Civil Society Under Authoritarian Rule: The Cases of Uzbekistan and Kazakhstan

Aram TERZYAN[*]

Abstract

According to widely held beliefs, the Soviet authoritarian legacy combined with local conservative political culture has obstructed the emergence of democratic values and a vibrant civil society in Central Asian countries. This article explores the core accomplishments and setbacks on the path to a vibrant civil society advancement in Uzbekistan and Kazakhstan. The two Central Asian countries share much in common in terms of their post-Soviet authoritarian legacy and weakness of democratic institutions. Along with governments' excessive crackdown on civil society, the low trust, and misperceptions of civil society organizations across Kazakh and Uzbek societies, have significantly undermined their actorness across the two countries. It has not been uncommon for post-Soviet societies to treat civic associations as threat to the power and stability of the state together with the conviction that the state bears the responsibility for the wellbeing of the society. A question arises as to what extent the emergence of social media- powered, youth - driven global civil society will affect the dynamics of a vibrant civil society advancement in Uzbekistan and Kazakhstan.

Introduction

This article explores the core accomplishments and setbacks on the path to a vibrant civil society advancement in Uzbekistan and Kazakhstan

According to widely held beliefs, the Soviet authoritarian legacy combined with local conservative political culture has obstructed the emergence of democratic values and a vibrant civil society in Central Asian countries (Matveeva, 1999). Rather, Central Asian civil society has found itself under constant pressure, with governments using various legislative or arbitrary means to limit the space and scope of civil society activities (Boonstra and Tsertsvadze, 2018).

Some observers draw on the authoritarian promotion literature to assess the pressures for democratization and authoritarianism in Central Asia. It is argued that Western programs supporting liberal democracy and civil society have encountered resistance from authoritarian leaders in Central Asia, though the evidence for direct influence from authoritarian external actors is limited (Ziegler, 2016). Meanwhile, a process of indirect authoritarian diffusion, in combination with the region's illiberal societies and Western democracy promotion fatigue, undermines the development of civil society and makes authoritarian persistence in Central Asia likely (Ziegler, 2016).

[*] Aram TERZYAN, PhD, is the research co-director of the Center for Central Asian Studies of Eurasia Institutes, USA, e-mail: a.terzyan@eurasiainstitutes.org .

Ambrosio (2008) has focused on how the Shanghai Cooperation Organization (SCO) seeks to undermine democratization in Central Asia, suggesting that the international organizations may well sustain autocracy. More specifically, authoritarian governments are increasingly adopting policies aimed at preserving their political power and the SCO represents an additional strategy in this regard: utilizing multilateral cooperation to defend themselves against regional or global democratic trends. As such, the 'Shanghai Spirit' may be a sign of things to come as autocratic leaders become bolder in their rejection of democratic norms (Ambrosio, 2008).

Kazakhstan represents a distinct Central Asian model of civil society, comparable to Russia but qualitatively different from that found in either Eastern or Western Europe, where civil society is less willing to confront the state, more cooperative with the authoritarian system, and wary of the potential for civic activism to degenerate into instability (Ziegler, 2016). As for Uzbekistan, while Islam Karimov's authoritarian governance would put heavy restrictions on civil society organizations, a question arises as to what extent the government change in 2016 has trickled down to civil society.

Therefore, the study addresses the following question: What are the core hindrances to a vibrant civil society advancement in Uzbekistan and Kazakhstan. It explores the core dynamics of state-civil society relations.

The study builds its empirical argumentation by analyzing a broad variety of sources, including the newspaper articles, observations from political speeches, official documents, and interviews.

The concept of civil society

Civil society has been largely conceptualized as 'the organized expression of a society's values, a zone where individuals associate and groups shape norms and articulate purposes, a system of networks linking individuals in their pursuit of influence over community and political affairs (Viterna, Clough and Clarke, 2015). A vibrant civil society has long been thought to be a crucial instrument for political change in countries in transition and a key component of a democratic society.

Diamond (1994), emphasizes the ways in which a civil society can contribute to democracy consolidation: 1. Civil society "restrains" and monitors the state's power that may be misused or abused. 2. Civil society mobilizes citizens and stimulates their political participation. 3. It is an arena, within which reciprocity is learned and enforced, civic norms of tolerance, trust and compromise are generated. As a result, it facilitates peaceful regulation of conflicts through the process of participation. 4. Civil society enables to articulate and represent interests outside of political parties. 5. It mitigates conflict through cross-cutting or overlapping interest. 6. Civil society recruits new leaders and equips them to participate in political life. 7. It improves the quality of democracy through election-monitoring, human rights-monitoring and public corruption-monitoring. Moreover, it

disseminates alternative information, thus lowering the possibility of state censorship or state-controlled biased information, especially in respect to human right violations. 8. Civil society reinforces democratic legitimacy and governance, by making it accountable, inclusive, and responsive (Usul, 2010, p. 4).

Therefore, all these functions of the civil society suggest that it is a powerful agent of democracy. While civic activism has been on the rise in many post-Soviet countries, it has not been sufficiently institutionalized.

Essentially, there is a tendency in existing studies to put civic activism in the frameworks of civil society and social movements. While social movements can be seen as an "integral component" of civil society, or vice versa, the vibrant associational life of civil society can be seen as a part of "broader social movement dynamics" (Della Porta and Diani 2011, p. 69).

Nevertheless, there are certain differences between civil society and civic initiatives. Unlike the most institutionalized forms of civil society – NGOs, civic initiatives are more informal, issue specific, horizontally constructed and do not usually pursue to become formally institutionalized entities.

Indeed, civic activities have entered into a new phase with rapid advancement of network society. The ongoing transformation of communication technology in the digital age extends the reach of communication media to all domains of social life. Thus, the transformation of the communication environment directly affects the forms of meaning construction, and therefore the production of power relationships. In network society, networks of power exercise their power by influencing the human mind chiefly through multimedia networks of mass communication. Thus, communication networks are decisive sources of power-making (Castells, 2009). Actors of social change can exert considerable influence by using mechanisms of power-making that correspond to the forms and processes of power in the network society. More specifically, the remarkable advancement of the Internet considerably enhances the tools of civic activism, equipping it with mobilizing capabilities. The Arab Spring put in the spotlight the mounting power of social media, prompting a focus particularly on Facebook and Twitter.

Remarkably, some observers contend that that Facebook and Twitter coverage of protests was pivotal to the lion's share of protesters' mobilization (Eltantawy and Wiest 2011). As a matter of fact social media significantly facilitates the organization of civic initiatives by providing a fertile ground for social interactions and networking, exchange of ideas, with the potential to influencing public opinion. Thus, social media significantly enhances mobilizing potential of civic initiatives.

Regarding the state and evolution of civil societies in Central Asian countries, studies suggest that civil society organizations (CSOs) have limited ability to influence public policy and opinion (Yilamu, 2018).

It has not been uncommon for post-Soviet societies to treat civic associations as threat to the power and stability of the state together with the conviction that the state bears the responsibility for the wellbeing of the society. A question arises as to what extent the emergence of social-media powered, youth driven global civil society will affect the dynamics of a vibrant civil society advancement in both countries.

New Government, New Opportunities? The Dynamics of State-Civil Relations in post-Karimov Uzbekistan

Uzbekistan is typical authoritarian state, characterized by a series of authoritarian malpractices, ranging from centralization and personalization of power to extensive crackdown on civil liberties and political freedoms.

Its regime type is considered non-competitively authoritarian, in contrast to competitive authoritarian regimes found more commonly in the post-Soviet space (the Ukraine, Georgia, and Russia in the 1990s) (Masaru, 2006, p. 340).

While Islam Karimov's authoritarian governance would put heavy restrictions on civil society organizations, a question arises as to what extent the government change in 2016 has trickled down to civil society.

The presidential decree 'On measures for strengthening civil society institutes' role in democratization processes' of April 2018 is seen as a firm step towards setting the foundations to build dialogue between civil society and the government and review bureaucratic procedures that put restrictions on the NGOs activities (Khamldova, 2018).

Civil society in Uzbekistan has been primarily associated with mahallas, which are self-governing bodies. The mahalla system in Uzbekistan is an important institution of local self-governance, which plays a significant socioeconomic development role. Mahalla community represents one of a few effective traditional substitutes to unite the representatives of various ethnic and religious groups through creation of common identity based on a shared residence criterion (Dadabaev, 2017).

The mahalla is a community-driven organization responsible for helping members of the community and other social work (conflict resolution, overall community upkeep, etc.) (Civil Society Briefs, 2011).

A question arises, as what are the main challenges to the emergence of youth-driven, issue-specific civil society in Uzbekistan. This in turn, provokes an inquiry into the core problems facing civil society organizations in both countries.

First, developing the capacities of NGOs, particularly secular civil society organizations. There are two types of organizations within the 9,200 NGOs registered in Uzbekistan: conservative religious and secular organizations (Khamldova, 2018). While religious congregations and mahallas (local neighborhood self-governing bodies, often supported by the state) have become more vocal in promoting conservative values, options for secular civil society organizations remain limited due to a lack of technical and financial support (Khamldova, 2018). As a result, many of them have long been inactive with little to no potential to represent certain interest groups.

Studies show that the path to a vibrant and consolidated civil society has two main dimensions. The first dimension comes down to the "change on the inside", related to the nature of civil society per se: such as the way it is organised and operates. This has a great deal to do with the development of adequate institutional and professional capacity in civil society organisations and networks as a vital tool for influencing policy making. The institutional development at the organisational level includes building organisational capacities for governance, decision-making, and conflict management, as well as clarifying organisational identity, values and strategy of impact (Shapovalova and Burlyuk, 2018).

Represented by old and reputable individuals, mahallas have been known for keeping order in neighborhoods, upholding morality, and promoting patriarchal traditions. However, they are increasingly seen as inappropriate to current needs of the society in many ways. Uzbekistan largely lacks a sustainable secular civil society that can engage with the authorities around social issues at the local and national levels.

Second, creating an environment for sparking critical thinking. There are almost no think tanks in Uzbekistan that offer critical and independent analyses. Uzbekistan's higher education system also lacks political science subjects, vital to contribute to the advancement of insightful analysts. Meanwhile, investigative journalism is also largely absent from secular-oriented media (Khamldova, 2018).

Similarly, press freedom remains severely restricted in Uzbekistan. The state controls major media outlets and related facilities, and independent outlets were mostly shuttered or blocked under Karimov. Domestic media, including news websites and live television programs, now cautiously discuss social problems and criticize local officials, reflecting a slight reduction in media repression since Mirziyoyev took power (Freedom House, 2020). However, even privately-owned media outlets still avoid openly criticizing Mirziyoyev and the government (Ibid). Human Rights Watch reports

suggest that censorship is still widespread in Uzbekistan, with the authorities consistently restricting the media through the official state bodies that issue registration for media outlets and regulate journalistic activity such as the Uzbek Agency for Printing and Information (UzAPI) and the National Association of Electronic Media (NAESMI) (Human Rights Watch, 2018). Moreover, security services tend to regularly intimidate managers of media outlets and journalists, while the practices of prosecuting journalists and other government critics are persisting (Ibid).

Third, establishing a civil society platform for NGOs, think tanks and media organizations to monitor government activity. In the past two years, Uzbekistan has introduced several reforms and amended legislation, but there has been no analysis or monitoring of their implementation or potential or real impact on society. Meanwhile, the input from NGOs, think tanks and media can significantly contribute to the implementation of those state programs that are deemed useful by civil society. This, in turn, comes down to the changes in the very nature of civil society relations with the state and its potential and ability to foster reform, or what is often referred to as "change on the outside." This has a lot to do with increasing their impact on public policy, through intensifying their interaction with public institutions and actors and most importantly, through engaging more with their constituencies (Shapovalova and Burlyuk, 2018).

NGO capacity-building, critical thinking and monitoring are essential if a secular-oriented, independent, and productive civil society is to emerge.

It is hard to underestimate the importance of international partners' support for democratic reforms in Uzbekistan. As Uzbeks reform their society, international partners' support is essential. Uzbekistan will need to carefully consider what external help is useful: support for a strengthened public voice will hopefully be one of them.

Remarkably, for the period 2014-2020, financial aid for Uzbekistan amounts to €168 million, which represents a 124 % increase compared to the 2007-2013 period (EEAS, 2016). The EU has been supporting Uzbekistan's civil society through the European Instrument for Democracy and Human Rights (EIDHR) (Ibid). The EU has been committed to fostering a large-scale democratic reforms in Uzbekistan, while their successful implementation remains dependent on the new Uzbek government's responsiveness to the European policies.

Weak Civil Society in a Hard State: The Case of Kazakhstan

Studies show that since the mid-2000s, the Kazakh government has been intensifying its engagement with civil society organizations. In July 2006, President Nazarbayev adopted the Concept of Civil Society Development for 2006 – 2011. The concept defines civil society as "a society where the individual, with all his or her needs, interests and values, is at the center of all processes and

relations" (Pierobon, 2016, p. 210). While viewing the development of civil society essential for democracy, the concept aimed at further improving the legislative, socio-economic, and methodological base for comprehensive development of civil society's institutions and its partnership with the government (UKEssays, 2018).

Nevertheless, a series of tragic events prompted the Kazakh government into taking restrictive measures – adversely affecting the civil society organizations. Namely, in response to terrorist attacks that reinforced the fears about Islamic threat, the Kazakh government embarked on adopting restrictive legislation. The latter put heavy restrictions on religious freedoms. More specifically, the Law on Religious Activities and Religious Associations came into effect in October 2011 and introduced new provisions officially aimed at curbing religious extremism in Kazakhstan (Pierobon, 2016, p. 214). According to Forum 18, an independent international religious freedom group, the new law "severely restrict[s] freedom of religion and belief" and "imposes a complex four-tier registration system, bans unregistered religious activity, imposes compulsory religious censorship and require both central and local government approval to build or open new places of worship" (Human Rights Watch, 2012).

Moreover, in 2012, a Law on National Security of Kazakhstan was signed by President Nazarbayev which, according to USAID (2013), contains some provisions that limit the freedom of speech in the country and impose criminal liability for attempting to overthrow the political system (Pierobon, 2016, p. 215). These provisions also negatively affect civil society as restrict civil society organizations' engagement in the field of advocacy.

Essentially, the broad and ambiguous conceptualisation of "national security" and its conflation with the notion of "national interests" have equipped the government agencies with unfettered discretion to control the free flow of information and suppress dissent. Notably, ARTICLE 19 of the Law confers broad powers on all government authorities to protect "information security" (Articlr19, 2012).

Other provisions that put restrictions on freedom of expression, include the emphasis on "pubic safety" through "the formation of a national ideology, based on the Kazakhstan patriotism and ethnic harmony", "strengthening the unity of the people of Kazakhstan and tolerance in society", and "assuring preservation of the historic, traditional, intellectual and cultural values of the Kazakhstan society" Article19, 2012). A question arises as to what extent the fulfillment of all these provisions is compatible with freedom of expression, with full-scale activities of various civil society organizations.

In 2014, a new Trade Union Law was adopted, which according to Freedom House, placed fresh restrictions on freedom of expression, conscience, and assembly (Freedom House, 2015). A new trade union law restricted the right to organize independent labor union activity (Ibid).

Human Rights Watch research shows that the authorities have since 2014 placed repeated technical and legal barriers in the path of independent unions. Officials have harassed union representatives, some activists have been forced out of their jobs, and security services have spied on them (Eurasianet, 2017).

Moreover, the new Criminal Code introduced in 2015 has imposed criminal liability on public associations and expanded the list of offenses. Human right defenders alarmingly note that the the reformed Kazakh criminal law contains politicized and vague criminal charges, which can be widely and subjectively interpreted by the state, in order to suppress opposition activists, journalists and politicians (Savchenko, 2014).

Clearly, the restrictive legislation has taken its toll on Kazakhstan's NGO landscape. In effect, NGOs operate under the conditions of mounting harassment by the government and are at risk of incurring fines and other punishments for obscurely stated offences, such as 'interfering with government activities or engaging in work beyond the scope of their charters' (Freedom House: Kazakhstan, 2019). It is not uncommon for civil society activists to face criminal prosecution and imprisonment just for being outspoken and critical. Moreover, to nip in the bud civic activism, many activists would get detained before the protests. Namely, prior to demonstrations organized by the government - critical Oyan, Kazakhstan (Wake up, Kazakhstan) movement on November 9, 2019, many activists got arrested inside and outside of their homes (IPHR, 2019).

New legislation that came into force in January 2018 has further exacerbated the crackdown on the media landscape, characterized by widespread self-censorship (Freedom House: Kazakhstan, 2019). The law requires journalists to verify the accuracy of information prior to publication by consulting with the relevant government bodies or officials, obtaining consent for the publication of personal or otherwise confidential information, and acquiring accreditation as foreign journalists if they work for foreign outlets (Ibid).

The application of the law had a dramatic effect on broadcast media. As of August 2019, 88 foreign television channels had their licenses revoked by the Ministry of Information and Communication for failing to comply with new registration requirements within six months of the law's implementation (Freedom House: Kazakhstan, 2019). As a result, independent and opposition journalists seem bound to face harassment, arbitrary detention, and spurious criminal prosecutions (HRW: Kazakhstan, 2019). A well-informed observer Tatyana Kovalyova notes that "It's now the turn of the loyal, but not completely state-controlled media in Kazakhstan. For media whose editorial

policies don't meet the criteria of the relevant state ministry, the line of attack involves accusations of spreading fake news and libel. In this case, the media can be shut down by a court order. This is what happened to the online portal Ratel.kz, which worked on investigative journalist" (Open Democracy, 2019).

Along with the restrictive legislation, low trust, and misperceptions of civil society organizations, have significantly obstructed the advancement of a vibrant civil society. As noted earlier, it has not been uncommon for post-Soviet societies to treat civic associations as threat to the power and stability of the state together with the conviction that the state bears the responsibility for the wellbeing of the society.

Most of these NGOs developed strong dependency on foreign donors for funds, and did not develop local network of support. The NGOs in Kazakhstan remain weak and unsustainable. The explanations of institutional ineffectiveness lay in disconnect with local traditions, low visibility of NGOs, and unsupportive government. Survey of general population suggests that people in Kazakhstan know very little about NGOs and do not appreciate their utility (Nezhina and Ibrayeva, 2013).

The CSOs' tendency to prioritise relations with Western donors over engagement with citizens would result in their treatment as donor-driven, rather than community-oriented organisations. Meanwhile, greater engagement and effective communication with various social groups is critical to breaking down the public misconceptions about CSOs and their activities.

Beyond that, a major impediment to civil society advancement in both countries is prevailing post-Soviet "informality" in the form of behavioural practices, such as considerable tolerance towards informal governance, the use of informal networks and connections in exchanges of favours, phone justice, corruption, etc. The latter has long condemned both countries to a vicious circle of underdevelopment and bad governance. Even though it would be an oversimplification to contend that graft is a way of life it takes a long time for deep rooted behavioral practices to change.

It is noteworthy, that the rise of 'illiberal civil society' or movements with a conservative agenda is a common phenomenon across Central Asia, and elsewhere. In Central Asia, Russian-language media, and religious-based outlets, have become instruments to spread illiberal ideas, which use 'traditional family values' and 'national identity' to condemn progress, often related to the rights of LGBT, the role of women in society or different minorities. Meanwhile, the European Union has been portrayed as a purely LGBT-promoting community that endangers national identities and traditional values in the post-Soviet countries and beyond (MAXCAP Policy Briefs, 2015).

In contrast to Russian 'authoritarian diffusion', the EU has been supporting civil society organizations in Kazakhstan as part of two funding schemes—the European Instrument for

Democracy and Human Rights (EIDHR) and the thematic program Non-State Actors and Local Authorities in Development (NSA/LA). The EU-funded projects have focused on raising awareness of human rights issues; promoting the social and economic rights of underprivileged groups as well as on promoting women's rights and gender equality. Namely, an EU-funded project provided capacity building activities aimed at strengthening the leadership and managerial skills of 14 organizations of women with disabilities in southern, western and northeastern Kazakhstan (Pierobon, 2019, p. 219). Nevertheless, having encountered resistance from authoritarian leaders in the two countries, the impact of the EU-backed projects on Kazakhstan's civil society has been limited so far.

Conclusion

This article contributes to the existing literature and ongoing debate regarding the anatomy of state-civil society relations in Central Asian countries. The previous discussion suggests that Uzbekistan and Kazakhstan share much in common in terms of their post-Soviet authoritarian legacy and weakness of democratic institutions. Along with governments' excessive crackdown on civil society and restrictive legislation, low trust, and misperceptions of civil society organizations across Kazakh and Uzbek societies, have significantly undermined their actorness in the two countries. It has not been uncommon for post-Soviet societies to treat civic associations as threat to the power and stability of the state together with the conviction that the state bears the responsibility for the wellbeing of the society. The core hindrances to the advancement of a vibrant civil society include severe limits on the freedom of expression, association, as well as the Uzbek and Kazakh governments' tendency of suppressing dissent and pluralism. As a result, Western, and particularly, EU programs supporting liberal democracy and civil society have encountered resistance from authoritarian leaders in the two countries. While the transition of power in the two Central Asian countries fueled debates about its implications for civil society organizations, a major impediment to civil society advancement in both countries has much to do with prevailing post-Soviet "informality." The latter is linked to behavioral practices, such as considerable tolerance towards informal governance, the use of informal networks and connections in exchanges of favors, phone justice, corruption, etc. Thus, further research is essential to explore the ways in which the civil society organizations overcome their own limitations, boost their actorness, thus becoming agents of democracy in the two countries.

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