to a popular disenchantment with the parliament.

The Election that Spurred Another Revolt

As Kyrgyzstan prepared for a new round of parliamentary elections in October 2020, most parties in the parliament had been unable to secure the loyalty of their members. SDPK, the dominant party in the parliament, disintegrated following the confrontation between Jeenbekov and Atambaev. A few deputies from SDPK remained loyal to Atambaev while the rest, even some of those considered close to Atambaev, set up a parallel structure referred to as SDPK without Atambaev. The implosion of SDPK left the 38 politicians serving the party in parliament looking for other

https://24.kg/english/161477_Law_on_Manipulating_Information_returned_to_Parliament_of_Kyrgyzstan/.

¹⁵⁴ Tansuluu Matieva, "Kakim byl ukhodyashchii, no vse eshche aktualnyi shestoi sozyv Zhogorku Kenesha," *Cabar*, October 15, 2020, <https://cabar.asia/ru/kakim-byul-uhodyashhij-no-vse-eshhe-aktualnyj-shestoj-sozyv-zhogorku-kenesha>.

¹⁵⁵ Tansuluu Matieva, "Kakim byl ukhodyashchii, no vse eshche aktualnyi shestoi sozyv Zhogorku Kenesha," *Cabar*, October 15, 2020.

options. Two new parties – Birimdik (Unity) and Mekenim Kyrgyzstan (My Homeland Kyrgyzstan) – mainly absorbed them.¹⁵⁶

In total, sixteen parties campaigned in the hope of gaining shares of the 120 seats on offer. With the exception of Birimdik and Mekenim Kyrgyzstan, several re-structured parties ran on an oppositional platform, criticizing the lackluster performance of President Jeenbekov and the government over issues such as corruption and the handling of the Covid-19 pandemic. But when the election result was announced, three of the four parties that had cleared the seven percent threshold were pro-government parties, leaving one-third of the voters without representation. Birimdik and Mekenim Kyrgyzstan – the two parties seen as seeking to protect the existing corrupt system – together obtained 75 percent of the mandates. President Jeenbekov stood as the guardian of Birimdik, with his younger brother, former speaker of parliament Asylbek Jeenbekov, represented on the party's list of candidates. Mekenim Kyrgyzstan was the vehicle to serve the political interests of Rayimbek Matraimov, a shadowy former top customs official wielding vast informal political and economic influence in the past years. The triumph of these two parties demonstrated that the formal political power and the shadow power had officially merged in Kyrgyzstan. The new parliament mostly comprised presidential loyalists, shadow business figures and individuals believed to have connection to criminal groups.

Among opposition leaders and their supporters, initial despair was quickly replaced with anger and resolve as more and more evidence started to indicate the extent to which the result had been tilted in favor of the pro-governmental parties through an elaborate scheme of vote-buying. The day after the election, tens of thousands of people gathered for a protest rally in central Bishkek demanding the annulment of the vote and new elections.

¹⁵⁶ Colleen Wood, "Kyrgyzstan Could Ultimately Vote 'Against All' in the Parliamentary Polls," *The Diplomat*, September 30, 2020, <https://thediplomat.com/2020/10/kyrgyzstan-could-ultimately-vote-against-all-in-the-parliamentary-polls/>.

The peaceful manifestation soon gained the attention of growing police forces. Thereafter, things escalated with lightning speed leading to a violent showdown between a large group of demonstrators that diverged from the peaceful protest, and police and security forces. The clashes dragged on late into the night, when the aggressive crowd finally overran the police and stormed the vacated headquarters of the president and parliament. Several imprisoned high-profile figures were set free by their supporters, including ex-president Atambayev, former Prime Minister Isakov and former MP Sadyr Japarov.

Confronting chaos, the Central Election Commission reacted by cancelling the parliamentary election results. For a week, different parties, groups or self-appointed individuals laid rivaling claims on filling the power vacuum, while President Jeenbekov still claimed authority from a secret location.¹⁵⁷ Eventually, one of the persons sprung from prison during the unrest, Sadyr Japarov, and his devoted supporters of aggressive young men, emerged as the most decisive force. On October 15, the embattled Jeenbekov resigned and the outgoing parliament, which still remained on duty following the annulment of the election vote, overwhelmingly threw their support behind Japarov and elected him as interim president. The parliament also prolonged its mandate until summer 2021 and adopted a law delaying parliamentary elections and suspending several articles of the constitution pending constitutional reform. Thereafter, Japarov pushed lawmakers to approve a law on holding a referendum on deciding between parliamentary and presidential systems of government to be held on the same day as a snap presidential election, on January 10, 2021. In the twin vote, voters overwhelmingly elected Japarov new president and endorsed his preference to return the country to a presidential form of rule. Another referendum was

¹⁵⁷ Johan Engvall, "Kyrgyzstan's Third Revolution," *Central Asia-Caucasus Analyst*, October 8, 2020, <https://www.cacianalyst.org/publications/analytical-articles/item/13643-kyrgyzstan%E2%80%99s-third-revolution.html>.

held in Kyrgyzstan on April 11, 2021, in which the new presidential constitution was approved by 85 percent of voters in a very low turnout (39 percent). For Kyrgyzstan, the new constitution, signed into law on May 5, introduces an unprecedented form of presidentialism with minimal checks on the executive power, with the powers of a smaller parliament – down from 120 to 90 members – significantly curtailed. Parliament no longer elects a prime minister to lead the government; instead, there is a cabinet of ministers led by a presidential appointee. Parliamentary immunity was scrapped.

The parliament's unclear status since the cancelled October 2020 election did not discourage MPs from taking a number of controversial decisions in support of the new president's political agenda. In the context of fighting corruption, MPs hastily approved a law that granted economic amnesty for individuals with illegally obtained financial assets in exchange for compensating the state some amount of their theft. In May 2021, the parliament also approved a law that enabled the state to nationalize the Kumtor gold mine, due to alleged financial, safety and environmental breaches committed under the supervision of the Canadian company Centerra Gold, which has been developing the mine for the past 25 years. This law may have several future repercussions for the country. Centerra has declared that it is prepared to take the matter to international arbitration, while international financial institutions have warned of the chilling effects that the decision may have on foreign investors' willingness to engage with the country. As part of the authorities' campaign against Kumtor, law enforcement agencies have arrested several prominent former and current MPs on charges of involvement in corrupt activities in relation to various agreements concluded around Kumtor over the past decades.

A new electoral code, approved on July 27, 2021, significantly changed the structure of the parliament by introducing a mixed electoral system, with 54

out of 90 seats filled through preferential voting from national party lists, while the remaining 36 are to be decided in majoritarian single-mandate constituencies.¹⁵⁸ A month later, President Japarov finally announced that the next parliamentary elections would take place on November 28, 2021. By that time, the parliament elected in 2015 had outlived its mandate by more than a year.

¹⁵⁸ Ilgiz Kambarov, "Upcoming Parliament Elections Present New Opportunities and Challenges for Kyrgyzstan, *The Diplomat*, August 4, 2021, <https://thediplomat.com/2021/08/upcoming-parliament-elections-present-new-opportunities-and-challenges-for-kyrgyzstan/>.

Chapter 8: A New Parliament at Last

While the new legislature would see its powers curtailed, political and economic elites remained eager to seek political representation. Political leaders had significantly reshaped the political party landscape; most parties were new creations, in fact, of the parties represented in parliament only Ata Meken participated in the electoral contest. The new parties nonetheless incorporated many known politicians and represented well-established influence groups. Other seasoned politicians opted out of the party label, deciding instead to run as individual candidates in single-mandate districts. In total, close to 300 individuals were running for the 36 single-mandate districts, while 21 parties fought for 54 seats. Compared to the discredited 2020 election, the electoral campaign was muted, as observers noted an election fatigue in society.

This translated into a record-low turnout with less than one-third of eligible voters casting their ballots. In the end, six parties cleared the 5 percent threshold with the parliamentary mandates divided among Ata Jurt Kyrgyzstan, 15; Ishenim (Trust), 12; Yntymak (Harmony), 9; Alyans (Alliance), 7; Butun (United) Kyrgyzstan, 6; and Yiman Nuru (Ray of Faith), 5. Among those, only Butun Kyrgyzstan could be characterized as an opposition party, while the others, with the partial exception of the liberal and business-oriented Alyans, were loyal to President Japarov. Four opposition parties – Ata-Meken, Azattyk (Liberty), Social Democrats and Uluttar Birimdigy (Unity of Ethnicities) – failed to pass the threshold. In the 36 individual districts, resourceful male candidates dominated while no female candidate managed to win a constituency.

Several commentators were quick to note the complicated nature of the new electoral system. Voters were required to cast two separate ballots, choosing a candidate running in their district as well as one of the 21 different parties that were running, including a particular candidate from the preferred party.¹⁵⁹ In all likelihood, the record-level of votes that were declared invalid (almost 10 percent) served as a confirmation that the mixed system had confused some voters.

The parliamentary result was not without drama, however. This time, the major source of controversy related to technical problems with the automated vote count at the Central Election Commission. This meant that when 70 percent of the votes were counted, ten parties were set to enter the parliament. The only problem was that the total percentage added up to 150, not 100. Shortly thereafter, the monitor went off and when it resumed functioning all major parties had their percentages sliced. The four parties who had seen their hope for a seat in the parliament vanish in the blink of an eye were quick to accuse the Central Election Commission of stealing their votes. On the day after the election, they rejected the results and demanded a new election, but to no avail.¹⁶⁰

So, what can be expected from the new parliament? The constitutional reform in 2021 and the subsequent election to bring the parliament in line with the new requirements are likely to have significant ramifications for the role of the parliament in Kyrgyz politics. The combination of a parliament with significantly curtailed powers and the dominance of MPs

¹⁵⁹ Colleen Wood, "Looking Ahead to Kyrgyzstan's Unpredictable Parliamentary Election," *The Diplomat*, November 19, 2021, <https://thediplomat.com/2021/11/looking-ahead-to-kyrgyzstans-unpredictable-parliamentary-election/>; Bruce Pannier, "Kyrgyzstan Holds Elections Once Again Amid Concerns Of Voter Burnout," *RFE/RL*, November 27, 2021, <https://www.rferl.org/a/kyrgyzstan-elections-voter-burnout/31582766.html>.

¹⁶⁰ Bruce Pannier, "Democratic 'Blackout'? Latest Kyrgyz Parliamentary Elections Can't Escape Controversy," *RFE/RL*, November 29, 2021, <https://www.rferl.org/a/kyrgyzstan-elections-democratic-blackout/31585579.html>.

seen as loyal to the president makes it unlikely that the parliament will wield influence over policy formulation. Instead, it appears destined to function more as a political platform for raising and discussing certain issues. In this sense, the parliament might resemble a political elite club rather than a conventional legislature. The reintroduction of the majority system, with 36 seats in the parliament occupied by officeholders from single districts, will ensure that a substantial number of MPs are primarily focused on local and regional problems rather than national issues.

The Generational Shift in Kyrgyz Politics

However, a closer look at the composition of the incoming parliament, usually a mirror of Kyrgyz politics and society, reveals that a decisive and permanent generational shift has taken place in the country's politics. The generation born between the end of the World War II and 1965, is out. This was the last truly Soviet generation, with attitudes and working methods reflecting the mentality of the Soviet system. They were also the bearers of independence in 1991, steering the political and economic course of the sovereign Kyrgyzstani state.

The demographic cohort commonly referred to as Generation X, or in a post-Soviet context as "the last Soviet children" has taken its place. This generation spans from people born in the mid-to-late 1960s to the early 1980s. Overall, 45 percent of the incoming MPs are born in the 1970s, 23 percent in the 1980s and 18 percent in the 1960s. The average age of the incoming MPs is 45.5 years. This age structure can be compared to Kazakhstan and Russia, two countries which also elected new legislatures in 2021. The average age of a member of Kazakhstan's lower house, the *Mazhilis*, is 51, while the average MP in Russia's State Duma is 53 years old. This means that the "typical" Kyrgyz parliamentarian was about 15-16 years old at the time of the collapse of the Soviet Union. While formed in the Soviet

education system, representatives of this generation have largely formed their professional experiences free from the Communist worldview.

A closer look at Kyrgyzstan's new parliament reveals both changes and continuities. Its ethnical make-up is compactly Kyrgyz, with less than a handful seats occupied by representatives of minorities (Dungan, Uzbek and Tajik). For the first time, not a single ethnic Russian obtained a parliamentary seat. The regional distribution of seats further shows that the majority of MPs hails from southern Kyrgyzstan (almost 60 percent), with Osh province the native home of one-third of the new MPs. The gender balance remains largely unchanged despite the fact that not a single woman won any of the 36 individual districts. However, the quota for the nationwide party lists ensured that 17 of 54 MPs elected on a party ticket are women, bringing the total share of female MPs to 20 percent. Indeed, this represents an increase compared to the outgoing corps of MPs, which in November 2021 had a 17 percent female representation.

The incoming MPs are strikingly well educated. All of them have a higher education, as required by law, and many have two higher diplomas, some even three. More than one-third have a degree in law, one-fourth are economists and close to 20 percent are engineers. A biographical analysis reveals that many parliamentarians have added a second university degree quite late, often simultaneously as working in labor-intensive occupations in the civil service or as private entrepreneurs. Given that Kyrgyzstan's system of higher education is notoriously corrupt and that buying academic diplomas is standard practice, this casts some doubts over the formally impressive academic credentials of the latest cohort of parliamentarians. No individuals have experiences from studying abroad and only one has studied at the American University – Central Asia (AUCA) – the leading western-sponsored educational institution with the ambition of forming the future elite of Kyrgyzstan.

Since the first elections in 1995, Kyrgyzstan's parliament has been in an iron grip of a rent-seeking group of businessmen and civil servants. This dominance remains with approximately 60 percent of the new MPs having a background in various businesses while close to 40 percent have held high-ranking state jobs. In the flexible Kyrgyz job market, several have alternated between public offices and private entrepreneurial activities; almost 30 percent have had previous stints in the national parliament and 15 percent have served as members of city councils, mainly in Osh and Bishkek. On average, Kyrgyz parliamentarians remain a wealthy group of people. Compared to the older generation, the younger generation of MPs are risk-takers controlling many private enterprises.

Politically, the new generation of politicians hold national patriotic views. Traditional and nationalist-oriented values find resonance among a large group of Kyrgyz citizens, particularly in rural areas, where people since long have abandoned the old secular Soviet values and where liberal, pluralistic influences never have taken hold. In this ideological landscape, old Soviet-influenced ideas and values as well as liberal political ideas are on the retreat. Thus, while the Soviet imprint on Kyrgyz politics and society is rapidly disappearing, it is not replaced by liberal, western-influenced ideas, but by a return to Kyrgyz traditions. As part of this, the role of Islam is growing in importance, as manifested by the religiously oriented party Yiman Nuru (Ray of Faith) managing to enter the parliament. Displays of religiousness on the part of candidates have become a more pronounced feature of electoral campaigns in Kyrgyzstan over the past decade.

Overall, the new parliament, which started its work just before the New Year celebrations, confirms Kyrgyzstan's political power shift away from the post-Soviet elite of the past three decades to a new elite, largely formed around a nationalist political agenda and supported by a younger generation formed entirely by the country's development since

independence. This generation represents a complex and disparate composition of groups and individuals, but have in common a widespread perception that consecutive Kyrgyz presidents and governments have failed to meet their expectations and demands for a better future.

Chapter 9: Unpacking Parliamentary Representation

Thus far, this study has mapped and analyzed Kyrgyzstan's parliamentary development from the break-up of the Soviet Union to the rescheduled parliamentary vote in late November 2021. Several factors have influenced the parliament's development trajectory. Therefore, a discussion concentrated on those factors that have had a particularly profound impact on the nature of the legislature is warranted. Following factors are derived from the preceding chronological analysis:

- The interplay between formal institutional rules and informal practices;
- The role and nature of political parties;
- The marketization of politics.

All three components affect the entire spectrum of the parliamentary framework — from electoral campaigning to its social composition and ultimately its collective behavior and performance.

Formal-Informal Interplay: Adaptation to Repeated Rule Changes

The basic rules of Kyrgyzstan's political system have changed repeatedly since independence. These changes have affected the social structure of the parliament as well as its performance. They have also forced elites to adapt their strategies. To start with constitutional design, the original 1993 constitution was changed and modified in 1994, 1996, 1998 and 2002. Overall, most of the amendments served to elevate the powers of the presidency relative to the government and the parliament, skewing the basic

law's initial distribution of powers. In 2003, a referendum approved a new constitution, which further enlarged the power of the president at the expense of the parliament. After several years of disagreements between the presidents and the opposition over constitutional reforms, Bakiev eventually pushed through a new even more strongly presidential constitution in 2007. The interim government taking charge after the change of power in 2010 quickly invalidated Bakiev's constitution, drafted a brand new version with greater parliamentary powers, and diminished presidential powers. This mixed presidential-parliamentary form of government was subsequently adopted in a June 2010 plebiscite. Following the referendum on amendments in 2016 and the decision of Kyrgyz voters to approve a new presidential constitution in April 2021, the constitution has undergone eleven major overhauls since independence.

A close analysis of the 2010 constitution, reveals how constitutional reforms have had both intended and unintended consequences. The rationale behind the parliamentary-style constitution of 2010 was to provide an insurance against the type of presidential family rule that had come to dominate Kyrgyzstan's political systems under Akaev and Bakiev. In practice, however, it did not protect Kyrgyzstan from presidential power grabs. The main problem lied in the ambiguity of the constitutional design itself: it raised the status of the prime minister without fully diminishing the powers of the president. Both in letter and spirit, the constitution prescribed ample powers and functions for the president to influence the developments and implementation of the state's domestic and foreign policy. Combined with informal influence, these formal powers allowed first Atambaev and then Jeenbekov to secure the dominance of the presidential office in the government of the country's affairs.¹⁶¹ Once again, the presidential office

¹⁶¹ Murat Ukushov, "Kyrgyzstan i parlamentskaya forma pravleniya: opyt razocharovaniya. Chast 3," *Center.kg*, November 25, 2017, <http://www.center.kg/article/99>.

became the focal point, towards which all the other formal and informal power structures and actors gravitated. Thereafter, the country slowly but steadily backtracked in its democratic development, according to authoritative international organizations, such as Freedom House.¹⁶²

Thus, while many observers, as well as the general population in Kyrgyzstan, believed that the country lived under a parliamentary form of government, in reality it was a mixed system, with a divided executive highly vulnerable to presidential machinations. Overall, while the 2010 constitution leveled the playing field and eased access to the parliament and the government through the formation of ruling coalitions, it also fragmented political power. This form of “parliamentarism” hollowed formal institutions and weakened governance further. The primary role of the parliament was not as much its formal functions as an independent branch of power, but as an arena for distributing rents and managing disputes among elites.

As a tool for state-building, national lawmaking and implementation of political reforms, however, the 2010 constitution performed well below expectations. The constitution locked the country in a permanent condition of political ambiguity with unclear divisions of powers and weak incentives for decision-making across the board – from the president to the government and the parliament. Most notably, it failed to provide the political establishment with incentives to carry out long overdue reform. First, the single mandate tenure provided the president scant incentives to endorse reforms in a bid to seek re-election. The absence of a scheduled election further meant that there was no way to hold the president accountable. Instead of developing policy, the main priority boiled down to leaving office safely, although in this regard both Atambaev and Jeenbekov

¹⁶² In Freedom House’s annual ranking of political rights and civil liberties, Kyrgyzstan has gradually slipped into the category of a consolidated authoritarian system. See “Kyrgyzstan,” in *Nations in Transit*, New York: Freedom House, 2020.

proved to be unsuccessful. Second, the unstable nature of the coalition governments undermined the position of the prime minister, who faced the threat of removal at the outset. During the decade of experiment with parliamentarism, Kyrgyzstan's prime ministers, on average, remained in office for less than a year. All this led the office of the prime minister to become *de facto* subordinated to the president. Finally, the parliament filled up with roving deputies, jumping from one party to another in the fragmented party system placed at the heart of the political system. The outcome of it all was that the political elites collectively operated according to a short-term decision-making horizon, primarily engaging in squandering the country's limited resources during the narrow time available to do so. Naturally, this was not a conducive environment for long-term policy development.

As with the constitution, Kyrgyzstan's electoral system has also been the subject of several changes. In total, six major overhauls have taken place over the past three decades. First, there was the system inherited from Soviet Union, in which the unicameral parliament was elected in 350 single mandate electoral districts using a two-round system. Then, between 1995 and 2005, a bicameral system replaced the unicameral Soviet-elected parliament. The number of electoral districts shrank from 350 to 40 and the number of MPs from 350 to 105. Ahead of the 2000 elections, electoral changes also introduced a parallel system, in which 5 percent of the deputies were elected on the basis of a proportional party seats. For the 2005-2007 convocation of the Jogorku Kenesh, the unicameral structure re-emerged, while the number of MPs was reduced to 75. From 2007 to 2010, the unicameral parliament remained, but the 90 deputies were elected through a closed party list proportional representational system. Between 2010 and 2020, proportional representation was a constitutional rule for the electing the 120 MPs. Ahead of the 2021 parliamentary election, another major overhaul had occurred. The constitution adopted on May 5, 2021, reduced

the number of parliamentary seats from 120 to 90. Subsequent changes to electoral law, introduced to the country a mixed electoral system, where 54 out of 90 seats are decided using proportional representation through nationwide party lists and the remainder of the seats filled in single member districts elections.¹⁶³

Table 1: Electoral systems, 1990-2021¹⁶⁴

	1990	1995	2000	2005	2007	2010	2015	2021
Election system	SMD	SMD	SMD and 15 seats PR	SMD	PR	PR	PR	PR (54) SMD (36)
Number of chambers	1	2	2	1	1	1	1	1
Number of deputies	350	105 35 – lower 70 - higher	105 60 – lower 45 - higher	75	90	120	120	90

Changes to the electoral system have had both intended and unintended consequences. For example, while it was assumed that the transition in 2007 from majoritarian single districts to proportional party lists would foster political representation on a national level rather than MPs catering primarily for their local constituencies, political parties were weak on

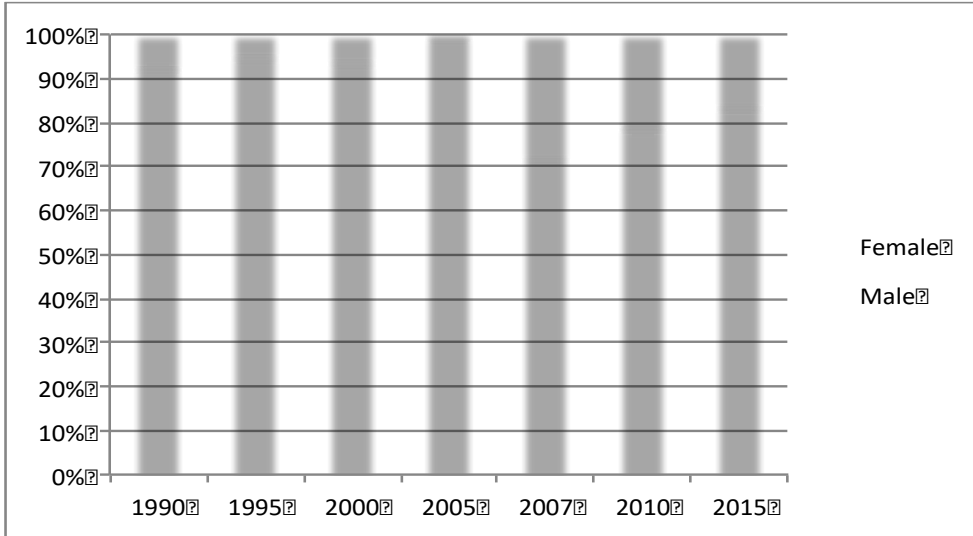
¹⁶³ "Kyrgyz President Signs Bill on Changes to Electoral Law," *RFE/RL*, August 27, 2021, <https://www.rferl.org/a/kyrgyzstan-japarov-electoral-changes/31431056.html>.

¹⁶⁴ Medet Tiulegenov and Bermet Tursunkulova, "Parlamentarizm na elektronnom rynke Kyrgyzstana: do i posle 2010 g," *ICP Policy Research Paper 1*, February 2015, p. 4. As of early summer 2021, the changes indicated for the 2021 parliamentary elections have not been confirmed, but appears highly probable.

matters of policy and had limited ambitions to advance broader societal interests. They were therefore ill-equipped to serve as channel between the citizens' and policymaking, thereby widening the gulf between the political elite and the people.

Since 2007, there have been quotas for gender, minority nationalities and youth regulating the formation of party lists. As for the gender balance, the first election under the new rules in 2007 remains the most pluralistic. Since then, the balance has gradually drifted further away from the stipulated minimum of 30 percent female candidates. Taken together, the practice of renegotiating party lists and the increasingly high turnover of MPs have negatively affected the implementation of parliamentary quotas. When the parliament elected in 2015 first convened, 24 of its 120 MPs were women, corresponding to a 20 percent share of the parliament. Although this share fell short of the 30 percent quota, it compared favorably with how the situation would develop over the course of the next five years. High turnover among legislators meant that by the end of 2020 well over 160 individuals had at some point in time served as MPs in the parliament elected in 2015. Taking all these MPs into consideration, the proportion of women shrinks to 15 percent. Thus, during its course, the parliament tended to become more strongly dominated by male ethnic Kyrgyz MPs. While changes to the law in 2017 made it mandatory to replace an outgoing MP with a candidate of the same gender, this requirement has been weakly implemented.¹⁶⁵ That said, as shown in Table 2, the introduction of a gender quota improved women's representation in parliament markedly in comparison with the pre-2007 electoral rules.

¹⁶⁵ See Cholpon Turdalieva and Medet Tiulegenov, "Women, the Parliament and Political Participation in Post-Soviet Kyrgyzstan," *Central Asian Affairs*, vol. 5, no. 2, 2018, p. 146.

Figure 1: Gender balance in parliament, 1990-2015¹⁶⁶

In comparison to the issue of female representation, the quota for national minorities has been even more weakly enforced. Parties indeed include representatives of national minorities in their lists, but they are normally occupying slots near the bottom of the list and therefore stand slim chances to receive a parliamentary seat. In fact, with the exception of the 2007 election, the share of national minorities has fallen rather dramatically since the introduction of a proportional party-based representation system.¹⁶⁷ Since 2010, the situation has been particularly dire for the Uzbek minority. After the 2015 election, only three Uzbeks gained a parliamentary seat.¹⁶⁸ In contrast, they fared better under the old electoral system of single mandate districts, when several resource-strong Uzbek candidates always managed

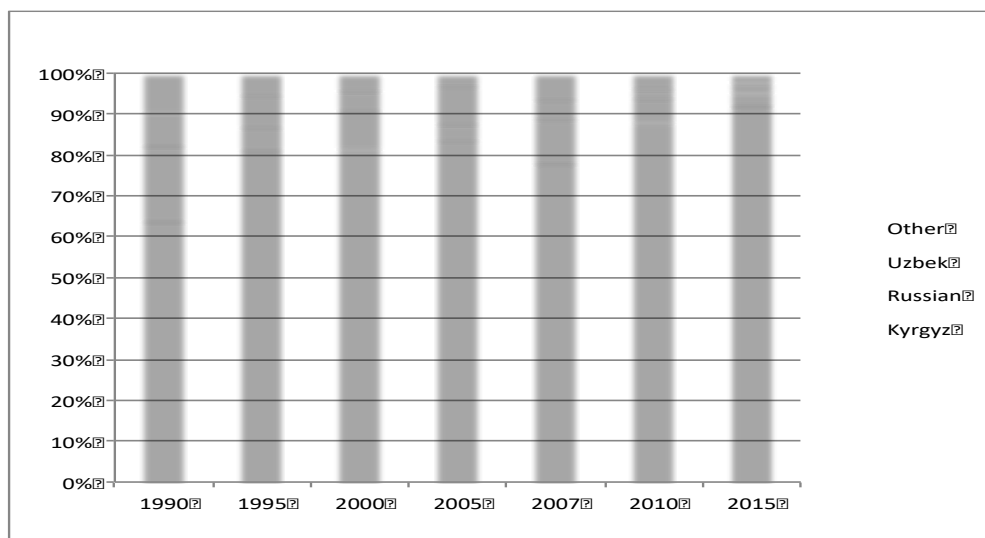
¹⁶⁶ Source: Turdalieva and Tiulegenov, "Women, the Parliament and Political Participation," p. 141, and author's compilation for 2015.

¹⁶⁷ Medet Tiulegenov and Bermet Tursunkulova, "Parlamentarizm na elektronnom rynke Kyrgyzstana: do i posle 2010 g," *ICP Policy Research Paper 1*, February 2015.

¹⁶⁸ "Troje etnicheskikh uzbekov proshli v novyi parlament Kyrgyzstana," *Ozodlik Radiosi*, October 29, 2015, <https://www.ozodlik.org/a/27332801.html>.

to win some mainly Uzbek-populated districts in southern Kyrgyzstan. What stands out between the two major minorities – the Uzbeks and the Russians – is that the former only have male MPs whereas the latter only have female representation since 2015.

Figure 2: Distribution of nationalities in the parliament, 1990-2015¹⁶⁹



To conclude, on the eve of the 2021 parliamentary election, the typical MP in Kyrgyzstan is a 50-year-old Kyrgyz man hailing from a village in a district, most likely in Osh, Chui or Jalal-Abad provinces. He has a primary background in business activities, in all likelihood with stakes in trade, including bazaars and other cross-border activities. He has a flexible approach to party identification and is likely to change party affiliation.

¹⁶⁹ Tiulegenov and Tursunkulova, "Parlamentarizm na elektronanom rynke Kyrgyzstana," p. 8, and author's compilation for 2015.

Party Development

Kyrgyzstan's parliament has stood out compared to other Central Asian states due to the absence of strong pro-presidential parties. While two pro-presidential parties entered the parliament on the small party quota in 2000, President Akaev kept a certain distance to them, preferring to stay above political party divisions. It was not until ahead of the 2005 elections, when the authorities set up *Alga Kyrgyzstan* under the tutorship of the president's daughter *Bermet Akaeva* that a truly presidential party emerged. *Bakiev* repeated the feature with the creation of *Ak Jol* to meet the demands of the new electoral system based on proportional party representation in 2007. None of these parties proved sustainable; as soon as the incumbent presidents lost power, they fell into oblivion. The same fate awaited *SDPK*; despite being one of the country's oldest parties, it disintegrated from within as soon as the feud between *Atambaev* and *Jeenbekov* broke out. A similar fate awaited *Birimdik*, which was created partly out of the ruins of the *SDPK* as the new party of power for *Jeenbekov* ahead of the October 2020 elections, but quickly became a spent political force following the canceled 2020 parliamentary vote and the humiliating collapse of *Jeenbekov's* presidency.

Contrary to expectation, Kyrgyzstan's fledgling political parties have not shown any signs of consolidation during the past three decades. In fact, their number grows unabated. By March 2020, Kyrgyzstan's Ministry of Justice reported 259 registered political parties that were considered to be active. In 2019 alone, 15 new parties had been founded.¹⁷⁰ That said, in reality very few of these parties are truly active, as demonstrated by the fact that only sixteen of them participated in the canceled 2020 election.

¹⁷⁰ "Pyatnadsat novykh partii poyavilos v Kyrgyzstane. Kto ikh sozdal," *24.kg*, January 15, 2020, https://24.kg/vlast/140397_pyatnadsat_novyih_partiy_poyavilos_vkyirgyzstane_kto_ihsozdal/.

Weak Institutionalization

In practice, Kyrgyzstan's parties are often "temporary vehicles to service political interests" rather than mass political organizations.¹⁷¹ Almost all parties have a very small membership base and are personalistic, in the sense that their appeal rests on tangible identification with leaders, not abstract political ideas. In this context, elections do not represent competition between parties over ideas and programs, but between personalities and their respective financial resources. As such, parties tend to fragment along particularistic lines, with a lack of sustainable ties to the general populace.

The fragmentation is particularly notable regarding candidate selection. The one who controls candidate recruitment ultimately controls the party. In contrast to mature democracies, in which candidate selection largely is a decentralized affair, the process in Kyrgyzstan is the exclusive privilege of the central elite, typically the party leader. Yet, the practice of hopeful businessmen and public officials changing parties ahead of elections undermine the integrity of the party system while simultaneously leading to a highly ambiguous relationship between the parties and their parliamentary factions. As described by Eugene Huskey: "those running on the party list often had tenuous ties to the party organization, and so while leaders ... may have enjoyed an unchallenged position as head of party outside parliament, they had limited control over the deputies in their party faction inside parliament."¹⁷² In sum, as Anvar Bugazov puts it, "there are political parties in Kyrgyzstan, but there is no party diversity in the strict sense of the word."¹⁷³

¹⁷¹ Ayirzek Imanaliyeva and Chris Rickleton, "Kyrgyzstan Vote: New-Look Parliament but Old-Style Politics," *Eurasianet*, September 4, 2020, <https://eurasianet.org/kyrgyzstan-vote-new-look-parliament-but-old-style-politics>.

¹⁷² Huskey, *Encounters at the Edge of the Muslim World*, p. 185.

¹⁷³ Bugazov, *Socio-Cultural Characteristics of Civil Society Formation in Kyrgyzstan*, p. 52.

Finally, the idea behind the proportional electoral system was that it would help to de-personalize representative politics and spur the formation and consolidation of a political party system by tying MPs to political parties rather than local constituencies. In practice, however, parliamentarians “continued to treat one district, often their place of origin, as a personal constituency”.¹⁷⁴ This has a number of consequences. First, MPs’ representational activities remain directed towards the village rather than the nation, leading to an overwhelming dominance of legislative activities concerned with local matters over legislation of truly national significance.¹⁷⁵ Second, since MPs cultivate and maintain their own personal brand primarily at the local level, the political party belonging remained a substitutable resource. When considered more beneficial, or due to political or personal disagreements with the party leadership, MPs are quick to defect and offer their services to another party in the next vote.

Values, Ideologies and Policies

Kyrgyzstan’s political parties are not based so much on stringent ideological platforms as they are bearers of certain “value systems.” According to Kyrgyz diplomat Muratbek Imanaliev, during the first decade and half, a kind of post-communist value system remained the dominant prism of the majority of Kyrgyzstani parties. The post-Soviet political elite was of course formed by Soviet communism and after independence they retained many of the overarching values and political outlooks of the old system, including a secular view on politics. Parties based on liberal values and a broader outlook beyond the post-Soviet space represented the primary alternative to

¹⁷⁴ Somfalvy, “The Challenges to De-localising Constituencies through Electoral Reform in Kazakhstan and Kyrgyzstan,” p. 2. Somfalvy’s research demonstrates that MPs legally required obligation to travel to the regions are largely organized and carried out by individual MPs without involvement from the political parties they represent. Free to choose they tend to visit their native regions.

¹⁷⁵ Author’s interviews with MP, Bishkek, July 4, 2012 and former minister, Bishkek, July 26, 2012.

post-communist values. These parties were mainly Bishkek-based and represented progressive officials and business interests.¹⁷⁶

In the past decade, however, post-communist and liberal values have increasingly been replaced by a cultural-nationalistic value system that has come to permeate Kyrgyz politics, including parties. To varying degrees, all significant political parties have incorporated this idea of preserving and safeguarding the traditions and values of the Kyrgyz people from enemies within and outside the country. This accelerating trend corresponds to similar developments almost everywhere else in the world. In Kyrgyzstan, no party has advocated the nationalistic agenda more consistently than Ata Jurt, and its successor party Mekenchil (Patriots), which was created ahead of the 2020 parliamentary election. To safeguard the Kyrgyz nationhood and statehood from alien influences and external threats, the programs of Ata Jurt/Mekenchil have consistently emphasized the need to return to a strong presidential system, in which the parliament plays a subordinated role while the traditional Kyrgyz form of assembly – the People’s Kurultai – is formalized as a state institution.¹⁷⁷ Ata Jurt/Mekenchil has been the party identification of Kyrgyzstan’s two most powerful individuals – President Japarov and the head of the State Committee for National Security, Kamchybek Tashiev. Butun Kyrgyzstan is another party cast in the same mold. These traditional and nationalist-oriented values find resonance among a large group of Kyrgyz citizens, particularly in rural areas, where people since long have abandoned the old secular Soviet values and where liberal, pluralistic influences never have taken hold.

¹⁷⁶ “Formation of Political Party System in Kyrgyzstan: Meeting with Muratbek Imanaliev,” *Kyrgyzstan Brief*, Institute for Public Policy, Bishkek, October-November 2005.

¹⁷⁷ Kurultai first appeared during the times of Genghis Khan. In Turkic and Mongolian societies, the Kurultai was a council bringing together different clans to settle political issues. According to the new constitution, the People’s Kurultai has the right to propose state policy but has no decision-making powers.

This nationalistic trend has gradually emerged since independence, only to accelerate after the ethnic violence in southern Kyrgyzstan in 2010. It reached its logical conclusion with the election of Sadyr Japarov, its foremost symbol, as president. In this context, it should also be emphasized that Islam is an increasingly critical part of the national identity for many Kyrgyz. Slowly but steadily the religious factor is entering the realm of politics, despite the fact that political parties based on a religious foundation remain prohibited in Kyrgyzstan. In practice, however, political parties and their representatives have become much more inclined to embrace religion as a factor to win over sympathizers, especially during election campaigns.¹⁷⁸

While ideas associated with the national and cultural underpinnings of Kyrgyzstan's statehood are experiencing a revival, the ideological development of political parties remains shallow. Lacking an ideological core and concrete policy programs that go beyond clichés, they become wide umbrellas for incorporating individuals with widely diverging profiles and worldviews. The example of Ar Namys party list for the 2010 parliamentary election illustrates the point. Party leader Kulov, a secular urban Russian-speaking individual appealing to for example the Russian minority, headed the list. Akylbek Japarov, an experienced technocrat and former minister hailing from the Issyk-Kul region with more of a typical national Kyrgyz appeal placed second. Third on the list was Tursunbai Bakir Uulu, one of the country's best known Islamic conservatives, known as a proponent of loosening the boundaries between politics and Islam in the country. Through this tactic, the party managed to attract support from different social groups and emerge as a significant force in the parliament. Similar contrasts can be found in several other parties.

¹⁷⁸ Johan Engvall, *Religion and the Secular State in Kyrgyzstan*, Washington, DC: Central Asia-Caucasus Institute – Silk Road Studies Program, June 2020.

Furthermore, the relevance of political parties as drivers of political development are undermined by the weak links between ideology and concrete policy programs. Party platforms and programs have been difficult to distinguish from one another. Until the constitutional reform of 2010, the majority of parties were located at the center of the left-right political scale.¹⁷⁹ It was not uncommon for them to display a hybrid mix of leftist and rightist viewpoints. Since the early 1990s, the two main parties on the left flank are the Party of Communists of Kyrgyzstan and perhaps *Ata Meken*, which has at least labeled itself a socialist party. Conventional right-wing parties are few, but the now defunct *Moya Strana* and *Respublika*, created in 2010 and since then with a presence in the parliament gathering several influential business interests, are two examples. More recently, the *Reforma* party has emerged as the most principled liberal, market-oriented political party mainly catering for the Bishkek electorate. Thus, there are some signs of growing political party separation based on values and ideas, with Bishkek-centered liberal parties representing one pole and nationalistic, predominantly rural-oriented parties another, much stronger pole. Conspicuously absent from the ideological landscape are parties that truly articulate a political project on behalf of the working class.

While all parties have their programs, they usually consist of lofty goals and priorities. On the one hand, they all talk about the interests of the people, the need to fight corruption, the importance of strengthening welfare and social protection and to tackle unemployment and economic development. On the other hand, they offer no concrete policy steps on how to realize these reforms. In this context, the lack of party continuity and stability has had a negative impact on the development of party programs. Parties are essentially reduced to campaigning structures that political leaders activate

¹⁷⁹ Zaynidin Kurmanov, "Partiinye sistemy i tipologiya partii: otrazhenie nirovogo opyta v Kyrgyzstane," *Center.kg*, March 1, 2018, <http://center.kg/article/139>.

before elections. In the post-election period, parties return to a state of idleness, with members of the campaigning team and regular staff largely dispersing until some of them might assemble again ahead of a new election campaign. There is precious little continuous party work aimed at developing party programs in between electoral cycles, both among parties inside and outside of the parliament. The party work undertaken after elections mainly focus on internal tactical aspects or its relationship to other parties. In sum, the party label is needed for competing in elections but has little meaning otherwise. This party fluidness in combination with the revolving doors of Kyrgyzstan's coalition constellations have rendered the distinction between ruling and oppositional parties of little practical value during the last decade.

Parliament as Marketplace

The way a particular political body is constituted in the first place determines much of its subsequent behavior. The configuration of business interests in Kyrgyzstan's parliament has largely transformed the national legislature to a marketplace for transacting corrupt deals. There is a distinct logic to this marketplace: from securing access to the parliament to the motives for a mandate and the consequences in terms of how the parliament performs its tasks.

Access

The large-scale ascendance of businessmen to the parliament developed during the majoritarian system based on single mandate districts. Business interests in the parliament emerged on a large scale following the first post-Soviet election of 1995, continued with the 2000 election and peaked in 2005 – the last elections decided in majoritarian single mandate districts. Running in single mandate districts, business representatives had an advantage in possessing the financial resources that could tilt the balance of an electoral

race in a particular constituency. Illicit financial payments became a significant method for increasing a candidate's likelihood of winning the vote in a particular electoral district. Payments ranged from vote buying and paying off officials in charge of counting the vote to bribing the administrative courts responsible for ruling on election results.¹⁸⁰ According to a Kyrgyz expert, during Akaev's reign, elections were the means by which Kyrgyzstan's nascent democracy turned into business.¹⁸¹

With the importance of political parties elevated following the 2010 constitutional reform, Kyrgyz media began reporting about "auctions" for the right to be among the first ten members on the lists of the major political parties since this all but guarantees a parliamentary mandate. At the time of the 2010 national elections, candidates themselves alleged that the sums required from candidates ranged between \$100,000 and \$300,000 but could be sold for more than that.¹⁸² Even President Atambaev admitted that the practice was widespread in all major political parties, leaving the parliament filled with businessmen and corrupt state officials.¹⁸³ Subjected to this monetary logic, parties and their parliamentary factions display little continuity apart from their leaders and their closest confidants. Most of the rest of MPs are eagerly jumping from one party to another in their hunt for a legislative seat.

¹⁸⁰ "Korrupsiya byla est i budet," *Moya Stolitsa Novosti*, September 29, 2010.

¹⁸¹ Author's interview with Muratbek Imanaliev, Bishkek, May 25, 2007.

¹⁸² Egor Lazutin, "K vyboram v Kyrgyzstane: golosui ne golosui – vse ravno proigraesh," *Belyi Parus*, September 5, 2012; "Ravshan Jeenbekov: Nas vygnali, potomu chto my kritikoval Tekebaeva i ego okruzhenie," *Fergana.ru*, April 17, 2012, <https://vesti.kg/politika/item/11929-ravshan-zheenbekov-nas-vygnali-potomu-chto-myi-kritikovali-tekebaeva-i-ego-okruzhenie.html>; Zairbek Baktybaev, "Partiinyi spisok. Popast v 'zolutuyu desyatku,'" *Radio Azattyk*, September 24, 2014, <https://rus.azattyk.org/a/26603356.html>; Kubanychbek Zholdoshev, "Partiinye spiski: vse reshayut dengi," *Radio Azattyk*, May 26, 2015, <https://rus.azattyk.org/a/27036902.html>.

¹⁸³ Author's conversation with Almazbek Atambaev, Bishkek, July 18, 2013.

The monetarization of party lists evolved further during the 2015 parliamentary election campaign. Insiders argue that top slots are now sold for perhaps up to US\$500,000.¹⁸⁴ The open discussions on the matter suggest that the transaction no longer represents an informal practice but has become a standardized, centrally-coordinated and even formalized practice. It resembles a contract between candidates and party leaders, specifying both the sum a candidate must contribute to party funds and how many votes the same candidate commits to the party, from his or her local stronghold. To summarize, by putting a price on party-list slots, parties have made a market out of parliament.

Motives

What are the motives for candidates to invest in a party campaign in the hope of reaching the parliament? During Akaev's tenure, large business owners started political campaigns as a means of securing their economic assets from the ruling regime and competitors. Acquiring the status as national-level politicians was also a way of legitimizing their wealth, which often had been acquired under suspicious circumstances or through illicit means. The parliament became both a *krysha* (protection) and a way to laundry their reputations, capital and properties. As the legislature evolved into an ever more mature business hub in Kyrgyzstan, Regine Spector argued that it *de facto* took on a set of functions for "the protection of property and the resolution of business conflicts". Apart from the formal role of passing legislation, the others – immunity, networking and vote trading, and information gathering – were mutations developing since 1995.¹⁸⁵

¹⁸⁴ See Engvall, "From Monopoly to Competition," p. 279.

¹⁸⁵ Regine A. Spector, "Securing Property in Contemporary Kyrgyzstan," *Post-Soviet Affairs*, vol. 24, no. 2, 2008, p. 165.

The 2010 constitution, which placed the parliament at the center of Kyrgyzstan's political system, further strengthened the incentives for investing in a parliamentary mandate. As a result, the legislature's role as a key rent-seeking political body in Kyrgyzstan grew even stronger. A parliamentary mandate provide access to lobbying business interests, and to lucrative economic contracts. It further has the potential to secure preferential treatment for certain business sectors through enacting or blocking legislation.¹⁸⁶ The position as MP also has a signaling effect, indicating political influence and power and therefore being in possession of a credible threat to competitors' market shares.¹⁸⁷

Thus, the legislative body became a central institution in the country's financial life, a forum for protecting, developing and legalizing economic activities. The prime motives may differ somewhat. While some seek access to the parliament in order to protect wealth already acquired, others take a more aggressive approach to their mandate, trying to get hold of profitable businesses.¹⁸⁸ Thus, for some deputies a parliamentary mandate is an insurance, for others it is a source for business expansion.

Behavior and Consequences

As politicians enter the parliament after having made large financial contributions, they have strong incentives to retrieve their money, preferably with an appropriate profit on top, through insider deals.¹⁸⁹ What

¹⁸⁶ Engvall, "From Monopoly to Competition."

¹⁸⁷ The major business interests represented in parliament have included bazaar and retail trade, alcohol, tobacco, petroleum, construction, transportation, mining, energy and smuggling of licit and illicit goods, including narcotics.

¹⁸⁸ See Johan Engvall, *The State as Investment Market: Kyrgyzstan in Comparative Perspective*, Pittsburgh: University of Pittsburgh Press, 2016.

¹⁸⁹ According to 2021 presidential candidate Ulukbek Kochkorov, since "only those who have US\$500,000 to \$1 million can access parliament on lists ... when they become deputies, they try to return the money spent." See "Devyat voprosov Segizbaeva k Zhaparovu, reforma GKNB i

tools are available for deputies to secure economic control? Public procurement, a particularly corruption-prone sector, is a prime target for MPs to influence for their own benefits. They further use their powers to establish commissions to inspect government agencies and businesses. Another reportedly widespread practice is to take advantage of legislative provisions stipulating that individuals who have held high-level positions are exempted from competitive hiring. MPs, thus, appoint their own trustees as assistants, which automatically qualifies them for other positions in the state apparatus. After short stints as assistants, these individuals are sent to take up jobs in various law enforcement and inspection agencies, where they work on behalf of the personal interests of their patrons rather than the state interest. MPs have been unwilling to give up this privilege and amend the legislation.¹⁹⁰

The role of money in the formation of party lists has cemented the parliament's role as a harbinger of elite corruption in Kyrgyzstan. Indeed, corruption often transcends party affiliations and regional identities in the parliament, involving and bringing together different individual MPs. The parliament's role as a body for covering and defending business ventures at the expense of the national interest, represents something more than a distortion of formal institutions. It has arisen to meet a demand generated by structural changes in the Kyrgyz economy and the rise of entrepreneurs with a natural interest of protecting their wealth and assets. However, in a business environment characterized by an absence of rule of law, the parliament has emerged partly as an extra-legal institution allowing a privileged group to secure property and gain competitive advantages on the market. The whole phenomenon can be labeled an "inverse state capture":

'negotovnost' k parlamentarizmu. Kak proshel tertij den debatov mezhdou kandidatami v prezidenty," *Kloop.kg*, December 30, 2020, <https://kloop.kg/blog/2020/12/30/live-chekist-bankiry-eks-glava-mintruda-i-uchastniki-koj-tashskih-sobytij-tretij-den-debatov-na-otrk/>.

¹⁹⁰ Author's interviews with Kyrgyz experts, Bishkek, May-June 2014.

rather than a private actor buying preferential treatment from the state, it is more effective to directly influence the distribution of rents from inside the state as an MP. By empowering the parliament, the 2010 constitution strengthened incentives to invest in a parliamentary mandate, thereby further aiding big business in the takeover of the political system.

This has a number of self-reinforcing consequences. The marketization of the parliament further distorts Kyrgyzstan's private business sector, since it has fostered a mentality among large entrepreneurs that they need to go into politics in order to secure their assets. The blurred lines between politics and business is one thing, however. Even more importantly, the dominance of money has erased any lingering boundaries for public offices. In practice, anyone with the access to money can participate in Kyrgyzstan's legislative affairs despite lacking the necessary qualities and competencies.

Conclusions

Kyrgyzstan's national parliament, the Jogorku Kenesh, has been a mirror of Kyrgyz politics and society for three decades. It has been the source of great hopes but also of despair. Kyrgyzstan's 2010 constitutional reform, introducing a parliamentary-style form of government is a case in point. Met with skepticism among its neighbors and in Russia, it was widely embraced in the West as a logical step on the country's path towards a democratic breakthrough. However, after the introduction of a supposedly parliamentary form of government, Freedom House soon classified Kyrgyzstan as a consolidated authoritarian regime due to its backtracking on political rights and civil liberties. As confirmation of the failed parliamentary experiment, the people elected Sadyr Japarov, a self-styled strongman, new president and opted to return the country to a presidential form of government in 2021. To understand the failure of the parliamentary experiment, it is worth summarizing the major trends in parliamentary practice during the three decades and seven different parliaments that have passed by as Kyrgyzstan marked its 30th anniversary as independent state.

Political significance and degree of independence: The national parliament's role in Kyrgyzstani politics has varied throughout the past three decades. For some periods, it has been at the center of the political struggle, providing some checks and balances on presidential ambitions. In this regard, the initial "legendary" parliament raised the bar surprisingly quickly by emerging as the major arena for political debate in the early transition years. The second period of major parliamentary resistance occurred between 2005 and 2007, when an unruly parliament threw Kyrgyzstan into uncertainty while simultaneously constraining Bakiev's

attempt to usurp all levers of power. The final period emerged in the first years after the 2010 constitutional reform attempted to establish a more balanced political system with a stronger parliament and a weakened presidency. In the early 2010s, it also seemed to succeed in shifting power away from the president as Kyrgyzstani politics centered on debates taking place in the parliament, while President Atambaev appeared a slightly aloof figure in the new power configuration.

In-between and after these periods, the parliament have served as a more malleable body. This situation characterized the late 1990s and early 2000s, when Akaev's rule took an authoritarian turn and the parliament's independent role weakened. That said, Akaev never truly managed to establish a parliament that unconditionally rubberstamped his decisions. Bakiev, however, managed to do so, if only for a short period, during the late 2000s. The 2015 parliament represents a similar creation, engineered to a significant extent by then-president Atambaev and packed with silent deputies who have learnt the risks with open opposition. Instead, they prefer to stay anonymous, vote with the majority and obey the office of the president irrespective of the individual occupying it. Given the significantly reduced powers of the parliament in the new constitution, the parliament elected in fall 2021 seems predestined to play a subdued role in the coming years. Its powers over policy are substantially reduced, making it more likely to function as a platform, or discussion club, for debating various issues.

Institutional progression, declining human capital: The current Kyrgyz parliament illustrates a paradox in Kyrgyzstan's parliamentary development: On the one hand, the campaigning, technical, procedural and organizational preconditions for legislative performance have steadily improved in Kyrgyzstan over the years. This modernized formal framework contrasts with the wild and *ad hoc* organization during the first decade and

half of independence. On the other hand, its human resources, in the sense of the quality of lawmakers, their education and their ability to adopt laws befitting of a national parliament has steadily declined. In short, the administrative and organizational framework for parliamentary practices is constantly modernizing while the human capital is moving in the other direction. To put it bluntly, the increasingly primitive nature of the political elite represents a major obstacle to the revitalization of the country's political system.

Since the first formative post-Soviet election in 1995, two dominant categories – civil servants and business representatives – have come to establish an iron grip over the parliament. Taken together, they constitute a large majority of MPs. Among these two groups, which are not mutually exclusive in Kyrgyzstan's political economy, where civil servants frequently jump to business while entrepreneurs move into politics, the 2015 elections decisively shifted the balance away from civil servants to a class of local entrepreneurs, including a mix of oligarchs, racketeers, businessmen masquerading as civil servants, bazaar representatives and other traders and smugglers. As a result, Kyrgyzstan's parliament stands out due to a striking absence of boundaries between the legitimate and illegitimate business spheres. It remains to be seen whether the wave of arrests of high-level politicians, including several former and current MPs, in the spring 2021 will alter elite calculations in seeking access to a parliament that is no longer providing sanctuary from prosecution.

Legislative function: What legislative problems are resolved by the parliament? First, given the strong connection between MPs and particular local constituencies, even under the proportional system of representation, the bulk of initiatives addresses local-specific problems. Second, the trend of the major political parties coalescing around a traditional, ethno-nationalistic and patriotic agenda is concretely reflected in a stronger

parliamentary preoccupation with initiatives aimed at illiberal laws protecting these values from alien influences. Consequently, the authoritarian slide since the second half of the 2010s has been assisted by a parliament that has increasingly turned its back on political rights and civil liberties. Finally, the market logic has negatively affected the supply-and-demand of nationwide legislation. Lobbying shadow business interests and enacting preferential laws, maintaining legislative loopholes to exploit for personal gain and transforming the legislative body into an extra-legal mechanism for securing or challenging property rights are all functions incompatible with long-term economic development and building a system based on the rule of law.

Political representation: The representative function of the parliament has weakened over the past decade and since the 2015 election in particular. There are several reasons behind this. Given the nature of the party system, serving as chieftaincies of their leaders, who approach the formation of their party lists in a transactional manner, parties could never evolve into channels for political representation. The weak programmatic content of political parties in combination with management through material rewards mean that they are ruled for the benefit of business cliques rather than of wider societal interests. The ever more frequent turnover of MPs further undermines the ties to the population in an electoral system that in practice continue to be highly personalized in the sense that people vote for persons rather than political ideas. The logical outcome was a widening gulf between the people and the elite as well as widespread political cynicism and apathy on the part of citizens.

This is not the only way that the state-society relationship weakened. Growing parts of the population are economically active in the domestic informal sector. Meanwhile approximately a million Kyrgyzstani citizens are guest workers abroad, primarily in Russia. As a consequence of this

informalization of large parts of society, people are less dependent on state legislation since they operate outside of the formal reach of the state. Conversely, a rent-seeking political class, prospering from controlling financial flows in the shadow economy, have little interest in establishing potential mechanisms of accountability to the electorate, such as a formal tax contract.

Kyrgyzstan's parliament in Eurasian context: What lessons can be learned from Kyrgyzstan's parliamentary development path over the past 30 years, and does it hold any implications for the fate of parliamentarism in the wider Eurasian region, including its Central Asian neighbors? Kyrgyzstan's 2010 constitution never truly introduced a parliamentary system of government in the sense that the executive was chosen by, and responsible to, the parliament. That said, the Baltic states excluded, Kyrgyzstan's 2010 constitution was the closest thing to a parliamentarism seen in the post-Soviet region since Moldova introduced a parliamentary system of government back in 2000. Since then, Armenia (2015) and Georgia (2017) have also established parliamentary forms of government. While these states have been characterized by genuine political competition, they have nonetheless struggled with severe governance problems. The ongoing political crisis in Georgia since the contested 2020 parliamentary election and Armenia's recurring mass protests in recent years illustrate the challenge of combining political competition and effective governance in democratizing countries. In turn, Moldova's development trajectory over the past decade has been plagued by corruption scandals and a prolonged governance crisis. In Moldova, political competition has been inseparable from competition over corruption, thereby, resembling the type of dysfunctional political order that existed during Kyrgyzstan's past decade of experimentation with parliamentarism.

In Central Asia, strongly dominated by presidentialism, Kyrgyzstan's parliamentary experiment has been the outlier. The arguments advanced by President Japarov and his supporters in relation to the constitutional reform in 2021 – that Kyrgyzstan needs to strengthen presidential authority, consolidate power and mature as a state before it is ready to embark upon a parliamentary path – echoes the long-held opinions held by the political leaders of the other Central Asian states. While this reasoning often tends to be used as an excuse for authoritarianism, the failure of Kyrgyzstan's parliamentary-style system to live up to expectations arguably suggests the need for a sequence of priority. In particular, the state must first get its core functions in place, such as the provision of elementary law and order and basic economic and social security, before a truly viable form of government is likely to take hold.

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