NON-GOVERNMENTAL ORGANIZATIONS AND DEMOCRATIZATION
IN POST-SOVIET KYRGYZSTAN

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**ABSTRACT**

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This thesis analyzes the relationship between NGOs and the democratization process in post-Soviet Kyrgyzstan. The conditions shaping both the civil society and political development are analysed in the light of findings obtained through in-depth interviews with NGO leaders in Kyrgyzstan. Despite relative freedom for NGOs, civil society in Kyrgyzstan is still in its infancy. Soviet era conception of roles attributed to state and society still persist especially among the governmental officials and general population. Despite the problems of building a democratic regime in Kyrgyzstan, NGOs have achieved a certain level of development. Through building functioning state institutions together with a lively political society primarily including political parties, the potential of NGOs for democratic development can be more fully utilized.

Keywords:     Kyrgyzstan, Non-governmental Organizations, civil society, post-communism, democratization.

# ÖZ

## POST-SOVYET KIRGIZİSTAN'da SİVİL TOPLUM ÖRGÜTLERİ VE DEMOKRATİKLEŞME

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Bu tez, post-Sovyet Kırgızistan'da sivil toplum örgütleri (STÖ'ler) ve demokratikleşme arasındaki ilişkiyi incelemektedir. Hem sivil toplumu, hem de siyasi gelişimi şekillendiren koşullar, Bişkek-Kırgızistan'daki STÖ yöneticileri ile gerçekleştirilen derinlemesine mülakatlarda elde edilen bulgular ışığında yorumlanmıştır. STÖ'ler için görece özgür ortamına rağmen, Kırgızistan sivil toplumu henüz gelişiminin başındadır. Sovyet döneminde oluşan devlet/toplum rolleri halen devlet çalışanları ve genel halk arasında geçerliliğini korumaktadır. Demokratikleşmede yaşanan sorunlara rağmen Kırgız STÖ'leri önemli ölçüde gelişme kaydetmiştir. Sonuç olarak, siyasi partileri de içeren canlı bir siyasi ortamın yanı sıra, devlet kurumlarının işler hale getirilmesi ile STÖ'lerin demokratik gelişime katkılarının önündeki pek çok engelin ortadan kalkacağı vurgulanmıştır.

Anahtar Kelimeler: Kırgızistan, Sivil Toplum Örgütleri, sivil toplum, post-komünizm, demokratikleşme.

# ACKNOWLEDGMENTS

# TABLE OF CONTENTS

# LIST OF TABLES

TABLES

# 1. INTRODUCTION

This study tries to examine the relationship between Non-Governmental Organizations (NGOs) and democratization in the Kyrgyz Republic. Almost one and a half decade after being catapulted to independence, Kyrgyz Republic is still on the complex process of transition to democracy. The complexity comes from various sources: as a post-communist country, Kyrgyzstan has to face what some students of democratization call "triple transition" of nation, state and market building (Offe, 1990). Furthermore, this task is to be done in very distinct internal and external conditions. Politics, society and economy of Kyrgyzstan were largely a product of the Soviet period. As the country witnessed a socialist modernization before it had any experience of independence or modern statehood, the prospects for establishing a fully fledged democracy in the country are issues that are blurred and controversial. The collapse of communism and the process of building a market democracy is a painful one for the population in Kyrgyzstan, where "international conditions, economic transformation and socio-cultural concerns" threaten stability (Akcali, 2005: 44).

The situation in Kyrgyzstan is exacerbated with the existence of powerful factors, such as Islam, in the region, though in varying degrees in each country or region. Located in one of the politically most fragile geographies of Eurasia, Kyrgyzstan also has concerns over its security. Islamic insurgent groups (Akbarzadeh, 2001; Heyat, 2004; Karagiannis; 2005), border disputes, arms (Moldaliev, 2000), drug (Madi, 2004) and human trade make the future for Kyrgyzstan more fearful. In addition, the region is increasingly becoming the chessboard of global powers, such as the United States, Russia and China, and of lesser, yet very effective actors, such as India, Iran, Turkey and various other countries (Achylova, 1995: 330-1). Kyrgyzstan has become the only Central

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Asian country which hosts both to US and Russian military bases after the events of September 11, 2001.

The future of the people of Kyrgyzstan depends heavily upon the establishment of a stable regime and the country gets considerable amount of external support to achieve this end. Being the most promising post-Soviet Central Asian Republic in terms of adherence to democracy, despite some serious ambiguities in the political sphere (Anderson, 2000: 78-81), the country's first and biggest steps towards democracy created a wave of enthusiasm in Western democracies. From the very beginning the Kyrgyz President Askar Akaev declared his commitment to building a modern democracy together with liberal market economy, in which civic liberties and property rights would play the biggest role (Anderson 1999: 27; Spector 2004: 3). Relative openness of the civic realm and rush of international promoters of democracy and development into the country resulted in creation of the seeds of a liberal democratic society. Celebrations for the victory of democracy, however, came to an end in the mid 1990's and the direction of the country started to be debated (Huskey, 1997: 259). Akaev, although not retreated from his democratic discourse, started to give signs of a classical authoritarian leadership. Pressures especially on prominent opposition figures, human rights groups, watchdog organizations and media continued with varying degrees. In the meantime, failure in establishing a democratic regime and economy fuelled ethnic conflicts and popular demonstrations protesting political and economic decline. Widespread corruption, unfair elections, distrust to government bodies, courts and law enforcement units together with constant economic decline of the country resulted in large scale disillusionment and the consequent overthrowing of Akaev from presidency in March 2005. Such an overview of post-independence experience, it seems quite obvious that the transition process is far from being a linear and simple one.

The role of civil society in the systemic transition of Soviet successor states is a widely discussed topic, and according to these studies (Remington, 1990; Bova, 1992; Schmitter and Karl, 1994), civil society plays an important role in the

process of democratization. For Kyrgyzstan, as for other former communist countries, the crucial question is "if it does not already exist in a given society, can a civil society be created?" (Kangas, 1995: 271). As I have mentioned above, Kyrgyzstan had a relatively open space for the creation of a civil society (Connery, 2000: 10). Compared to other post-Soviet Central Asian republics, foreign governmental and non-governmental institutions of political and economic development met with minimum suspicion. Therefore, these institutions had greater freedom in their activities for political and economic development of Kyrgyzstan. Many observers of the region saw the creation of a third sector in the country as a positive development towards building a democratic state while at the same time opposing voices against civil society support increased throughout the 1990s and in the 2000s. To a large extent, efforts to build a lively civil society are concentrated on establishing and developing NGOs because they are seen as the building blocks of civil society. These organizations are thought to promote democracy in a country in various ways since Alexis de Tocqueville first pointed to the dynamic voluntary sector as the source of the success of American democracy in his two-volume (published in 1835 and in 1840) work of 'Democracy in America'. Thereafter, many social scientists evaluated the civil society as a vital component of democratization processes in numerous cases. With the collapse of communism and transitions of Central and Eastern Europe and Soviet Union, the interest in civil society and NGOs were renewed. The expectation was that informal organizations initiated by the population -or segments of population- which played a crucial role in overthrowing the communist regime, could catalyze a rapid and painless political development (Buturo, 2001: 157). Soon after the independence, however, the enthusiasm about civil society in Central and Eastern Europe declined. These informal organizations proved that some of their very characteristics –defined by either their deeply political ambitions or anti-political orientation- were disabling their capacity to contribute to democratization, mainly because of their anti-political orientation. Having experienced the conditions of an omnipotent party/state structure, people in post-communist countries were hesitant or doubtful to create a new state and take part in it. The "problem of trust" (Rose,

1993) and political participation in a new system is one of the major obstacles in post-communist contexts. Both in the countries of Central and Eastern Europe (CEE) -where the populations had prior experience of independence- and the former Soviet Union (FSU), the task of overcoming the legacy of the Soviet era poses the same difficulties. Nation, independence and modern state meant little or nothing to the elites and population, as it is in the case of five Central Asian Republics. It is therefore a much more difficult question to build democracy in these countries.

In the sphere of economy, transition to market economy occurred in varying degrees and with specific problems in each country (Åslund, 2002). In the sphere of politics, again, variations exist while none of the five countries could be categorized as democratic. In the cases of Turkmenistan and Uzbekistan, there is an explicit tendency towards authoritarianism. Kyrgyzstan, as I have mentioned, was the most promising among the five countries in the course of democratization. Development of a civil society was much easier in Kyrgyzstan than in other republics and the country has witnessed the rapid emergence and proliferation of NGOs in the 1990s. National and international efforts are channeled into building the third sector and today Kyrgyzstan has a relatively more dynamic civil society than any other Central Asian republic. It is at this point necessary to ask whether these efforts were appropriate or in vain in relation to the bigger question of democracy.[1] Are national, international, financial and human resources being channeled into the correct means, considering the aim of democracy? In other words, are NGOs in Kyrgyzstan contributing to or impede the development of democracy in Kyrgyzstan? What are the factors that are enabling or disabling NGOs contribute to democratization? How do the aspects of the Kyrgyz politics, economy and society interact with NGOs? What is the relationship between NGOs and the overall transition process in Kyrgyzstan? These are the questions that I will try to answer in this study.

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[1] At his point, I share Anderson's view that the analysis of development of social organization in Kyrgyzstan and other Central Asian Republics deserves an interest in its own right, without considering its contribution to democracy (Anderson, 2000: 77).

In the first chapter, I will provide the theoretical framework. The larger question of democracy or democratization will be the primary basis for analysis. The emergence and spread of modern democracy in the last two centuries will be shortly investigated. Originally being in the United States and France, the non-linear and multi-faceted experiences of democratization will be covered. In other words, I am going to try to show that transitions to democracy can have different characteristics in different geographies and different periods of history. Then, I will focus on the relationship between democracy and civil society. Investigation in this section will focus on the question of whether civil society can take root in every society or is it a completely Western notion. In a related way, questions like whether civil society inherently promotes democracy or can it lead to undemocratic practices in different parts of the globe will be dealt with. After this, I will focus on post-Soviet democratizations. The challenges introduced to the students of democratization with the collapse of the Eastern Bloc and the Soviet Union will be analyzed. The first of these challenges is the failure of political science to predict this collapse (Urban and Fish, 1998: 165). The second is the "dilemma of simultaneity" or "triple transition" (Offe, 1996: 34-35). Then, also in line with a chronological order, questions arising about the studies of democratization will be dealt with, with a special emphasis on the differentiation between transitions to democracy and consolidation of democracy (Diamond, 1999; Schedler, 1998). In the general sense, "an epistemological shift on the part of the analyst' is required in order to analyze consolidation (Schmitter, 1998: 25). While transition focuses on "voluntaristic political causality," consolidation is about "structuration" and therefore "bounded rationality" (Schmitter, 1998: 25-6). This problem has a special importance in post-communist transitions because the straight expectation that the destruction of a totalitarian regime would undoubtedly lead to democratic establishment is proven to be wrong to a large extent especially in the case of countries of FSU.

In the second chapter, an analysis of the history of political development in Kyrgyzstan is going to be focused. The evolution of political life and culture as a

result of the interaction between distinct aspects of traditional social structures and communist regime will be covered. Starting with the early history of the country, characteristics of different periods and their meaning for understanding the present day Kyrgyzstan will be focused.

The third chapter, as the main body of this study, will include aspects of civil society sphere and the relationship between NGOs and process of democratization in present day Kyrgyzstan. Legal framework for NGOs, international efforts on building civil society, organizational characteristics of NGOs will be primarily analyzed in this chapter. Also in this chapter, I will focus on the problems experienced in civil society and democratization processes. Based upon the fieldwork conducted in the fall of 2004 in Bishkek, I will analyze the perception of the field of civil society and democracy, relationship with state, international agencies, other NGOs and the population, and obstacles they perceive in front of their activities. In the final chapter, I will outline the findings obtained through this study. Problem areas in building civil society and democratic consolidation, suggestions for government, NGO leaders and international community are going to be sketched. Before outlining the theoretical framework, however, I need to give some information about this study

### 1.1 The Research Process

As mentioned before, this study is based on in-depth interviews conducted with NGO leaders in Bishkek. The primary aim of choosing face-to-face interviews with NGO leaders is to have a first-hand overview of the relationship between NGOs and democratization process. Extensive literature reviews on democratization, civil society and post-communism, as well as on the socio-political history of Kyrgyzstan are used in a complimentary way to the interviews, in order to relate the field findings.

After the formulation of the research question, the methodology of the research was defined. Thus, a one-month field work including in-depth interviews with 20-30 NGO leaders are aimed. The interviewees are ascertained in a mixed way. First, the most extensive database on NGO's in Kyrgyzstan, that is, the Cango.net database (www.cango.net) was scanned. The database includes more than a thousand NGOs in all Kyrgyzstan. 223 of these NGOs are located in the capital city Bishkek. After the scanning, nearly 90 NGOs are chosen as primary target group. In selecting this first group, the main criterion was the agenda of political development of the NGO. In other words, NGOs in fields like charity, rural development, and war veterans are deliberately excluded. Instead, NGOs with agendas of policy advocacy were chosen.

Through the Research Center for Black Sea and Central Asia (KORA) at the Middle East Technical University, a one month fieldwork opportunity was obtained. Thus, the author conducted the field research between September 15 and October 15, 2004. Due to the time limitation, the research was conducted only with Bishkek-based NGOs, although other in other parts of the country, especially Osh in the south, is home to numerous influential NGOs. An initial obstacle in the beginning of the research was the inaccuracy of the communication information (addresses and telephone numbers) obtained from the Cango.net database. This was not a totally unexpected situation, knowing the high rate of NGO inactivity. Therefore, a number of NGOs (including a number of powerful umbrella organizations and professionally organized institutions) with which I had the chance to establish contact, were asked to provide contact information about active NGOs. In this respects, I appreciate the contributions made especially by Coalition 'For Democracy and Civil Society,' and Public Association 'Civil Society against Corruption.'

Another problem during the research was the difficulty of making an appointment with the NGO leaders. First, many of the NGO leaders were very

busy, because of the local elections that were held in October 10, 2004[2]. Some of the NGOs were taking part in election observation processes, while, as some of the interviewees admitted, some NGO representatives were themselves candidates for local committees. In some cases, the NGO leaders were abroad or taking part in activities like training and conferences. In a number of cases, the NGO representatives declined to make an interview. Almost all interviews are made in the NGO offices.

The majority of the interviews were conducted in Russian, reflecting the urban, university educated profile of NGO leadership. In few instances the interviews are conducted in English, and in one case in Kyrgyz. The interviewees were asked a group of questions (see Appendix B). The questions included tow categories: questions on organizational aspects (like membership, activities etc.) and questions on democracy and civil society. The questions were open-ended, allowing the respondents to express their personal view on the process of democratization, primarily in terms of state-civil society relations.

One observation I have made about some NGO leaders was their experienced approach to such an interview. Some of the NGO leaders admitted that they are uncomfortable with the idea of being interviewed and than getting no feedback about the results of the information they provide. Thus, future researches to be conducted should be planned carefully in order the 'alienation' the NGO leaders' experience.

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[2] In Bishkek, the local elections included the election of the city committee, a highly important body of local governance exclusive to the capital city.

## 2. THEORETICAL FRAMEWORK

The aim of this chapter is to identify the role of civil society in post-Soviet democratization. Such an attempt requires investigation of three broader themes in an interrelated fashion: democratization, post-communism and, civil society. With this purpose, theoretical approaches to and explanatory models of democratization will be discussed. I will identify some of the main prerequisites for democratization focusing particularly on modernization approach, transition approach and structural approach. Secondly, I will outline an analysis of post-communist democratizations while revealing similarities and differences between previous cases of democratization such as Latin American and Southern European democratizations and existing post-Soviet political transformation. Third part of this chapter focuses on the relationship between civil society and democratization. In short, this chapter will discuss the nature of this relationship as highlighted earlier and recent theories of democratization, identify the characteristics of post-communist experience in terms of forming up independent social associations, their interrelationship and their role in democratization taking into account both local and international efforts to promote democratic political transformation and formation of civil society. Finally, the place of civil society in international as well as local efforts in democracy promotion will be discussed. The peculiarities of civil society and NGOs in post-communist contexts with regard to their contribution to political development will also be included to the discussion.

### 2.1 Approaches to Democracy and Democratization

The word democracy, and consequently democratization, was subject to extensive construction and reconstruction throughout history. In other words, the

former being a two-thousand years old concept and the latter a two-hundred years old process, they have been subject to various definitions based on time, space and different worldviews.

The term democracy itself originates from ancient Greece, pointing to a set of rules in political life based on governance of people by the people. However, the Greek version of democracy was radically different as compared to today's definitions. Firstly, democracy was one of the several forms of government used by Greeks and it was seen as a deviance from normality (Parry and Moran, 1994: 2). Furthermore, Greek democracies were democratic only in the sense that they accepted the participation of *citizens* in the process of policy making and governance, as they, for example, introduced suffrage only to a small proportion of the society. In the two thousand years period between Greek city states and the oldest modern democracies of the United States and France, there has been no implementation of the democratic system and even those states were undemocratic in the strict meaning of the word, that is, until they recognized universal suffrage rights that included women and black people in the 20th century. With the American and French revolutions, democracy was re-defined as the rule of people by the people through representatives elected by regular elections, and this model forms the basis of the modern era democratic regimes.

What one understands from democratization is closely related with how one defines a democratic regime. From the Marxist inception of the term as an *ideal type* to the Weberian interpretations that see democracy feasible in the present, different accounts on the possibility of achieving democracy exist.

The first approach to democracy, adopted by socialists as well as non-socialists, assumes that democracy is in a constant process of creation and it focuses, let's say, on practical ways in which participation, that is, each individual's capacity to affect decisions related with his or her living conditions, can be increased. The second and more realistic approach, represented primarily by Schumpeter (1943), Nordlinger (1981) and Sartori (1987) argues that modern politics has turned the

ideal of participation in absolute terms unfeasible, while denying that they are making only a conservative defense of the existing democratic regimes (Parry and Moran, 1994: 4-5). The essence of their arguments is that in the modern world as described by Weber, the only method of realizing democratic governance is through practicing the principle of *accountability* (Dahl, 1989). A *division of labor* between people and politicians is necessary and unavoidable, provided that the rulers can be democratically replaced through regular elections. Although there is a huge literature on democracy and numerous definitions of democracy, definitions made by Dahl (1989) in *Democracy and its Critics* and Held (1996) in *Models of Democracy* are two widely accepted versions, and they will be used in this study as the basic definition of democracy.

In its simplest form, democracy refers to "a form of government in which the people rule" (Sørensen 1998: 3). Classical theories of democracy explain it as the direct self-rule of the citizens in a small community through direct, active, and equal participation in policy making. However, the emergence of large and complex political entities in the modern world made such a definition difficult to implement. Thus, most scholars have adopted a liberal or representative definition of democracy closer to the second approach outlined above, which relies on regular, competitive elections. The advantage of such a system is that it makes possible the "processes by which ordinary citizens exert a relatively high degree of control over leaders" (Dahl 1956: 3). The sphere in which this system works is ideally an *open* public sphere, that is, a sphere in which communication between members of the society can interact in a mutually respectful manner.

These definitions are used widely in studies of democracy because they provide a practical basis for evaluating a regime in terms of democracy. Thus, most of the comparative literature on democratization adopts Dahl's (1956; 1971) definition of democracy (or *polyarchy*) as a political system with three dimensions: competition, participation, and civil and political liberties. Institutions of formal electoral democracy are the main focus of this minimalist definition of democracy and they can be seen as an extension of Schumpeter's description of

democracy as the "institutional arrangement for arriving at political decisions by means of competitive struggle for the people's vote" (1943: 269). The development of representative, electoral institutions, by which voters could choose their legitimate representatives for policy making and hold them accountable made democratic self-rule, thus made democracy possible in larger modern states.

## 2.2 Theories of Democratization

There are various definitions of democratization. Basically, it entails the "political changes moving in a democratic direction" (Potter, et al 1997: 3). All processes of regime change from authoritarian or totalitarian towards liberal democracy can be defined as democratization (Pridham, 2000: 16) Democratization includes practices of liberalization[3], but it is "a wider and specifically political" (Linz and Stepan, 1996: 3) concept. Thus, democratization should include granting of a broad range of civil and political liberties that can be freely exercised in the process of open contestation over the right to govern, within the framework of rule of law.

Discussions about the definition and feasibility of democracy may seem irrelevant on the face of the fact that more and more countries became democratic and today only few countries openly condemn democracy as a form of governance. For more and more countries with different attributes (like, for example, Poland and South Africa) it becomes a central task to establish a categorization regarding democracy. In other words, if democratization is a

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[3] For a discussion of the differences between liberalization and democratization see Stepan, A. (1998) *Rethinking Military Politics: Brazil and the Southern Cone*, Princeton: Princeton University Press, ch. 1; O'Donnell, G. & Schmitter, P.C. (1986) *Transitions from Authoritarian Rule: Tentative Conclusions about Uncertain Democracies*, Baltimore: Johns Hopkins University Press, pp.7-11; Przeworski, A. (1991a) *Democracy and the Market: Political and Economic Reforms in Eastern Europe and Latin America*, New York: Cambridge University Press, ch.2; di Palma, G. (1990) *To Craft Democracies: An Essay on Democratic Transitions*, Berkeley: University of California Press, pp. 81-89, Huntington, S.P. (1991) *The Third Wave: Democratization in the Late Twentieth Century*, Norman: University of Oklahoma Press, p.9. and Mainwaring, S., . O'Donnell, G. and J.S. Valenzuela (eds.) (1992) *Issues in Democratic Consolidation: The New South American Democracies in Comparative Perspective*, South Bend: University of Notre Dame Press.

process of moving from one type of regime to another, we need to know the departure and destination points and also when a country is seen as undemocratic and when democratic.

One broadly accepted set of categorization is based on three regime types (liberal democracy, partial democracy and authoritarianism) and two "markers" (direct democracy, participatory democracy) (Potter, 1997: 3). According to Potter, categorization of regimes into these five categories is based on the "different attributes of state and civil society" in a country. It should be noted that regimes are multi-dimensional, entailing aspects like civil society, class structure, political culture, political history etc. and using one of the above mentioned categories points to the overall conditions in a country. While studying democratization, it should not also be forgotten that the relationship between different categories or stages is by no means linear. In other words, the chronological sequence of regime types can vary in each specific context, although it is more likely for authoritarian countries to become partially democratic first and liberal democratic second. Furthermore, these types should not be seen as "stages" that have to be passed by all countries. Among the probable outcomes of democratic transition there is re-democratization, return to varieties of authoritarian regimes, as well as democratic consolidation[4].

The central question in studies of democratization is how one country passes from one to the other, that is, from various types of authoritarian/totalitarian regimes[5] to modern liberal democracy. Answers to what prompts a country to change its regime type to democracy varies to a large extent. Transition of numerous countries with very different characteristics under very different circumstances is one of the main reasons why different theories of democratization are developed.

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[4] Concepts of democratic transition and democratic consolidation are elaborated in the following pages.

[5] Military or civil dictatorships, one-party regimes, monarchies are the most common examples.

Democratization is the strongest political trend of the 20<sup>th</sup> century, proven by the dramatic increase in the number of democratic countries at the global scale. A Freedom House report (1999) on the global spread of democracy and other surveys elsewhere show this phenomenon quite impressively. Starting with the American and French Revolutions, the spread of modern democracy is a two-hundred years old historical process and contemporary cases of democratization can be seen as part of this process. Especially in the twentieth century, the number of countries choosing to implement democratic principles grew, despite some periods of rise of undemocratic regimes. Being a global trend and sweeping so many geographies, democratization has been chronologically categorized into three "waves" by Huntington (1991).

The analogy of wave successfully emphasizes the nature of democratization at the global scale, with its periods of forward progress and withdrawal, having more or less a regional impact each time. The first wave began with the American Revolution and lasted until the rise of fascism in Italy in the early 1920s and at the end of World War I there were about thirty democratic countries. Mussolini's coming to power marked the first reverse wave in democratization, leaving only a dozen democratic countries in 1942 all over the world. With the end of World War II, second wave took off with the democratization of defeated countries and former colonies. After almost one and a half decade after the allied victory there were thirty six democracies, but a second reverse wave of democratization had already started with military coups in Latin America and dictatorship of Ferdinand Marcos in the Philippines. The third wave has started with the Portuguese Revolution, swept the southern Europe, Latin America, parts of Asia and Africa, and finally, the communist bloc in Eurasia. The inclusion of the former communist countries to the third wave, however, is not always accepted and a fourth wave is defined for the regime changes that occurred after 1989, in which communist countries in Eurasia represent the largest group (Doorenspleet, 2005: 48-52). In part, the exclusion of the post-communist regime changes from the broad category of third wave reflects the challenge they have presented to studies of democratization. Existing

theories of democratization until 1989, notably the most explanatory transition theory fell short in explaining these transformations notably due to multiple dimensions (Pridham, 2000: 3) and different elite/mass roles than previous transitions. Thus, a brief overview of the three widely used theories with reference to post-communist democratizations is needed.

Each of the democratization theory asks how democratization occurs but their focus points and explanation of how democracy occurs differ. Prerequisites as well as the role of the actors or structural/historical aspects for democratic transformation are two main characteristics of each theory. First of these approaches is the *modernization* theory, emphasizing the importance of various social and economic requisites drawn from the analysis of existing democracies. Seymour Martin Lipset's article (1960) *Political Man*, in which he argues that a country's socioeconomic indicators point to the level of development of democracy, forms the basis for this approach. In his original study, Lipset compared various socioeconomic factors like per capita income, industrialization, urbanization, communication facilities, education etc., in a number of stable democracies, unstable democracies and dictatorships and stable dictatorships. His conclusion was that "the more well-to-do a nation, the greater the chances that it will sustain democracy" (Lipset, 1960: 31). Modernization is the explanatory factor in his analysis and quantitative data provide the measure of it. The correlation between socioeconomic indicators and democracy level is the result of the analysis, but the sheer correlation coefficient gives no information on the mechanism between democracy and socioeconomic development, that is, there is no way of knowing, how high levels of ownership of telephone resulted in a more democratic regime. The correlation between high levels of economic welfare and democratic governance observed in some countries, in other words, needs to be explained. Aware of this, Lipset also tried to establish a causal mechanism between modernization and democracy (1960: 45-53). Another shortcoming of this approach in the early years was that it pointed to universal and unilinear correlations. Modified by following studies, modernization approach was applying these correlations for different

geographies and different periods of time, trying to find out when democratization is more likely to occur or not. Modernization approach also ignored the possibility that economic development can have adverse effects on democracy, as, for example, argued by Huntington and Nelson (1976). For instance, asking how to increase the level of participation in developing countries, they point to the danger of increased participation based outside the defined sphere of legality, ideology, parties and institutions. This approach also takes it for granted that factors explaining the transition from authoritarianism to partial democracy would also explain why a democracy is stable (Potter, 1997: 12). The dynamics of transition to democracy, that is material development, is also defined as the prerequisite of the consolidation of a newly established democratic system. In sum, the modernization approach, using the politically charged notion of "development" was insufficient in comparative politics (Huntington, 1971). Notably in the countries of FSU and CEE, communism was introduced as a modernization project based on equality among all members of society. Likewise, the socio-economic development levels are striking especially for countries of Central Asia, when compared to 1920's. Thus, the material welfare achieved in communist regimes (like providing basic services of housing, health and education free-of-charge, high level of education etc.) contrast with their organization in opposition to liberal democratic regimes.

Transition theory developed partly as a response to the low explanatory power of the modernization theory especially in the face of modernizations occurring in underdeveloped countries in Southern Europe (Portugal, Greece, Spain), Latin America (Peru, Bolivia, Argentina, El Salvador, Uruguay, Honduras and Brazil) and some other Asian and African countries in the 1970s and 1980s (Doorenspleet, 2005: 47-48).

Contrary to Lipset's static model that rests on the correlation between socio-economic development and democratic governance, Dankwart Rustow (1970) was much more interested in asking the question "how a democracy comes into being in the first place" (1970: 340).

Rustow based his analysis on analyzing the development of a countries' political system, which could be broadly divided into four phases: *national unity* (founding a national state); *inconclusive political struggle* (constant re-creation of an elite class through conflict and even violence); *decision phase* (the historical moment at which the struggling parties compromise on adopting democratic rules) and *habituation* (democratic rules once accepted as a necessity become habits). In sum, Rustow focuses on analyzing the historical development of a political system through conflict and reconciliation, which he sees as essential for democracy. The drive of these historical developments is the political elite and the conflict among them. Thus, in Rustow's model, we see the primacy of human agency in devising the democratic systems. Transition approach has been elaborated to a great extent later, making the distinction between the initial transition and consolidation periods clearer, because of the fact that not all transitions to democracy result in the consolidation of it. Transition to democracy (Linz and Stepan, 1978) (which is a result of inter-elite agreement) and consolidation of a democracy (Linz and Stepan, 1996) (decreasing the possibility of a return to non-democratic regimes) are separately defined in order to emphasize the differing nature of tasks involved in each phase (O'Donnell, 1992). Accordingly, the five requisites of a consolidated democracy, that is, a free and lively civil society, an autonomous and valued civil society, rule of law entailing basic civil, political and associational rights, a bureaucracy in the service of governments, and an economic society form what they call "stateness" and ensure the chance of survival of a democracy (O'Donnell, 1992: 17-56). A new democratic regime capable of building each of these spheres is much more likely to survive than a regime that is incapable to do so.

Another aspect of the transition theory was its explanation of the inter-elite processes. O'Donnell, Schmitter and Whitehead, (1986) defined *transition* as the period between one form of regime and the other, in which *uncertainty* ruled. Shortly, they have focused on intra-elite processes that initiate the dissolution of the old regime and the creation of a new one. To summarize the transition model,

political liberalization begins with the loosening of the repression and recognition of some of the civic liberties. The most important aspect of this period is that the political arena is opened up for various players, including the hardliners and soft-liners within the rulers and, opportunists, moderates and radicals within the opposition (Little, 1997: 180). The interplay between these groups determines the likeliness of emergence of a democratic regime and consensus on democratization is needed among the elite groups. The regime changes in the former Soviet Union, however, were not products of such an inter-elite interaction. When Gorbachev introduced his reform packages of *glasnost* and *perestroika*, the unexpected developments of creation of dissident organizations, questioning of the adherence of the existing rulers to communist ideals, had a shocking impact upon the 'hardliners.' In line with the transition approach, the transition started with liberalization, but opening up space for new actors did not follow it. The reaction of the defenders of the regime, that is those loyal to the existing system, was organized in the attempted coup in Russia in August 1991, and its failure led to the one-sided termination of membership to the Union by Russia, Ukraine and Belarus. The remaining twelve countries found themselves independent overnight; not because of an elite agreement upon regime change, but because of the practical situation imposed on them. The whole process of regime breakdown, in other words, was not characterized by elite or mass will to establish a totally new regime, but a discontent with the existing one.

The most obvious shortcoming of this approach is that they see democratization as an elite-driven process. The role of civil society organizations (CSOs) in democratizations in Latin America and South America was recognized in the previous works of transition studies, but the main focus was on the short-term process of inter-elite bargaining. To put it differently, civil society and the masses were seen as factors influencing elite decisions together with many other factors. Furthermore, if transition is the outcome of intra-elite interactions, then it is unclear what makes the elite to decide in the way they do. Despite all of these shortcomings, however, the transition approach, notably with the contributions of

O'Donnell, Schmitter and Whitehead, was characterized as "path breaking, paradigm setting" (Gill, 2000: 44) development in the study of democratization. Transition approach's explanation of the regime changes in economically backward countries was its major achievement.

The third approach to democratization is the structural approach, which mainly emerged as a reaction to transitions approach's overemphasis on agency. This approach rests heavily upon the theory of structures of power of Anthony Giddens (1993) and its basic premise is that democratization can be explained by the changing structures of power rather than with the choices of the political elites. According to Giddens, every individual is born into some structures of power, which shape his/her life. In turn, every individual, utilizing these very structures, have an impact upon this structure. Thus, if we look at democratization, we can conclude that democratization occurs as a result of changes in social, economic or political structures of power, some of these changes having a supportive and some of them a not-supportive impact upon it. An implementation of structural approach on democratization made by Dietrich Rueschemeyer *et al* (1992) illustrates this process. According to them, whether or not a country moves towards democracy is determined by the class struggles in that country, or in his words, "It is the struggle between the dominant and subordinate classes over their right to rule that -more than any other factor- puts democracy on the historical agenda and decides its prospects." (p. 47). In addition to class power, there are also the state power and international power structures affecting democratization.

If the common aim of studies of democratization is to establish an analytical formula for regime changes taking place in different geographies and periods, all of these theories are needed (Potter, 1997: 22). It should be taken into account that such generalizing theories are not developed for fully taking into account all aspects of a specific country. Despite of this, generic explanations of democracy and case-specific analyses are in constant tension. To demonstrate, it can be argued that modernization approach can be said making generalizations that blur

the cultural, social and historical differences between countries. Similarly, case-oriented approaches focusing on the complex interrelationships in a country, like Barrington Moore's (1966) study, can make us conclude that every country is needed to be analyzed in its own complexity and there is no need and possibility to apply one explanation developed for a country to another one.

A combined approach based on case-oriented comparative historical analysis can be useful in minimizing the risks of both, while the debate on to what extent generalizing or case-specific explanations should be employed will continue to be one major source of controversy among democratization students. In this respect, maybe the most intense debates on theories of democratization were fuelled by the collapse of communism in East and Central Europe and USSR in the late 1980's and 1990's, leaving the students of democratization with a rather challenging question: how should one study the democratization process in countries with a very distinct social and political experience, namely communism, without forgetting that each of these ex-communist countries have their own specific background? The developments in first years of the post-communist countries signified to the fact that western liberal democracies can not be simply transplanted to these contexts. In the following section, the tension created in democratization studies by the emergence of post-communist cases will be discussed.

2.3 Post-Communism and Democratization Studies

For the purposes of this study, that is, to ascertain the role of NGOs in the democratization of post-Soviet Kyrgyzstan, the questions why and how democratization occurs are more important than the definition and probability of democracy. In other words, the general trend after the collapse of the USSR, as well as the Eastern Bloc (communist countries of CEE) has been a preference for democracy. Initially, the regime breakdown in these regions was due to a widespread discontent towards the communist rule, and as it was the case in

*glasnost* and *perestroika*, the vague aim of the reforms was the creation of a more humane socialism. However, communism collapsed in FSU and CEE as a result of developments the existing rulers were unable to cope with. When the official Soviet ideology started to collapse, the vacuum was rapidly filled by "national myths" that allowed a different interpretation of the Soviet era (Lapidus, 1992: 47). Masses started to mobilize around various demands like civil-political rights, economic demands, nationalistically-inspired demands etc. But, for the leaders and the masses, lacking any substantial model of their own to follow, liberal democracy based on market economy emerged as the only option after the collapse of the communism.

The collapse of communism and the question of democratization in countries of FSU and CEE can be seen as one of the most important turning points in the studies of democratization. The enthusiasm of the events of 1989 and 1991 even lead to the question whether the end of the history came or not (Fukuyama, 1992). Formerly studied by a branch of political science named Sovietology, the emerging new states of Eurasia entered the field of comparative politics and studies of democratization. Sovietology, which can be broadly defined as the study of politics of the USSR and communist countries of CEE, faced a serious challenge when communism collapsed. The dominant paradigm of transitology, with its overemphasis on elites, was also the basis of Sovietology, which was shaped according to Cold War western mind and employed the rather unfruitful notion of totalitarianism to analyze Soviet politics[6]. For most Sovietologists, the totalitarian Soviet state was immune to internal pressures for any change. Elites, on the other hand, were accepted as a monolithic entity, allowing no different voice among themselves. The sudden collapse of communism, however, proved that communist societies inhabited dynamics for change far more than transitologists believed.

The "element of surprise" (Kuran, 1991), that is, the unexpectedness of these events led to a new debate on studies of democratization as a whole. According

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[6] For a critique of Sovietology, see Urban, M. & Fish, M.S. (1998).

to Przeworski, "The 'Autumn of the People' of 1989 was a dismal failure of the predictive power of political science." (1991). According to Urban and Fish (1998: 165) it was the "colossal failure" of political scientists studying Sovietology. Primarily, the masses as a powerful factor in the termination of *ancien régime* resulted in the questioning of the most powerful approach, that is, transitology, which, as explained above, saw popular action as a detail of the whole process of regime change. Apparently, the communist societies were not so much atomized as Arendt (1973) and other theorists of totalitarianism argued. According to Delli Zotti (1995), the very conditions that were thought to crush the civil society made it necessary for some form of social solidarity to exist. In addition, the role of the masses in the events of 1989 was an a posteriori sign of the existence of civil society in communist societies.  In the USSR (primarily in the Baltic countries) and in the Warsaw Pact countries (primarily in Poland, Romania and Czechoslovakia) the role of the popular movements was obvious. In Poland, especially, a dissent organization named Solidarity was the main drive behind the regime breakdown (Tismaneanu, 1992: 118). Established during the mine workers' strike during the early 1980's, Solidarity was a cooperation mechanism between workers and their families. It became increasingly more powerful during the 1980s and was finally recognized by the state. In the Baltics, as well as Caucasian countries, National Fronts, composed of various democratic/nationalist organizations, have played an important role in articulating the dissent towards existing regime. It may be argued that masses were not equally effective in each communist country, and not in all communist countries the regime collapsed in a way similar to a revolution (like in Romania) but "societal factors do not need to be ever-present to be significant" (Pridham, 2000: 220). The collapse of communism, in other words, was a result of *popular* dissent towards communism. Furthermore, the study of the USSR as a "hypercentralized" (Motyl, 1992: 302) entity, which allowed room for elite-centered approaches and disregard of national/social factors anywhere in the Union, came to an end with the collapse of the country. In order the study the former Soviet countries it was necessary to leave aside the paradigms of 1970's and 1980's. Only in this way, as Motyl (1992: 303) argued, could Sovietology be

transformed into comparative politics, which he assumed to be very difficult for several reasons.

The first difficulty of the task was visible in the debates on how to approach the post-Soviet, and broadly the post-communist democratizations. As I have mentioned above, the collapse of communism was a serious challenge to studies of democratization. With the initial political developments in each Soviet successor state, variations among them also became a central issue for students of democratization. According to Roeder (1998: 201), different outcomes in post-Soviet states point to a competition between different paradigms of political science. Specifically the transition approach, which had an incomparable explanatory power with its elite-centered analyses in the cases of Latin America and Southern Europe, was challenged. On the one hand there was the view that post-communism was but a variation of a larger theme of recent transitions from authoritarian rule to democratic rule (Schmitter and Karl, 1994: 179). On the other hand, it was argued that post-communist transitions -which are, clearly democratizations (Nodia, 2002: 3) - are fundamentally different from all previous transitions, including Latin America and Southern Europe and therefore could not be compared with them.

On the theoretical level, the problem was whether the existing approaches to democratization were applicable to the new circumstances or not. Initially, the collapse of communism was attempted to be understood in the existing framework of methodological approaches. An early contribution by Przeworski (1991) was calling for application of the model developed by O'Donnell and Schmitter (1986) for Latin American and South European cases to Eastern Europe, primarily on the basis of the linkages he discussed between economic and political reforms. In addition, Przeworski rejects the totalitarian model and focuses on similar aspects of state socialism and bureaucratic authoritarianism, while emphasizing the role of societal factors in elite decisions towards regime change (1991: 58-59). Another early study by Huntington (1991) to establish a basis for studying the post-communist cases attempts to find a middle way

between Lipset's 'prerequisites' approach and O'Donnell, Schmitter and Prezeworski's 'process' approach (Munck, 1994: 357). According to Munck, his attempt ends up with theoretical eclecticism while trying to formulate an all-encompassing explanation (1994: 356). Huntington also focuses on the role of previous regime type on the way a transition occurs and concludes that prior regime type is not a critical factor. However, communist regimes transformed the society in a different way than the authoritarian regimes in Latin America and South Europe did. While communist totalitarianism "succeeded in changing societies and largely destroying the basis of the socio-economic pluralism of civil society … [and] the independence of economic actors" (Linz, 1993: 63) dictatorships allowed some actors outside the political sphere develop autonomy at varying degrees and these actors -like economic society and some civil society elements- were able contribute to consolidation of democracy. In communism, no such factors were present and even the civil society, which played an important role in regime collapse, was a re-invention rather than a resurrection (Tismaneanu, 1992: 153-55; Ekiert, 1992).

As mentioned above, actors of the democratization process are different in communist cases when compared to other authoritarian cases. In addition to different actors, post-communist democratization involved very different tasks than Latin American and Southern European cases. Post-communist cases are not mere regime changes, that is, a redefinition of state/society relations in political, social and economic spheres was required.

In the previous cases of democratization that represented the basis for transition theories, one could speak of a state (a territorial administrative unit and institutions), a nation or multiple nations (on which legitimacy was based) and a distinct sphere of economic activities (on which market economy was or could be developed). Thus, a change in regime type (from authoritarian to democracy) was the central issue in previous transitions. The task in the post-communist cases however, was the creation of state institutions, definition of national identity, and establishment of foundations of a capitalist economy. Similarly, in the debates of

*democratic consolidation* Linz and Stepan (1997) define -in addition to a state-five mutually reinforcing conditions for a democracy to become consolidated: civil society, political society, rule of law, state bureaucracy and, economic society.

One of the most influential critiques towards application of transition approach to post-communist cases was Valerie Bunce. She broadly argued that post-communism was different enough to deserve a new theorization (Bunce, 1995a; 1995b). She argued that simultaneity, which means, building the state (regime), nature of identity (citizenship) and foundations of a capitalist economy (economic liberalization) is the main characteristics of post-communism. Although, as Pridham argues that "similar problems have been present to some degree in previous transitions" (Pridham, 2000: 3) and calls for inclusion of post-communist cases to existing approaches in order to enrich them, Bunce points to the need to leave the elite-centered transition because of the question of "triple transition."[7] She also contends that comparative methodology should be at the core of democratization studies. However, comparison should be made among post-communist cases first, not between post-communist cases and other cases (Bunce, 1995).

The growing awareness of the distinction between transition and consolidation of a democracy (Rustow, 1970: 346; O'Donnell and Schmitter, 1986) represent the problems posed by post-communist democratizations. While the regime breakdown in FSU and CEE was a result of factors other than elite bargaining and consensus, the task of institutionalizing democratic regime included various broad tasks as expressed in the terms 'simultaneity' and 'triple transition'. Consolidation of democracy was also to be achieved in a different environment and with different actors than authoritarian cases. One sign of the difficulties posed by these various tasks may be the mere survival of many post-communist democracies without being able to consolidate it, and in some instances, return to other types of regimes, including authoritarian and semi-authoritarian regimes

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[7] For an analysis of the term in post-communist context, see Offe (1991).

(Bratton and Van de Walle, 1997: 3, 128-267; Przeworski, 1991: 51-99). The inability of Sovietology to predict the collapse of communism supports the proposition of difference of post-communist cases: there was no traceable elite process towards regime change. Thus, in my opinion, post-communist cases should first be explored fully in terms of the peculiarities of the regime change, and then their compatibility with existing theories should be checked.

### 2.4 Civil Society and Democracy

Alexis de Tocqueville's 'Democracy in America' is cited as the first influential work citing civil society as a prerequisite of democratic system. As a French political thinker, his comparison of societies of United States of America and France led him to conclude that, associations, in which people came together voluntarily for a common purpose, were the explanation for the success of American liberal democracy. Contrary to what Hegel proposed for the elimination of poverty, that is, state intervention, he championed the idea of private charity. Thus, his was a model expanding the role of civil society from a sphere of pursuit of rights and interests by adding a dimension of social responsibility for the protection of less privileged sectors of society (Yetis, 2003: 38-9). According to de Tocqueville, American society was far more democratic than France, in which state was strong and omnipresent. However, civil society, like democracy is a historically developed notion and it has been subject to redefinitions in different periods of history. Therefore, the relationship between civil society and democracy is redefined by various theorists in different periods.

The emergence and evolution of the concept civil society is initially a western phenomenon. Until the 18th century, the term civil society referred to political society (Kumar, 1993: 376). The quest for explaining the basic laws regulating state-society relations starting with political thinkers like Thomas Hobbes and John Locke, paved the way for the idea of civil society. Their basic contribution in this sense was the introduction of concepts of 'law of nature' and 'social

contract'. Hobbes defined the initial conditions under which people lived as 'state of nature' in which "war of all against all" was waged, because of contradicting interests of people and lack of an authority to resolve the issue. For Hobbes, a powerful state, that is, a *leviathan* state could be the authority which could prevent people pursuing their interests without any restrictions. In other words, the aim of the leviathan state was to create a political space in which people could advance their rights and interests without harming others. Defining a state of nature similar to Hobbes,' Locke's idea was that by conforming to the *law of nature*, that is, reason, people could create a harmonious society. However, the law of nature is ignored in practice and thus, a government becomes necessary. A legitimate government is one that ensures that nobody breaks the law of nature. Failing to create the sphere for people to interact and pursue their interests peacefully, a government becomes illegitimate and people have to overthrow it. Thus, Locke's definition of civil society refers to a political society in a legitimate political order (Khilnani, 2002).

Ideas of Hobbes and Locke are important in the sense that they formulated the creation of political society based on state of nature. Hegel, on the other hand, defined civil society as the sphere of social relations between people shaped by historical processes, that is, by interactions among people on the basis of their - not necessarily political- interests (Chandhoke, 1995: 118). Civil society was situated between family and state, the two other areas of *Sittlichkeit* (ethical order). Under the conditions of the industrialized societies (interdependence, division of labor and socio-economic inequalities) however, civil society lacks the capacity to reproduce *Sittlichkeit* (Yetis, 2003: 38). Pointing to the elimination of poverty in the industrial society, Hegel sees civil society incapable of doing this, and calls for more state intervention. Similar to Hegel's understanding, Marx saw civil society in relation to the political society. In the middle ages, political and civil societies were one and the same. In modern societies, however, they are separated. As a result of this separation, bourgeoisie became the civil society. The understanding of civil society as a parallel sphere to the state was later to be changed by Gramsci.

Gramsci's theory of hegemony is tied to his conception of the capitalist state, which rules through both coercion and consent (Fontana, 2002: 160). Gramsci argues that the state should not to be understood in the narrow sense of the government; instead, state is composed of 'political society' -the arena of political institutions and legal constitutional control-, and 'civil society,' which is generally seen as the "private" or "non-state" sphere, including the economy. The former is the realm of coercion and the latter of consent. He stresses, however, that the division is ideal and that the two spheres often overlap in real life (Fontana, 2002: 160-2). Gramsci also claims that under capitalism, the way the bourgeoisie can maintain its economic control is by allowing certain demands made by civil society -for example trade unions and political parties- to be met by the political sphere. Thus, civil society becomes the sphere in which bourgeoisie starts thinking beyond its daily interests and establishes its hegemony (Litowitz, 2000: 522).

Until 1980's, the notion remained almost untouched by Marxist scholars, largely due to its perception as the bourgeois society. In 1970's, there were efforts made by some Latin American intellectuals to revive the concept. Reacting both against the Marxist guerrillas and right-wing dictatorships, they started to write about the *sociedad civil* (Fisher 1998: 11). Again in 1970's, human rights groups in Algeria, Morocco and Tunisia started to struggle against the predominant perception of human rights advocacy as a "bourgeois notion and dangerously American." (Waltz 1995: 135). Finally, in the 1980's, the term reappeared in writings of East European dissident intellectuals who were against the authoritarian state in defense of the society. In their writings, civil society was described also as a way more broad and humane than capitalism. The coincidence of the collapse of communist bloc in revolutions of 1989-91 with the search for an exit strategy from the crisis of the welfare state catalyzed the interest in the concept. Civil society entered the agenda in the 1990's in a very similar way the concept of development entered in the 1960's (Bertsch, Clark and Wood, 1982: 530). The term became a central theme around which methods

for democratization in transition countries as well as strategies to tackle problems experienced in the social spheres in consolidated democracies in the United States of America and Western Europe were formulated. To put it differently, the concept became popular because it proposed a solution to two critical questions: how to make democracy work (or rather, how to establish it) in today's societies, and how to establish a more humane, equitable market economy (Gellner 1994: 213).

Democracy promotion, decentralization and struggle against poverty all over the world has been recognized as issues closely related to the idea of civil society. For example, structural adjustment programs and other reforms, resulting in shrinking social services sector, for example, are a major impetus for the interest in the role of civil society (Corsino, 2001: 43). Various studies pointing to the relationship between a developed civil society and democratic governance helped the idea of civil society to become a central concern in democratization and development fields[8]. The last fifteen or twenty years have witnessed an enormous increase in the number and activities of CSOs, notably in the transitional countries, due to a number of reasons like increased funding opportunities for NGOs and emergence of an educated, enthusiastic intellectual elite in most of the developing countries (Fisher, 1998: 7).

Civil society has various definitions made by scholars and institutions. These definitions may vary, but still there are some key aspects of civil society included in many of the definitions. Autonomy from the state and economy (although these two are among major financial resources of CSOs) is perhaps the most important of these. The voluntary basis, on which various elements of civil society are established and operate, provides ground for the autonomy.

As I have mentioned above, civil society is a western notion and its definition primarily rests on western political developments. Defining the general aspects of civil society at the theoretical level is relatively easy. Defining the civil society

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[8] See Perez Diaz (1993), Putnam (1993).

in a given geographical/political entity, on the other hand, is a more complex task including the analysis of history, culture, developmental conditions, political sphere etc.., because the development level and forms of civil society are closely related to these areas. While in developed Western countries formal institutions tend to form the main core of civil society, different types of organizations can also be seen as elements of civil society, especially in democratizing contexts where the formal institutions of civil society are still on the make. Religious organizations, labor unions, mass movements, activist groups, political parties, business associations, charities, local self-help groups etc. are thus part of the civil society. NGOs, on the other hand, are only part of civil society and should not be equated with it. While civil society includes all organizations and associations that exist outside the state and market, NGOs have a special role within the broader sphere of civil society: in addition to being part of the civil society, they basically operate for the development of it. Like other civil society organizations, NGOs are vehicles for policy advocacy, empowerment of local people, barriers in front of arbitrary state power, and channels for political participation. They, in short, add to the plurality in a society through spreading *habits of association* that foster civility, and have the potential to act as a counterbalance towards authoritarian practices. Their difference from other social associations, however, is their inclusion of -in more or less explicit ways- aims of helping democracy and civil society to develop. Acting as catalysts within the broader framework of civil society, within which associations can put forward particularistic, un-democratic demands, NGOs represent the idealistic, interventionist face of civil society.

The role of civil society is, ideally, contributing to a country's development by positively influencing state and market forces. To achieve this, it employs various types of tactics. Civil society analyzes policies and advocates certain ones. It monitors and regulates the actions of institutions of state and market. It builds social capital, a key component to build and maintain democracy[9]. It also enables individuals to specify and articulate their rights, interests, values and

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[9] For explanations of the relationship between social capital and democratic governance, see Putnam (1993 and 1995); Fukuyama (1995) and Nan Lin (2001).

norms to collectively define what's good for the public. It mobilizes some sectors of the public (primarily the poor and socially disadvantaged groups) to increase their level of participation in decision making. It creates protection mechanisms against isolating and socially unsettling effects of market forces, for example in cases of structural adjustment and other economic reform policies. However, the ideal civil society described here often fails to be achieved and real world poses us a different picture than the ideal. Problems pertaining with the sphere of civil society, therefore, are needed to be analyzed in order to make it function closer to the ideal.

An important fact about civil society is that it is not composed of elements with the same interests and values. In other words, in civil society, interests are often in conflict and these conflicts are not resolved with mutual respect. Thus, Carothers believes that "…civil society everywhere is a bewildering array of the good, the bad and the outright bizarre" (1999: 20). This means not all CSOs are civil. In some cases, organized groups that are formally part of the civil society, such as the mafia and extremist (rightist, religious or leftist) groups can deliberately destroy principles of equality, cooperation and negotiation. In addition, organizations that are originally intended to contribute to the political and economic good of the society can unknowingly do the opposite. Activities based on wrong or incomplete analyses of the situation, for example lead to this. Therefore, civil society organizations are expected to operate democratically in order to contribute to democracy (Kamrawa and O'Mora, 1998). Thus, "only non-hierarchical, participatory, internally democratic civic groups can instill virtues of democracy in their members" (Korkut, 2005: 113)

According to one view, low level of institutionalization of the state is an important factor in the growth of un-civil society. In the absence of at least optimally functioning state organs or practices (legislation, judiciary, police, parliament, presidency, electoral system etc.), members of the civil society may

advance their rights and interests at the expense of others.[10] This perspective is complementary to the idea that a lively civil society can make a regime work better, no matter what that regime is (Zakaria, 1995: 25). Obviously, it is problematic to associate civil society only with democracy. The capacity of autonomous social associations, each of them having a different agenda and set of interests, to undermine a democratic or pro-democratic state as well as an authoritarian one, is a major question in civil society-democracy relationship. The opportunities for self-expression and pursuit of interests provided in an open civil sphere can be exploited by social associations not favoring a democratic, pluralist society. In other words, social associations can have the bigger aim of becoming a political actor, instead of being one among the many to play the same game with same rules.

Civil society-political society distinction can be used proposed for ascertaining the specific role of civil society in a given context. Until they were separated with the new political formations established in the 18th and 19th centuries, civil society and political society were the same. The separation resulted in the reformulation of analyses of political regimes from state-society relations to political society-civil society relations. The obvious result of such a perspective is that it acknowledges the existence of historically very diverse ways in which civil society develops, and therefore, there are more than one ways in which civil society can contribute to the construction of a democratic regime (Whitehead, 2004: 31). In other words, CSOs, which are supposed to contribute individuals' power in the larger process of participation and thus increase equality, are unequally distributed in a given context.

The uneven distribution of voluntary associations may be based on geography, ethnic or socio-economic status, or on previous patterns of power relationships inherited from a previous period, such as in post-communist countries. Therefore, especially in countries where civil society is an ideal rather than an

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[10] A very extreme example is the Weimar Germany. In spite of a lively non-governmental sector, democracy did not take root; instead, the Nazi party exploited these intermediary institutions in order to establish an authoritarian regime in Germany (Encarnacion, 2003: 9).

achievement, the problem of voluntary associations as agents for democratization emerges as a critical question (Whitehead, 2004: 30). Also, the distinction between the political society and civil society may be difficult to ascertain, even in exemplary cases of civil society-democratic governance. For example, pointing the findings of Putnam on Northern Italy, which he used in illustrating the positive correlation between dense civic associations and democracy (Putnam, 1993), Foley and Edwards (1996: 42) state that many of the civic associations in Northern Italy are formed either by socialist or conservative political parties. Therefore, the argument of 'strong civil society-strong democracy' can be transformed into 'strong political system-strong civil society'. International and local efforts to promote democracy through civil society, without taking into account the political system can cause the rise of "uncivil" (May and Milton, 2005) societies. Therefore, we now may look closely at the promises and dangers of civil society promotion, with particular focus on post-communist context.

## 2.5 Promoting Civil Society

Supporting civil society as part of democracy promotion strategies is a widespread phenomenon in various regions of the world. Call for more associations has almost an "evangelical fervor" (Rossteutscher, 2005: 3) while project of democracy spreads to further contexts. In transitional contexts of African, South American, African and Asian countries, supporting CSOs in order to increase political plurality and prevent arbitrary execution of state power has a long history. The number of NGOs in transition counties has shown a rapid growth after the collapse of communism, while it is unclear whether this growth is "a cause or effect of legal reform and donor aid" (Zinnes and Bell, 2003: 379). Efforts of governmental, as well as non-governmental agencies of development and democratization for building civil society, is still incomparably small when compared to efforts to build political or economic system. Yet, civil society support activities have broader impact upon a country because it entails the

organization of state-society relations. CSOs can be influential in various spheres like development, economy, politics and culture. Financed and trained by international agencies, CSOs are ideally intended to perform activities for political and socio-economic development of a country. In practice, however, promotion of CSOs can result in various outcomes other than democratization and sustainable development.

The relationship between a viable civil society and democratic governance, as explained before, is not a straight one. The promotion of CSOs as part of democratization efforts, therefore, has the potential of further deterioration of societal relations especially when CSO support strategies and methods are not sensitive to the realities of localities. The potential negative outcomes of CSO support for democratization are covered by a large literature.

It is questionable whether an important part of foreign (Western or Northern) donors and INGOs are really non-governmental (Tandon, 2001: 71). For example, the budget of USAID, the largest source of funds for Kyrgyz NGOs, is approved in the Senate of United States of America. Similarly, European organizations (Organization for Security and Co-Operation in Europe [OSCE], Friedrich Ebert Foundation, Office for Democratic Institutions and Human Rights [ODIHR] etc.) are clearly not totally autonomous from governments. Therefore, efforts by international organizations for the creation of a civil society sphere primarily in order to create a counter-balance in countries with a tradition of strong- states is a controversial issue. In other words, it is questionable whether agencies with governmental or corporate affiliations can contribute to democratization.

With regard to democratization, civil society needs functioning state institutions. In its simplest meaning in terms of contemporary politics, civil society is the sphere that provides room for the advancement of rights and interest of, sometimes competing, groups in a society, "by participating in state procedures" (Milton, 2005: 11). Thus, independent from the type of regime, there has to be a

ground on which state and civil society can interact. A democratizing state is one that tries to increase this interaction and that tries to be more responsive to these groups. However, this is far from being uncomplicated especially in post-communist contexts.

In a transitional country, there can be state officials looking at CSOs with suspicion because of the tradition of centrally exercised power. Similarly there can be elements within the civil society that have not fully comprehended the state-civil society distinction. Milton, for example shows how granting freedom of press in Eastern Europe has ended up in press organs articulating direct demands for respective political parties they supported (Milton 2005: 11). Thus, democratization has a dual character with regard to the development of civil society: on the one hand, a democratizing state tries to increase the level of participation for representatives of different groups, and on the other hand, these very representatives can abuse the state and civil society in order to advance their particularistic interests. The development of civil society as an end in itself, therefore, is inefficient for democratic development.


2.6 Post-Communist Civil Society and Democracy

In the context of post-communist countries, the importance of the political sphere should not be underestimated. Under the conditions of weakly institutionalized states, civil society promotion may not end up in ideal results. Problems related with civil society promotion through NGOs are, basically, issues of reproduction of the existing inequalities and undemocratic patterns. NGOs operating as watchdogs in fields pertaining political institutions and practices (legislation, elections, bureaucracy, local governance etc.) are indispensable. On the developmental field, a careful relationship between state, NGOs and donors should be established. NGOs should be politically and financially autonomous from other parts. NGOs also should carefully balance the trade off between engaging too much with the state or the donors and forming a mass base. In

Kyrgyzstan, as elsewhere in post-communist context, civil society promotion is not the primary method in democracy promotion, as one can see it in comparisons of amounts of money allocated by foreign donors for developing state institutions and for developing the non-governmental sector. Nevertheless, when implemented, democracy promotion through civil society support should be very carefully handled in contexts of weakly organized state institutions. First, as some of the NGO leaders in Bishkek have admitted, the leadership of the country can have an instrumental approach towards civil society. The image of the country as supportive of democratic project can ensure international support for the regime to an extent. Second, existing problems of the country (e. g. corruption, ethnic tensions) can be reproduced with foreign organizations' practices.

Another dimension of the democratization process is related to the transnational networks of democracy assistance. The application of western liberal democratic principles indiscriminately to the countries of FSU and CEE is the main problem with the democracy project. In other words, trying to fit the reality of a context to the ideals of another context can result in failure of the overall aim of democratic governance. Most post-communist countries lack the organizational skills and institutional capacities that are needed to sustain a democratic state. Furthermore, the landscape of political sphere needs more than ten or fifteen years in order to achieve a certain level of genuine political pluralism.

3. NGOs and DEMOCRATIZATION

## 3.1 History of NGOs in Kyrgyzstan

The civil society sector in Kyrgyzstan is primarily a product of the post-independence period. The process of political transition after the achievement of independence has directly influenced the formation of a sphere of NGOs. Although the very existence of the western type NGOs is far from being achieved, there is a sector of NGOs which can be considered as the indicator of a developing civil society. In order to understand the existing nature of civil society in Kyrgyzstan we should first be looking at its historical background. Below, I will mainly concentrate on the pre-Soviet, Soviet and post-Soviet periods.

### 3.1.1 Before the Soviet Union

Modernization and urbanization were almost absent among traditionally nomadic Kyrgyz prior to the arrival of the Russians to the region in 19th century and consequent annexation to Russian Empire; therefore the only form of social organizations were the traditional ones like craft and merchant guilds and religious institutions. (Huskey, 1997: 245). With the coming of the Russians to the region, one other form of social organization, popular political resistance movements emerged, notably in 1910s and to some extent, 1920s. These movements were reactions against the Russian imperial policies (e.g. on land use, settlement, emigration) and increasing poverty. Islamic opposition to Christian rulers combined with land and livestock losses as a result of imperial policies was the driving force behind these movements rather than an idea of national

liberation. As a result of military superiority of Russia and lack of a unity among the Kyrgyz people, the revolts were suppressed before they obtained significant success (Anderson, 1999: 7). With the Russian Revolution beginning in 1917, two major popular political movements, the *Shura-i Islamiye* and *Alash Orda* joined their forces in order to fight for Kyrgyz national rights (U.S. Department of Justice, 1993: 4). Another movement, *Basmachis*, achieved partial success against the Bolshevik invasion of the region. Until *glasnost* and *perestroika*, there were no significant popular political movements (Anderson, 1999: 9), but there were other traditional popular associational forms, primarily the *ashar* (mutual help) and *mahalla* (literally meaning quarter) which survived the communist period.

*Ashar*, a widespread practice of mutual help at the communal level, is a traditional and social, rather than political, organization. It is basically a form of single-subject mobilization of a community, often for jobs that require extensive financial and labor support such as building a new house (Hanks, 1999: 166). This traditional form still survives especially in rural regions of the country and among newcomers into the larger cities in order to overcome the economic hardship of the post-communist period. *Ashar* was one of the mobilizing concepts behind the emergent civil society during *perestroika*. In 1989, a group of young Kyrgyz nationalists formed an organization called *Ashar*, in order to make government help migrants settle in Frunze (now Bishkek). Initially not recognized by state, *Ashar* successfully mobilized masses and had a powerful impact in the creation of Kyrgyz civil society. Several CSOs were founded after the recognition of *Ashar* in the late *glasnost* period (Huskey, 1997: 251).

There was also the *mahalla*, another form of social organization inspired from the Uzbek society. A *mahalla* consists of members living in privately owned houses in a single urban district. The special kind of community they form is intended to resolve many issues collectively. For example, during weddings and funerals, the *mahalla* acts together. Financial support for the members in need is another aspect of mahalla. Like in *Ashar*, cooperation for building houses is also

quite widespread. In today's southern Kyrgyzstan, where most of Uzbek minority lives, *mahallas* do not survive anymore while in the neighboring Uzbekistan there are efforts both by government and CSOs to revive this traditional structure (Geiss, 2001). In independent Uzbekistan, state assigned an exceptional role to mahalla as a traditional form of Uzbek grass-roots democracy (Massicard and Trevisani, 2003). The mahalla committees have been given wide-ranging powers, even so far as turning a family out of a mahalla by decree of a general meeting (Rotar, 2002). Both *ashar* and *mahalla* are distinct mechanisms for communal cooperation, allowing the members to overcome various difficulties. *Ashar* for emphasizing the capacity present in cooperative work and *mahalla* as a form small-scale self-rule have been indispensable for Kyrgyz and Uzbek populations, respectively, in the face of difficulties posed by large-scale transformation during post-Soviet period.

With the beginning of the Russian Revolution and subsequent Bolshevik initiative turning it into a communist revolution, groups supporting the movement joined the Soviets. These groups were mobilized around the idea of ending the Russian imperial hegemony (Dukenbaev and Hansen, 2003: 17). Indigenous intellectuals supported the revolution in order to help eliminate the traditional, religious forms of governance, which resulted in the underdevelopment of the region and its colonial status (Ibid). Russian rule was initially preferred by local people for its less demanding conditions when compared to Kokand Khanate. However, urbanization, spread of agriculture, and increasing taxes due to mismanagement of the empire and wars, the socialist path became a serious alternative. Like in other parts of the Union, Kyrgyz people were attracted by the equalitarian modernization model of socialism. Furthermore, principle of self-determination, preservation of ethnic harmony and many other aspects guaranteeing the self-assertion of indigenous people appealed the Kyrgyz. Thus, with the success of the Bolshevik revolution, the communist period started in Kyrgyzstan and together with the new regime, new social organizations were introduced.

### 3.1.2. Soviet Era

During the Soviet era, the regime undertook an assertive approach towards building a new public sphere in line with the communist principles. Public associations were not non-existent in the Soviet era. Instead, the state promoted the establishment of them in order to penetrate the public sphere[11], in line with the aims of social transformation. The first thing that strikes our attention as we look at the Soviet period is that non-governmental organizations (some of them pseudo-political), like political ones, were formed identically in the same way in the whole Union. With the formation of the Soviet Union Kyrgyzstan witnessed the formation of social organizations like elsewhere in the country. The Communist Party initiated the formation of social organizations loyal to the regime which served as an official public sphere as a functionary of Soviet ideology (Starr, S.F. 1998: 6). These included professional unions like Journalists' Union, Lawyers' Union, Writers' Union, Teachers' Union, trade unions as well as the Communist Union of the Youth (*Comsomol*); scientific societies like Kyrgyz Academy of Sciences, Scientific Medical Societies, Biological Scientific Societies and Geographical Society of the Kyrgyz SSR; cooperative associations dealing with small-scale trade and provision of consumer goods; environmental groups, societies of disabled peoples, sport and artistic activities' unions). The peculiarity of these organizations was that they were funded by the Communist Party and its heads enjoyed privileged status within the society (like apartments, salaries, summer houses, cars etc.). Most of these organizations still exist in post-Soviet Kyrgyzstan, although they all experience difficulties with the suspension of various supports provided by the state. Although these organizations did not have any political power or influence in decision making processes as its Western counterparts (Prosser, 2000), they were very popular and developing their own agenda and activities to ensure participation and benefit of a wider population (Baimatov, et al, 2002: 13).

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[11] For a discussion of the distinction between the official and informal public spheres, emerged as a result of official ideology and public response to state-controlled public sphere, see Zdravomyslova and Voronkov (2002).

Soviet ideology was supportive of such organizations in the sense that they were powerful instrumental organs in diffusing the communist ideals and practices into the society (Prosser, 2000). Communist regime's first task was to modernize and encourage the populace to contribute to development in various fields of science, culture and art, and intermediary organizations were means to this end. Established in various fields like environment, culture, art and science, public associations during the Soviet Union were expected to make contributions to the society in their respective fields. Furthermore, their autonomy was largely impeded through the principle of being in line with the aim of building communism. For example, writers were encouraged to write books, painters to make pictures in order to express a certain point of view. Various prizes and state support, like better houses and working conditions for prominent composers, writers and scientists, ensured their attachment to the regime's ideals.

The constitution and other laws provided a legitimate sphere for the existence and activities of such groups. While the trade unions, largest non-political groups, were subject to a specific legislation, the 1977 Constitution provided special provisions for public organizations and citizen groups as the 7<sup>th</sup> article stated:

> "Trade unions, the All-Union Leninist Young Communist League co-operatives, and other public organizations, participate, in accordance with the aims laid down in their rules, in managing state and public affairs, and in deciding political, economic, and social an cultural matters."(*Constitution of the USSR*, 1977, Article 7)

In addition, Article 51 provides the space for establishing public associations, provided they are not against the communist ideals:

> "In accordance with the aims of building communism, citizens of the USSR have the right to associate in public organizations that promote their political activity and initiative and satisfaction of their various interests. Public organizations are guaranteed conditions for successfully performing the functions defined in their rules." (*Constitution of the USSR*, 1977, Article 51)

Other articles of the constitution guaranteed freedom of speech, press, assembly, meetings and demonstrations (Article 50), which were crucial for public associations to function. Thus, legislation provided a space for public associations within an understanding close to the universal principles. The obvious distinction, however, was that these organizations should not be in contradiction with the aim of building communism (Remias, 2000: 18), as stated in Article 51. In their internal affairs, like election of presidents and forming of the agenda, these organizations were independent. However, financially they were dependent on the state and their leaders had to be approved by the Communist Party (Zdravomyslova et al, 1998: 45). State monopoly over facilities (for example concert halls and theaters to use for meetings, transportation facilities etc.) required these organizations to cooperate with the authorities and perform activities compatible with the official ideology. In effect, these groups had almost no say in policy making processes because of Communist Party monopoly over politics. Public understanding of NGOs and civil society was too limited and the application of the constitutional rights in this direction produced organizations possessing very little autonomy in contrast to their western counterparts. Second, such organizations, as I mentioned above, was a useful tool for penetrating into the society, where the Communist Party enjoyed not too high figures of membership. In 1981, the Kyrgyz Communist Party had 126,402 members (Baimatov et al, 2002: 12), nearly 3.45% of the total population of Kyrgyzstan at that time . [12] In other words, these organizations were seen as agents for realizing the aim of creating the Soviet society by penetrating all spheres of society through agencies outside the political sphere.

Membership to such organizations was popular, indicating that these were not mere instruments of the Communist Party/state, but also areas for self-realization and personal fulfillment. Membership size of giant public associations such as the Peace Fund or Nature Protection Society was measured with tens of thousands. Until the break-up of the Soviet Union, more than 20 million citizens

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[12] Source: http://www.library.uu.nl/wesp/populstat/Asia/kyrgyzsc.htm

throughout the country participated the programs of the Nature Protection Society (Becker and Stapp, 2003: 2). Membership was based on voluntarism, but there was also extensive registration of involuntary people (Kasybekov, 1999: 72). Sometimes, people had multiple memberships to various organizations, without really taking part in its activities (Ibid). Their income sources were limited to state subsidies (in the forms of cash or facilities) and stamp sales to members as well as non-members in a voluntary or sometimes involuntary way, which were made once a year in a very large scale. Private funding was non-existent in Soviet period public associations. Famous figures were chosen for leadership in order to increase the popularity of these groups.

One group of popular associations was the youth organizations. During the Soviet era, youth was one of the prioritized areas of society and Communist Parties in all republics attached particular importance to youth (Zdravomyslova et al, 1998: 45). Young people, presumed to be ideologically left-wing, took part in youth groups, which were seen as the avant-garde political force and the pillar of the regime. In order to develop and exploit the potential in the youth, extensive efforts were mobilized around youth groups, where young people found abundant opportunities to channel themselves into politics, sports, art, science or other fields (Ibid). After the collapse of the Soviet system, youth organizations experienced a drastic fall. The most powerful organization, Leninist Union of Soviet Youth (LUSY) with its branches in fifteen countries, for example, became defunct. With the destruction of the infrastructure for personal development and the realities of the market system left the young population without an identity and goal (Baimatov, et al, 2002: 48).

Organizations towards environmental protection were also very popular. The Movement of Young Naturalists, established as early as 1920's in Russia, spread to Kyrgyzstan in 1960's, following a massive wave of urbanization and industrialization in the post-war period (Gradskova, et al, 2004:14). Republican Society of Nature Protection, established in 1964, was the most impressive environmental organization with numerous branches and thousands of members

nationwide. Republican Society *Znanie* (1949), Geographical Society *Globe* (1947), Entomological Society (1953), Botanical Society (1962) and Ornithological Society (1984) also survived until independence (Baimatov, et al. 2004: 56). During the final years of the Soviet Union, political demands were articulated under the disguise of environmental organizations. In countries like Azerbaijan and Kazakhstan, environmental organizations and demonstrations hosted nationalistic and other political protesters.

Like other social organizations during the Soviet era, however, environmental organizations experienced serious problems with the collapse of communism. Since the Central Asian region was subjected to a high level of environmental devastation due to the Soviet-era developmental projects, especially in Kazakhstan and Kyrgyzstan there are many environmental organizations (Luong and Weinthal, 1999; UNDP, 2003: 10, 14). Today's environmental groups in Kyrgyzstan have their roots both in these old fashioned organizations and genuinely independent organizations founded in the late 1980s. The organization Environmentalists, established in 1988, focused on launching protests against the construction of a chemical plant near residential areas. Partly due to their privileged status in the Soviet system and partly due to their active efforts, environmental organizations managed to develop an ecology program for Frunze, today's Bishkek, and made the authorities adopt it. Kyrgyz legislation on the protection of nature was also adopted with extensive participation of environmental organizations (Baimatov et al, 2002: 57). This law had special clauses and provisions, which emphasized public's right to decision making in environmental issues and right to access information directly connected with environmental issues (Ibid). Such successes were effective in increasing the status of environmental organizations among the general public and therefore they have left a valuable legacy for post-independence environmentalists. Continuing environmental problems caused primarily by large scale mining activities (UNDP 2003: 13) in Kyrgyzstan both prompted the creation of effective NGOs and increased public awareness.

One other type of non-governmental organizations were "scientific societies", which after independence turned into "associations", defined by the Soviet legislation as "voluntary public organization fostering the development of certain scientific areas and campaigning public, political, natural and scientific as well as technical expertise." These organizations were founded in various scientific fields, like Biological Scientific Society or Scientific Medical Society and enjoyed, like other officially recognized social organizations, extensive government support due to the role attributed to science in communist ideology (Graham, 1989). After independence, most of them lost state support and therefore ceased activity, but some of them survived during the transition period by transforming into new associations such as Association of Veterinary Services of Kara-Suu Region. Levels of cooperation between scientific societies and industrial enterprises are also very low in present day Kyrgyzstan (Salmorbekov et al, 2000: 18-19).

Another type of social association was cooperatives. Initially founded by the introduction of New Economic Policy (NEP) in 1930s, cooperatives re-emerged in 1980s due to centrally planned economy's inability to satisfy the public's needs. Furthermore, the Soviet economy was based on heavy industry, and other spheres of business based on private or group activities were neglected for a long time and cooperatives were alternative business opportunities. With the loosening of the regime in 1980s, several cooperatives were established, which dealt with marketing of goods, food storage, agricultural production, livestock breeding etc... Cooperatives today continue to operate, mainly due to the high rates of unemployment as a result of derailment of economic and industrial structure. Many qualified workers, for whom finding a secure employment was almost impossible, now make the majority of cooperative staff (Baimatov et al, 2002: 64). In the Soviet era, there were also consumer unions in oblast and raion levels, which became consumer associations after the independence. The main activity of these unions was provision of commodities and important public goods. In the communist period, these activities were part of centrally planned economy because socialist economy denounced all private enterprises, where,

after independence they have become part of private initiatives on commercial activities. Their function in contemporary Kyrgyzstan is to provide various consumer goods to the population for lower prices than the market and they are part of the economic society rather than the civil society.

Cultural organizations in various fields of art and culture were also an integral part of social organizations. These were places for professional development of art and culture and facilitated the communication of people in their respective field. Union of Composers, Union of Writers, and Union of Artists etc. were some of the Soviet era cultural organizations. After independence, private initiatives engaging in cultural and artistic organizations emerged like Kyrgyz Union of Writers, Kyrgyz Union of Painters, Cultural Center *Elbile*, *Raduga* Children's Jazz Studio, Public Foundation *Bilim, Madaniyat, Kairymduuluk* and many others. Today, they mainly focus on preserving and teaching Kyrgyz (and also other ethnic groups') culture and language, establishing international ties with other cultural centers and people.

Trade unions were one of the most active organizations during the communist period. First trade union in Kyrgyzstan was established in the south as early as 1905, and during the Soviet era, 26 different trade unions in different sectors existed. Their primary issues of concern were social security, labor protection and security, participation in labor legislation, and cultural and recreational rights of workers. Until the adoption of 1993 constitution, they also enjoyed the right to put forward legislative initiatives which enabled them to participate in decision making processes. First independent trade union, the Federation of Trade Unions of Kyrgyzstan was established in 1990, working autonomously from the state, party and any political movements. Today, trade unions depict a high level of cooperation with government authorities, especially in the field of legislation related with labor, and trade unions refrain from staging strikes, demonstrations and protests, partly not to loose their privileged position and partly due to financial difficulties. Normally, trade unions receive 1% of workers' incomes,

but because of payment delays and decrease in employment, they experience serious financial problems. (Baimatov et al, 2002).

An important turning point in terms of the development of civil society in Kyrgyzstan, as it was in the whole USSR was the *glasnost* and *perestroika* policies initiated by Gorbachev in order to reform the system. *Glasnost* and *perestroika* resulted in an opening up in the public sphere, the emergence of societal forces independent from the Communist Party and implementation of liberalization policies -albeit very limited- throughout the Soviet Union. By the introduction of *glasnost* and *perestroika*, one can witness the formation of semi-political organizations Ashar and Democratic Movement of Kyrgyzstan, the latter turning into a political party after independence. All these organizations were important in the sense that they not only formed a significant basis for the development of civil society after independence, but also formed a sphere parallel to the political sphere, to say nothing of autonomy, from it. Thus, the end of 1980s witnessed the emergence of political debate groups and social movements. None of these organizations were recognized by the Kyrgyz State until 1990. Political parties, on the other hand, were not recognized by the Communist Party of Kyrgyzstan and these could be established only after the independence. Nevertheless, these pre-independence organizations have played an important role in the building of civil and political spheres after the independence. Examples of such organizations were Youth Club *Demos* (1987) organized around public newspaper *Komsomolech Kyrgyzii*; *Contemporary* around light industry factories in Bishkek; *Position* established by the Institute of Economics (Huskey, 1997: 250). Parallel to these developments, nationalistically inspired democratic organizations such as *Asaba* (Banner), *Atuulduk Demirge* (National Pride) and, *Ashar* (Mutual Help) mobilized considerable number of people, primarily around single issues and then increasingly around political demands for the assertion of the rights of the Kyrgyz. Other nationally oriented organizations were *Adolat* -established in the Uzbek populated southern city of Osh in 1989 as a result of deteriorating relations with the Kyrgyz-, and the Slav Foundation in 1990 in Frunze. In 1991, several German cultural centers were

also created (Babak and Vaisman, 2004). Together with the weakening and relaxation of the central control and the Communist Party, political formations like Spiritual Renaissance Party, *Manas-Ata* (Father Manas) and *Ata-Meken* (Fatherland) were established towards the end of 1980s. These organizations were diverse social platforms, uniting social groups and motivations and activities were influenced heavily by the general political atmosphere. According to Guboglo (1991: 7), "there is often discrepancy and inconsistency between objectives and tasks set forth in the programme declarations of the movements and parties," a problem also present in some of the NGOs today. Contemporary legislation on non-commercial organizations has strict provisions for NGOs for compliance with their charters, which defines the aims and methods of NGOs. In addition, it should be mentioned that today's political parties are heavily occupied by elites with a communist past and therefore form a heavy obstacle in front of democratization of the country (Niazaliev, 2004: 141-2).

Finally, it is important to note that, there was an informal public sphere during the Soviet period. Ranging from "kitchen circles" (Gibson, 2001) to cliental relations for material interests, the informal public sphere was an important aspect of social life and a strategy for coping with the limitations presented under communist rule. Fearing to be punished expressing their ideas publicly, people were more free in these closed networks. But this informal public sphere was not an integral part of civil society, but a substitute for it (Rose 1994: 22). Post-independence Kyrgyzstan enjoyed high levels of freedom of speech when compared to Soviet era and present day Central Asian countries; therefore, discussion of social, political and economic issues are no more confined to kitchens. On the other hand, with the worsening of economic conditions and unemployment, informal ties preserve their importance in daily life. The Russian proverb emphasizes the importance of social networks as "A hundred friends are better than a hundred rubles" especially when governmental nets of social security have collapsed. In the extreme conditions of poverty, the proverb was transformed into "It is better to have a friend who can give you 100 rubles," pointing to the cliental, rather than cooperative nature of these relations

(Kuehnast and Dudwick, 2004). Such networks, however, remain out of the scope of this study. Nevertheless, these networks are in contradiction with the aims of building a lively civil society. They tend to reinforce traditional structures of clan and tribe, instead of modern social networks as expressed in political parties and CSOs. Continuing failure in economy, establishing rule of law and creating equal opportunity for its citizens, therefore contribute to the development of mechanical, rather than an organic solidarity among the members of the society.

### 3.1.3 Post-Soviet Era

Post-Soviet civil society is a complex phenomenon. On the one hand, it carries the aspects of the past. Public associations existed in the Soviet Union, though in a symbiotic relationship with the regime. Their mode of thinking about their position and role with regard to the state continues to survive as many of the Soviet-era public associations continue to operate in the new context. Secondly, post-Soviet civil society is a product of independent public associations established during *glasnost* and *perestroika*. As a result of efforts to redefine state-society relationship, some civic and political liberties were granted to the population. With a reflex, communist societies have produced public groups to articulate their discontent with the official ideology and its practices. Reflecting a spontaneous and autonomous character, these groups were vastly different than the Soviet-type public associations. National, social, environmental and economical issues were brought to public arena during *perestroika*. These new establishments played an important role in the subsequent overthrow of the communism, although their intention was not uniformly this. Most of the public associations, including different types of CSOs, continued their activities after independence. Some of them became political parties, some of them became grassroots organizations, some of them ceased activity and some of them became formal NGOs. Finally, a third group of civil CSOs were formed as a result of local and more importantly, international efforts to revive civil society in post-

communist countries. The role of civil society in the regime breakdown in these countries added to the hopes that they could also play a role in the creation of a new democratic regime. 1990s were marked by the flow of financial, logistic and technical expertise resources to the post-communist states. International donors (governmental as well as non-governmental), many of them established in developed western countries, attempted to create and empower elements of civil society. Donor interest in post-communist sphere resulted in the creation of numerous NGOs, as well as the transformation and empowerment of existing NGOs. NGO Support Organizations (NGOSOs) were also established in these countries, in order to ensure the continuing support for developmental projects, advocacy activities and so on.

Post-Soviet CSOs, as a product of the three factors defined above, are largely founded and headed by the members of educated, intellectual, middle class professionals. There are two broad major sets of spheres in which the post-Soviet CSOs have to deal: democratization of the political regime and protection of the society from the adverse effects of structural adjustment. Many of the post-Soviet regimes are still governed by undemocratic leaders and governments, and poverty, collapse of social security systems, inability of the state to provide basic services are common features in post-Soviet geographies.

According to Mendelson and Glenn (2002) Soviet legacy together with NGO strategies result in poor functioning and fragility of civil society organizations in the post-communist contexts[13]. In present day Kyrgyzstan, some of the problems stem from the survival of Soviet-era thinking on public associations. It can be said that Soviet era public associations had a very deep impact on post-independence civil society in Kyrgyzstan. This occurred in several ways. First, Soviet-type public associations have shaped the public understanding of voluntary associations for a long time and caused durable stereotypes together with disillusionment towards formally organized political activity (Howard, 2002). For example, the lack of independence and autonomy of such

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[13] For a detailed evaluation of Soviet political system on post-Soviet Central Asian civil societies see Carley (1995).

organizations was seen by many people -also by most Communist Party members and state officials- as natural, considering the dangers of providing such rights. Where state and Communist Party were seen as "omnipotent and ubiquitous" (Tismaneanu and Turner, 1995: 4), these organizations existed in an instrumental way and an auto-control mechanism prevented them to become fully autonomous (Rose, 1994; Weigle and Butterfield, 1992: 2). As a result, many people saw public associations as the extension of Communist Party and state (Howard, 2002), which were corrupt and oppressive. As some of the NGO representatives admitted, two widespread views on public organizations are that they are either governmental instruments (or also carrying the same negative aspects like being corrupt) or they are a threat to stability and government authority, as a result of their claims for autonomy and independence.

Second, persistent expectation for help from the state is also a result of the Soviet era public association-state relations. In the Soviet era, public organizations had no chance for raising funds from the public or through membership fees, and this is the case for majority of NGOs today. Something which was illegal during the communist rule, in other words, has turned into a practically unfeasible strategy due to economic realities.

During the Soviet rule, public associations were dependent on financial contributions from the state. More importantly, state monopoly over facilities like offices and transportation during the Soviet era deepened public organizations' dependency to the state. The case of state monopoly in Kyrgyzstan did not end with independence, and NGOs still demand help for offices, transportation and other infrastructural facilities (McMann, 2004: 214-15). Therefore this sort of dependency today can be seen not as a sign of complete absence of principle of autonomy from the state, but the result of economic realities.

A third issue related with the effects of legacy of Soviet era on today's CSOs is the existence of NGOs that are too much in line with the government. In other

words, some NGOs are still carrying the old habit of acting as implementers of government policies and projects, rather than 'equal partners.' Some Soviet era public organizations, which survived independence, today act as the closest supporters of government projects and depict very high levels of recognition and cooperation with the state (Kasybekov, 1999: 72). Trade unions are such organizations, which avoid any confrontation with the state and enjoy high levels of cooperation with the state, which is a source of envy for many other NGOs (Ibid). Pro-government NGOs set up with instrumental concerns are today a part of NGO sector.

Starting in early 1990's and accelerating throughout the decade, Kyrgyzstan witnessed the creation of numerous NGOs; depicting the fastest growth rates in the Central Asia (Garbutt, 2004: 3). Information on NGO numbers can be obtained from Ministry of Justice, NGOSOs like Counterpart Consortium and Interbilim. Total number of NGOs in Kyrgyzstan varies according to different sources and there are no accurate estimates of how many NGOs exist in the country. Some sources estimate the number of NGOs established between 1991-1996 period more than 800 (Kasybekov, 1999: 71). The period 1995-1998 was marked with a boom in the number of NGOs, which ended with the obtaining of a natural balance in the sector, as Tolkun Tylekova from Diamond Association reported. At the end of 2000, there were 3000 NGOs registered with the Ministry of Justice and as of 2003, the estimated number exceeds 4000 (Kuchukeeva and O'Loughlin, 2003: 568). It should not be forgotten that a substantial number of NGOs refrain registration mainly due to complicated registration tasks and relatively high expenses. Some popular grass-roots movements also function without formal registration and an institutional body. State authorities, in turn, have no method in order to update NGO records and find out unregistered organizations.

One important aspect of Kyrgyz civil society is that in addition to formal NGOs, there are several Grassroots Organizations (GROs) or Community Based Organizations (CBO's) primarily dealing with single, local, short term issues and

generally not being registered at the Ministry of Justice. GROs are often founded by local initiatives in less urbanized localities, in order to solve an infrastructural problem or to advocate health and environmental rights (Fisher, 1998: 6). Professional support to the Kyrgyz GROs is provided by NGOSOS like Interbilim and Counterpart Consortium.

The number of officially registered NGOs represents a relatively high figure of NGO per-capita (nearly 780 NGOs per million population), but quantitative indicators are not always accurate with respect to qualitative dimensions such as the level of activity (Fisher, 1998: 160-5). In other words, there are many NGOs that did not have any activity associated with NGOs and have a more or less institutional identity. Different sources admit that there is a substantial difference between officially registered NGOs and genuinely active NGOs. The estimations of some of the NGO representatives interviewed were less than five hundred and more than two hundred.

In present day Kyrgyzstan, NGOSOs play also an active role in the making of civil society of the country. Among the most influential NGOSOs there are Counterpart Consortium and International Center Interbilim. Their main role is creating bridges between local NGOs and international organizations and donors. Many NGOs get funds and grants through these centers. They also provide training, consultation and educational services for NGOs. The high rate of growth of NGO sector necessitates such organizations for achieving institutional sustainability. A more important requirement for institutional sustainability is the legal framework in which Kyrgyz NGOs operate. In the absence of a liberal legislative arrangement for NGOs, funding and technical expertise can not be fully utilized. A legal framework, which limits civil-political and economic rights NGOs, increases both financial and institutional dependency to foreign organizations.

## 3.2 Legal Framework for NGOs

In the broadest sense, the legal environment in which NGOs operate is a question related with the sustainability of NGOs. It is also true that there are many factors affecting NGO sustainability, first of which is financial soundness. Today, in Central Asian republics one can observe the proliferation of a small but increasingly more sustainable NGO sector (INTRAC 2002: 3). To some extent, it should be acknowledged that this development is achieved by the contributions of international donors. However, international donors may not be playing a positive role in NGO sustainability. In the case of Kyrgyzstan, where international donors, due to their financial superiority, have a considerable degree of impact upon decisions in many NGOs, one can also speak about a lack of interest in developing organizational capacities facilitating sustainability. In the heterogeneous environment, of international donors, there are examples and complaints of a deeper interest in achieving short-term successes or supporting/establishing as many as NGOs instead of implementing long term projects through contributing to the sustainability of NGOs. Thus, donor community should pay more attention to NGO sustainability. However, it is also true that without a clear and progressive legal environment which takes into account the peculiarities of the country, NGO sustainability turns into a myth. In addition to what is written on the paper, the implementation of these laws carries an enormous importance in Kyrgyzstan. In a country where government officials responsible for registration and supervision of NGOs see these organizations as a potential political threat or as an alternative revenue source, the issue becomes more sensitive.

According to Horton and Kazakina (1999: 35), there are two critical elements a legal framework should provide for NGOs: "appropriate corporate vehicles" for NGOs, which can be registered and maintained with minimum bureaucracy, and a system of tax exemptions and benefits that encourages private and corporate giving to support NGO activities. Tax benefits for domestic donors would also

help the development of a tax culture in the region. Currently, most businesses suffer from heavy tax burdens and combined with unofficial payments to government officials, the high taxes result in broad scale evasion of taxes.

The existing legal framework for NGOs in Kyrgyzstan, despite it has a relatively liberal character, has some shortcomings in these respects (Horton and Kazakina, 1999: 42-6; Prosser, 2000). Almost all NGO representative interviewed, too, admitted that Kyrgyzstan has a progressive, if not perfect, NGO legislation. However, according to Oleg Jerebko from Association of Telecommunications Operators, progressive laws can not help the development of civil society alone[14].

In Kyrgyzstan, the legal environment for NGOs consist of the constitution, which guarantees its people to establish associations freely and without government interference (Article 8), Kyrgyz Civil Code, that establishes the basis for civil-law institutions and recognize two major categories of legal entities as commercial and non-commercial organizations, Law on Non-Commercial Organizations, which cover the organization, activity, re-organization and liquidation of non-commercial organizations, and ancillary legislative acts which introduce arrangements on NGO activities.

The Kyrgyz Law on Public Associations was adopted on February 1, 1991 and the Civil Code on May 8, 1996. With the Law on Non-Commercial Organizations adopted in 1999, NGOs are separated from commercial associations, and several advantages are introduced to the former. Compared to other Central Asian Republics, the creation of the Law on Non-Commercial Organizations can be considered as a successful case of NGO involvement and lobbying activity in legislation (Horton and Kazakina, 1999: 39). International Center Interbilim, Fund for Legal Initiatives, Fund for Legal Problems, Kyrgyz Bar Association and, Foundation for International Legal Cooperation (known as *Ukuk*, which later merged with the Kyrgyz Bar Association) have played

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[14] Interview made with Oleg Jerebko, Executive Director of Association of Communication Operators, September 24, 2004, Bishkek.

extensive role in the preparation of three draft laws which were presented to the *Jogorku Kenesh*, the Kyrgyz parliament, after a compliance review by the Ministry of Justice. The Legislative Assembly has authorized a prominent Uzbek Deputy, Alisher Sabirov, to apply to the President's Consultative Council on Legal Reforms to develop the law in a simpler way. Sabirov, a prominent southern Uzbek, has been an active supporter of development of NGOs, partly because the Uzbek community in Kyrgyzstan saw NGOs as important vehicles for promoting and protecting Uzbek identity and values (Horton and Kazakina, 1999). UKUK, Foundation for International Legal Cooperation, taking the initiative in drafting the law governing charitable activities and organizations under the leadership of Mirgul Smanalieva, elected president of the Bar Association. Finally, after two years of collaboration between government officials, NGO representatives and international organizations, the Law was adopted on October 15, 1999. Although the preparation and adoption of the law was an unprecedented event in the history of civil society in Central Asia, the process was not free from controversies. One serious critique came from human rights groups, which claimed that the new law provided no distinct advantages for NGOs. Against such accuses, state authorities were concerned with the potential for political factions to use the new law to subvert the separate laws governing political movements (International Center for Not-for-profit Law, 1999).

In line with the international norms, the law does not include trade unions and political parties. This, in turn, helps the elimination of pre-existing stereotypes about NGOs and makes trust and cooperation between government and NGOs easier to establish (www.cango.net, 1999). Basically, the Law carries the liberal tone of Soviet 'Law on Public Associations,' adopted on October 19, 1991. The law contains a number of progressive provisions and introduces favorable conditions for the creation and functioning of NGOs. The first important aspect of the 1999 law in this sense is that norms of international agreements ratified by the republic supersede domestic law in the events of conflict. Since Kyrgyzstan has signed major human rights charters such as International Covenants on

Economic, Social and Cultural Rights and International Covenant on Civil and Political Rights, each on December 16, 1966, there is an international safeguard against human rights abuses, right to form associations free from state intervention being the most important from our perspective. Thus, the law lists permitted activities for public associations, which include protection of civil, political, economic, social and cultural rights and freedoms of citizens; promotion of peace and prevention of conflicts; promotion of the moral and physical health of the population; protection of environment and animals; protection and maintenance of buildings and other objects of historical and cultural value. The law also allows any other types of activities not prohibited by law. Among the prohibited activities we can cite violent overthrow or alteration of the constitutional structure, violation of the unity of the state territory, propaganda for war or violence, inflammation of social, national or religious hatred and other acts that are defined as criminal acts.

The registration procedures of NGOs in Kyrgyzstan are arranged by the Law on Registration of Legal Entities, adopted in June 26, 1996 (in Law on Non-Commercial Organizations, Article 9). In order to be officially recognized as a legal entity, an NGO must have a founder, founding members and a charter adopted by the founding members at a constitutional meeting. An official application to Ministry of Justice with all required documents (charter, list of founders, etc.) is compulsory. Although both 'Law on Non Commercial Organizations' and 'Law on Registration of Legal Entities' has progressive provisions for NGO registration especially when compared to other Central Asian Republics, frictions related with registration procedures are not totally eliminated, often due to ambiguous articles in the laws that allow skeptical officials impose difficulties to NGOs. In 1999, when the new Law on Non Commercial Organizations was adopted, re-registration of all organizations was made compulsory, in order to ensure compliance with the new law. During this period, some NGOs experienced difficulties in fulfilling the requirements of re-registration procedures, yet it was a necessary action as "The Government shall

guarantee conditions for non-commercial organizations to fulfill their Charter objectives." (Law on Non Commercial Organizations, Article 5)

None of the interviewed NGOs mentioned a serious problem experienced during initial registration. On the contrary, it is emphasized that Kyrgyz Republic is a highly free environment for founding NGOs. With all formal requirements fulfilled for the registration, there is almost no official denial of registration with the exception of a number of politically motivated organizations, namely the Islamist ones closely related with Hizb-ut Tahrir. The Law on Non Commercial Organizations, clearly prohibiting the foundation of organizations promoting ethnic, religious or ideological hatred, is the legislative basis of these denials and it is also in line with the international standards that limits the establishment of such anti-democratic organizations.

The law also states that membership to a public association can not be a basis for restricting an individual's right to work in state structures or this membership can be used as a justification for state to grant privileges or advantages to that person. There are references in the law that provides main principles for volunteerism, self government, equality of members and, legality and publicity. In addition, citizens of foreign countries are granted the right to be founders and members of public associations. Non-commercial organizations can get financial support from both domestic and foreign funding agencies. Religious organizations in Kyrgyzstan can get foreign donations as long as these donations are spent in compliance with the stated purposes of the organization. Only political parties are prohibited from getting foreign funds; a practice which has its grounds on the concept of national sovereignty. All these positive aspects of the law indicate the attitude of the Kyrgyz state to NGOs, which are supposed to play an important role in countries' democratization and protection/development of citizen's conditions under the harsh realities of transition.

There are also some shortcomings of the law which impede the development of public associations in Kyrgyzstan. One of the most serious shortcomings is the

concept of "prior approval," the rule of prior registration and approval of the charter of an association with the government. The founders of a public association, the number of which can not be less than ten (in the case of foundation, one person suffices), must gather a constitutional convention in which the charter is adopted and the official representatives elected. After the convention, an association can apply to the Ministry of Justice together with its organizational documents and list of founders. Needless to mention, this procedures leave NGOs vulnerable for government officials to intervene in the registration processes. Operation without registration requires administrative and civil investigation.

In Kyrgyzstan, associations with implicit political motivations are restricted from registering. One such association was a Uighur association, which aimed the creation of an independent Uighur state in northwestern China. However, it should be mentioned that the denial of this association's registration comply with the Constitution of the Kyrgyz Republic.

Non-political associations do not face any comparable trouble during registration procedures while bureaucratic delays and official suspicions are more or less accustomed practices. It should be mentioned that registration is not only a bureaucratic formality. After the registration of the charter, a public association is recognized as a corporate entity, as stated in the Law on Non-Commercial Organizations. The corporate status is needed for the association to open a bank account and become eligible for related tax treatments and various bookkeeping tasks.

The Law on Non Commercial Organizations allows non-profit organizations (in the form of institutions, public and religious organizations, public foundations, associations of legal entities and consumer cooperatives) engage in income generating activities, too. In terms of long term NGO viability, these activities have become an important source of revenue in the past years (Heap et al, 2000: 21-2). The Law on Public Associations and Civil Code clearly states that a non-

profit organization can carry out business activities as long as these activities are in correspondence with and further the purposes of the organization. According to the Civil Code, profit generation may not be the only purpose of a non-profit organization, and business activities must only serve the main purposes of creation of the organization. The Law on Non-Commercial Associations allows public associations engage in business activities through commercial entities. In Kyrgyzstan, public associations establish commercial subsidiaries in order to run a business. Charitable organizations, on the other hand, are not mentioned in the civil code and it is unclear how the commercial activities of such entities are regulated.

One final legal regulation for the non-commercial organizations is taxing. Like all legal entities, NGOs are subject to taxation and must register with the State Tax Service. Since there are no separate tax legislations for commercial and non-profit businesses in Kyrgyzstan, it fails to provide tax benefits for NGOs and donors, both individual and institutional (Horton and Kazakina, 1999: 51-53). In order to qualify for tax benefits, an entity must be registered as a political party, trade union, professional association, mass movement, religious, amateur sport, or similar non-commercial entity. Furthermore, the charter of the organization should contain provisions guaranteeing the profits and assets can not be distributed among the members of the organization. Finally, the economic activities should be consistent with its purposes as stated in the charter.

Taxes and related exempts are various. NGOs engaging in business activities in Kyrgyzstan have to pay the same amount of profit tax (35%) with other commercial entities. Generally, NGOs not running businesses are exempt from this tax. NGOs engaging in business activities also pay Value Added Tax (VAT) on a rate of 20%, same with the commercial entities. Only services rendered by cultural, religious, educational, and health organizations are exempt from VAT. The organizations have the right to demand a VAT refund, but refund demands are too rare because NGOs are aware of the fact that such an action is one of the quickest ways to attract a tax audit (Horton and Kazakina, 1999: 50). Property

tax is also paid by NGOs on the basis of all assets reflected on the balance sheet, including fixed and tangible assets. Finally, there are tax benefits for individuals making donations to charitable organizations. The benefit operates as a claim of deduction or credit against the taxable income of individuals As opposed to other Central Asian republics, Kyrgyz tax legislation provides this sort of tax benefit only for individuals and this prevents commercial entities make donations to non-profit organizations. Furthermore, non-profit organizations are required quarterly accounting without carry-forward, compared to annually accounting without carry-forward in Kazakhstan and Uzbekistan. The existence of this kind of benefit certainly is an achievement, but on the other hand, but it is not encouraging personal and corporate donations. It is also the case that very few commercial entities openly claim charitable donations because legal declaration of such donations attract attention to their income and it is likely that they are subjected to greater tax scrutiny. Thus, in a foreseeable future, corporate donations are not expected to be a major financial source for NGOs.

### 3.3 NGO Profile

Kyrgyz NGOs with different outlook today operate in various fields and various parts of the country. They are, however, mostly concentrated in urbanized regions, and vast amount of NGO activities are allocated in fields of development and protection of the most vulnerable portions of society in the face of socio-economic decline. In this section, some aspects of NGO profiles will be evaluated. Information obtained from the NGOs on their membership size, funding, main focus issues and types of activities, leadership, and networking will be used in drawing conclusions on non-governmental sector in Kyrgyzstan.

#### 3.3.1 Regional and Sectoral Distribution of NGOs

NGOs' distribution according to sectors and geographical/administrative regions can also give some clue on the nature of the NGO sector and their contributions

to the society in different areas. The distribution according to oblasts and cities is given in the below table:

TABLE 1[15]

| Region | Number of NGOs | Percentage |
|--------|----------------|------------|
| Chui | 323 | 31.9 |
| Osh | 258 | 25.5 |
| Jalal-Abad | 144 | 14.2 |
| Issyk-Kul | 144 | 14.2 |
| Talas | 72 | 7.1 |
| Naryn | 67 | 6.6 |
| Bukhara | 1 | 0.0 |
| N/A | 1 | 0.0 |
| Total | 1010 | 100 |

The geographical distribution of formal NGOs is in line with the degree of urbanization of each region. A major explanation for this relationship is the infrastructural advantages found in cities. Transportation and communication facilities, proximity to government authorities and international organizations in major cities attract more NGOs. Thus, Ak-Suu, Batken, Issyk Kul, Kara-Suu, Naryn and, Talas have the highest number of NGO per population. Bishkek, the city with largest number of NGOs, is the home of 223 NGOs according to Counterpart Consortium database. Rural regions, although being places where many of the NGO projects are being implemented, do not provide the required technical opportunities to NGOs and do not attract NGOs for permanent staying.

Distribution of NGOs according to different sectors, like geographical distribution, also gives information about the nature of non-governmental sector. Distribution of NGOs according to sectors is shown in the below table:

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[15] Source: Counterpart Consortium database, www.cango.net

TABLE 2[16]

| Sector | Number of NGOs | Percentage |
|---|---|---|
| Children/Youth | 302 | 12.2 |
| Women | 236 | 9.6 |
| Education/Science | 212 | 8.6 |
| Families/Pensioners | 166 | 6.7 |
| Charities and Foundations | 152 | 6.1 |
| Human Rights | 146 | 5.9 |
| Business | 145 | 5.9 |
| Health | 129 | 5.2 |
| Agriculture/Farmers | 128 | 5.2 |
| Disabled | 126 | 5.1 |
| Ecology | 120 | 4.8 |
| Media | 86 | 3.5 |
| Other sectors combined | 508 | 20.6 |
| Total | 2456[17] | 100 |

TABLE 3[18]

| Primary Focus Issue(s) | Percentage |
|---|---|
| Protection of poor | 63.9 |
| Protection of women | 47.0 |
| Protection/advocacy of civil/human rights | 40.4 |
| Protection of children | 39.8 |
| Protection of the environment | 32.5 |
| Protection of disabled | 31.9 |
| Education/research/science | 29.5 |
| Economic development | 25.9 |
| Agriculture | 22.9 |
| Culture | 20.5 |
| Protection/advocacy of rights of workers within a certain profession (e.g., family doctors) | 13.3 |
| Other | 10.8 |
| Development of the political system | 9.0 |
| Protection of ethnic group rights | 8.4 |
| Development of the legal framework | 8.4 |

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[16] Source: Counterpart Consortium database, www.cango.net

[17] AN NGO can have multiple sectors in which it operates.

[18] Source: Kuchukeeva & O'Loughlin, 2003. Total of percentages exceed 100 because an NGO can have multiple primary focus issue.

Focus issues of NGOs are complementary to the picture presented in the distribution according to sectors. The distribution of NGOs according their primary focus issue is given in Table 3 in the above page. Protection of risk groups from adverse effects of systemic transition, as can be seen in the above tables, is the primary motivation of most NGOs. Children and youth, women, disabled and aged people are the target population of most NGOs. This situation can be explained by the fact that social services are the most severely hit sector from the transition. A powerful social security net, including free housing, education, health, childcare services, employment guarantee and generous pensioner conditions, were among the successes of the Soviet regime. As a result of socialist ideology, these services were seen as one of the basic duties of the state and they were kept functioning totally with state subsidies. With the transition to market economy, these services disappeared to a large extent. With the sudden decrease in employment, problems in social services sector became more serious, leaving a large proportion of the population vulnerable to adverse effects of economic transformation.

Irregularities of political transition, often emerging in the form of human rights abuses and denial of the rule of law, are also among the main issues dealt by many NGOs. Disappearance of mechanisms of political participation that existed in the communist period (however problematic) and the inability to invent new ones (failure to establish powerful political parties, contribute to an increase in abuses of political and economic power in an anti-democratic fashion) raised the question of keeping the political space open to citizens or protection of citizens against unchecked power. The emergence of numerous watchdog NGOs in the fields of human rights, policy advocacy, election and corruption watch, therefore, is an essential feature of Kyrgyz NGO sector.

### 3.3.2. Main Foci and Activities

It is important to know what types of issues are focused in NGO activities. Among the main focus issues of the sample NGOs we can mention the

following:

- Development of civil society and democracy
- Protection of human rights
- Protection of the minorities rights and culture
- Protection of women's rights and interests
- Protection of consumer rights
- Protection of the environment
- Prevention of corruption
- Poverty reduction through establishing self-help groups
- Development of democracy education in schools
- Contributing to the development of the legal environment of the country

Generally, NGOs tend to have multiple focus issues. For example, Yustin, a consumer's rights protection association, is also pays close attention to the privatization of public services like water, electricity and heating. Privatization of the services formerly provided free-of-charge has created a new source of consumer problems. Therefore Yustin prepares proposals on privatization of public services, in order to help state find feasible and humane solutions to consumer complaints[19].

Majority of the NGOs see the development of democracy and civil society as one of their principal aims. For example, anti-corruption NGOs declared that their aim was to contribute to the development of democracy. What they define as the causes of widespread corruption, that is, weak judicial system and disbelief in the rule of law are problems threatening democracy, too. Similarly, lawyers' associations, who are actively cooperating with the state on judicial reforms, stated that they had a built-in tendency to work in line with democratic principles in their activities.

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[19] Interview made with Anatoly Ilich, Chairperson of Consumer Rights Protection Association 'Yustin,' in Oct. 4, 2004, Bishkek.

Types of activities of NGOs also vary. We can count the most important ones as following: lobbying, picketing, taking part in legislation processes, election-watch, publication of newspapers, periodicals, books, preparation of educational materials (lecture books, brochures, flyers), organizing educational courses and seminars, consciousness raising activities, organizing cultural events, organizing demonstrations and protests etc.. It should be mentioned that although underrepresented among the sample NGOs, poverty alleviation is among the leading issues of majority of Kyrgyz NGOs. In other words, implementation of projects towards poverty reduction is their primary activity.

### 3.3.3. Membership

Membership size has a wide variation among NGOs, ranging from five or ten peoples to ten thousand. Most of the interviewed organizations had a narrow membership, often due to the level of professionalism required by the tasks chosen by NGOs or the main defining aspect of the NGO. Whether an organization prefers to function as a professional team or chooses to develop a mass base is a major determinant of the membership size (Fisher, 1998: 85) and there are potential trade-offs between developing professionalization and grassroots base (Fisher, 2003: 29)  Membership figures also vary through time and the overall activity of an organization. Ashar, for example, mobilizing tens of thousands of nationalistically inspired the Kyrgyz people in 1989 and 1990 around the issue of housing. Today its membership figure is expressed by thousands.

Most of the NGOs interviewed were middle-sized organizations with less than 50 members. There were no organizations with less than five members, but as some interviewees argued, such organizations are not rare. Founded most of the time by close friends or members of a family with different (but primarily with financial) motivations, these organizations generally do not have concerns to raise membership size or organize activities, and survive not for long. Funds

provided by foreign donors for the implementation of local projects of social and economic development lure some of the professionals living under difficult conditions of a transitional country like Kyrgyzstan. Therefore, distrust and antipathy towards the third sector among the general population increases through NGOs established for personal enrichment rather than democratic and developmental purposes, as some of the interviewees admitted.

### 3.3.4. Funding

In terms of financial resources, there is a high level of dependency on external funds and grants. NGOs based on grassroots organization (such as Ashar), professional affiliation (such as lawyer's associations), interest groups (Employer's Association) and ethnic identity (Uighur Society of the Kyrgyz Republic) also rely on membership and entrance fees and donations made by wealthier members.

Low as well as very high membership figures pose difficulties in terms of membership fees: for NGOs with too few members, membership fees are never an option and they have to seek for external sources such as donations (which are also difficult to obtain in cases where the organization lacks certain degree of mass base) and grants from foreign donors. NGOs with broad basis of membership, on the other hand, have difficulties in setting a fixed membership or entrance fee, because of heterogeneous socio-economic profile of the members. Not all members can afford the same amount for membership fee. Furthermore, geographical distribution of members makes the collection of membership fees more difficult. However, such large organizations generally do possess broad networks, through which donations flow easier. Organizations based on ethnic membership are of this kind. Uighur Association Ittipak was initially collecting a monthly membership fee as low as 1 som. While the amount seems very low, in the case of 10,000 members this makes an enormous source of financial wealth according to the standards of Kyrgyz republic. However, as representatives of the

association reported, it quickly turned out to be that collecting this small amount from 10,000 members means allocation of scant resources to a huge task to accomplish. The membership fee was therefore abolished. Businessmen and other wealthy Uighurs' donations are now the main financial source of Ittipak[20].

Ashar is another NGO with substantial local financial basis, due to the material promises it offers to its members. Primarily dealing with the creation of communal self-help groups, Arysh imposes a 100 soms entrance fee and a monthly membership fee between 20-50 soms. The money is used in small scale road and pipeline building activities and house building for the members. Arysh has managed to spend 3.000.000 soms and the money is planned to be used in establishing a "self-help bank" in the near future.

Culture of private and institutional funding is underdeveloped, notably due to disadvantages caused by the legislation on donations to non-profit. Government and foreign donors therefore continue to be the most important financial source of a vast majority of NGOs, as majority of interviewees reported. The vast amount of money channeled by foreign donors helped also the creation of a "grant culture" (Kuchukeeva and O'Loughlin, 2003), a major motivation in establishing NGOs and getting grants for personal enrichment.

### 3.3.5. Leadership

Leaders of public organizations can be analyzed according to their socio-economic status (education and income) and gender. Socio-economically, majority of NGO leaders belong to the upper or middle-upper class. First, these are people with university, and in many cases, graduate degrees. A developed intellectual asset, command of a foreign language, which is typically English, good information technologies skills, is a characteristic of many NGO leaders. Organizations that have stronger relationship with foreign organizations tend to

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[20] Interview made with Zulfiye Kurbanova, "Ittipak" Uighur Society of The Kyrgyz Republic, Sep. 22, 2004, Bishkek.

be directed by such cadres. Interestingly, during the interviews, level of criticism of government was relatively higher among these NGO representatives. Interestingly, while NGOs with highly westernized, elite leadership were critical of the government, less-powerful -yet still critical- NGOs were often critical of bigger NGOs. Their argument was that the government and international organizations were paying much more attention to these powerful, westernized organizations while ignoring other organizations' right to participate in decision making processes[21]. This paradoxical situation seems inevitable as the donors and authorities often choose working with NGOs that have the capacities to implement projects successfully. NGOs with dense local and international connections, and highly qualified staff, receive both more attention and financial support. Therefore, it can be said it is the NGO leadership is a critical factor in organizational success.

Another dimension of NGO leadership is gender. Approximately two thirds of the interviewees were women, a figure that complies with findings that reflect the female majority among NGO leaders (Kuchukeeva and O'Loughlin, 2003; Aksartova, 2003: 14). There are two major explanations, both of which point to the different status of women, compared to pre-independence period. One explanation is economic: with the economic transformation, women were subjected to job losses more than men, and substantial numbers of qualified, well-educated women became unemployed. In the particular climate of the Kyrgyz Republic, NGOs may seem as an alternative sector. Another explanation is political: women could participate in political decision making processes during communism thanks to the quota system and encouraging environment. With the collapse of communism, many aspects of legal positive discrimination towards women, such as the quota system in elections, NGOs became an alternative to the conventional channels of political participation (Kuchukeeva and O'Loughlin 2003: 561; USAID, 2000: 96).

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[21] Interviews made with Oleg Jerebko, Executive Director of Association of Communication Operators, in Sep. 24, 2004 , Bishkek, and Aida Keneshbekovna, Director of Uluk Jer, in Oct. 5, 2004, Bishkek.

### 3.3.6. Networking

Networks of NGO are today a crucial dimension of civil society and exist almost everywhere in the world (Fisher 1998: 2-4). The use of networks in the international development has been acknowledged by many donors and international actors, including USAID, UN, Soros Foundation, HIVOS, Friedrich Ebert Foundation and Chimera. These organizations support national, regional and international networks in line with their strategic mission of capacity-building in civil society organizations and NGOs.

In terms of NGOs in Kyrgyzstan, networking has multiple forms and meanings. First, it includes cooperation, or partnership at the local level for various ends. NGOs may run a project in cooperation with another NGO, share infrastructural and informational resources, exchange opinion and knowledge, in order to create a synergy that helps NGO achieve tasks that are difficult to achieve alone. According to Kuchukeeva and O'Loughlin (2003: 573) a vast majority, 91.6%, of NGOs in Kyrgyzstan cooperate with other local NGOs. In the case of my sample, this ratio was 100%. The number of NGOs that are cooperated or worked with as partners was also more than one in each case. Although the content, scope and nature of this cooperation are as important as its density, the high degree of cooperation indicates the existence of horizontal ties, an important aspect of a lively civil society. According to Clark (1991: 99) "Building up strong networks of similar NGOs and projects can help to overcome any sense of isolation and provide useful for learning skills and exchanging techniques". It should be also noted that dense horizontal relationships among NGOs in Kyrgyzstan are not products of uncoordinated efforts, on the contrary, there is systematic efforts in this direction both by local (as we shall see in the example of Non-Governmental and Non-Commercial Organizations Association) and international organizations (as we shall see in the example of creation of Forum of Women's NGOs). Programs like "NGO Support Initiative," supported by USAID and implemented by Counterpart Consortium in all five Central Asian

Republics, or "Lawyers Network" established in cooperation with International center for Non-Profit Law and American Bar Association, aims to build sustainable intra- and inter-NGO networks.

At the local level, the second type of networks is the formal umbrella organizations such as NGO Coalition "For Democracy and Civil Society," Non-Governmental and Non-Commercial Organizations Association, Forum of Women's NGOs in Kyrgyzstan, which help to create a rich environment for cooperation. Some of the NGO leaders stated that they took part in a specific umbrella organization in order to have a stronger voice in policy advocacy. Cooperation with like minded organizations is believed to result in higher success both in affecting government policy and protection from arbitrary harassment. Therefore, in addition to enrich communication between NGOs, these umbrella groups achieve an equally important task of building pressure groups in Kyrgyzstan. In other words, these umbrella groups help NGOs monitor elections effectively, create popular movements and, open alternative ways of participation to NGOs in the political decision making processes. For example, in 2002, when Askar Akaev adopted a decree on publishing activities in Kyrgyzstan, umbrella groups mobilized their members in order to protest the decree which clearly contradicted with the provisions of constitution and international law with regard to freedom of speech and freedom on dissemination of information, like registration of all copiers, scanners, faxes etc. (ICNL, 2002) As a result of growing protests organized by umbrella groups, the government organized a roundtable in which more than 800 representatives from NGOs, mass media organizations and state organs participated. Finally, in May 2002, Akaev had to terminate the decree.

One very important aspect of these pressure groups is that they act as defenders of organizations and prominent NGO activists (majority of whom are human rights defenders or people critical of illegal/corrupt state officials and government members) in the case of oppression. There are a number of examples of such organized effort, as pressure over some NGOs, NGO activists or critical

politicians increased time to time. The arrestment of parliamentary deputy Azimbek Beknazarov on January 5, 2002, who directed bold accusations on President Askar Akaev, was an event that brought together mass and wide NGO protests. Broad participation of NGOs in various protests in similar events made the protests popular, helping the political and economic demands to be articulated in a peaceful way, as Zamir Osorov[22] admitted. In other words, similar protests mainly organized by NGO groupings catalyzed wider discontent caused by economic crisis, abuses of power by political and economic elite, abuses of human rights, issues of representation in terms of north/south, to crystallize. In short, umbrella groups in Kyrgyzstan are an active part in staging effective campaigns.

One of the most powerful of such umbrella organizations is "The Coalition for Democracy and Civil Society", initially founded in 1996 as the Forum of NGOs and re-registered in 1999 as "The Coalition." It is recognized by government, media and population as the most powerful organization. More than 130 NGOs from various regions of the country are members of it, with the principal aim to strengthen democracy and civil society in Kyrgyzstan via advocacy on social, political and economic issues, human rights, and creation of an enabling environment for NGOs. The number of NGOs mobilized by the Coalition may exceed this number, as seen in election watch campaign. (Coalition 'For democracy and Civil Society,' 2005) The Coalition is a very active watch-dog/advocacy type organization highly critical of shortcomings of the state. Especially after the elections in 2001, government pressure increased over the Coalition. Due to its qualified leadership, internal (population) and external connections (international organizations) and its effective role in Kyrgyz civil society, relations with the government did not reach a critical level, despite some small-scale frictions and media-campaigns against the Coalition[23].

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[22] Interview made with Zamir Osorov, Obshestvenniy Politicheskaya Gazeta, in Sep. 24, 2004, Bishkek.

[23] Interview made with Edil Baisalov, Director of Coalition 'for Democracy and Civil Society,' Sep. 28, 2004, Bishkek.

One other large umbrella organizations is "Non-Governmental and Non-Commercial Organization's Association", founded in 1994, bringing together nearly 400 NGOs in various fields. As the executive director Chinara Konushalieva reported, the Association continuously tries to expand its membership size, through systematic analysis and mapping of NGOs and ascertaining of potential partners/members, in every region of the country[24]. The broad aim of the association is to contribute to the formation and development of civil society in Kyrgyzstan and they engage in very different activities such as election monitoring, reform in penitentiary system etc., to achieve this. The Association is an organization which attributes more importance to cooperation with the state and it directs less open criticism towards state authorities and institutions.

"Forum of Women's NGOs of Kyrgyzstan" is another influential umbrella organization. Founded in 1994 in one of the serial meetings organized by the Dutch donor organization for women's NGOs, Forum today unites more than 40 women NGOs in Kyrgyzstan[25], focusing primarily on consolidating and strengthening gender equality and empowerment of women, providing socio-economic security for women and participation of women in NGO activities. Furthermore, the Forum also adopted a wider vision to achieve coordination between Central Asian women NGOs. "Local Anti-Corruption Network" is also a powerful organization with 51 member associations in 22 different localities all across Kyrgyzstan.[26]

Umbrella organizations provide NGOs with resources and abilities they are unable to develop alone. The infrastructural facilities possessed by bigger NGOs (communication, publishing, training etc.) are a pull-factor in attracting smaller

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[24] Interview made with Chinara Konushalieva, Director of Non-Governmental and Non-Commercial Organizations Association, in Oct. 11, 2004, Bishkek.

[25] Interview made with Bermeta Tugulbaeva, Chairwoman of 'Diamond' Women's Association, in Sep. 29, 2004, Bishkek.

[26] Interview made with Kyialbek Toksonbaev, National Coordinator of Public Association 'Civil Society against Corruption, in Sep. 27, 2004, Bishkek.

ones. Probably a more important factor is the lack of a developed party system in Kyrgyzstan as a result of persistence of clan structures (Akerman, 2002; Telekova, 2004). Political parties are still in a position far from having a substantial impact on political life (Koldys, 1997: 352; ICG, 2004: 20). Thus, for example, as seen in the wake of events of March 2005 which resulted in subsequent overthrow of Akaev, "the opposition, despite a welter of party and organizational affiliations, has been making moves to unify through umbrella groups and coordinated actions." (Kimmage, 2005) Additionally, the intellectual elite may refrain from formal politics as a result of disillusionment observed in many parts of post-communist geography (Howard, 2002; Rose, 1994). Therefore, policy advocacy through umbrella groups emerge as a more desirable option. Finally, umbrella groups may play an important role in "setting standards for NGO validation" and "introduction of ethical codes of conduct" (Pratt, 2001). In other words, through umbrella networks, NGOs can be encouraged adhere democratic values.

Regional and international networks are another dimension of NGO networking. According to UNDP (2002: 102) the number of international NGO networks has reached 20,000. Ideally, trans-national NGO coalitions can help to transcend issues of national sovereignty, reconcile North-South, and attract the attention of a global audience in important regional or local issues such as migration, ethnic conflict, terrorism and economic cooperation. These networks provide local NGOs a number of distinct advantages like political support, increased status, setting a research agenda, funding and, wider impact of projects on population (Clark 1991: 173-74). Because accordance to international standards in almost every aspect of societal life is very crucial in terms of the general aims of civil society organizations, international networks are important sources of legitimization and capacity for NGOs.

During the interviews, the NGO leaders were asked about the international networks they belong or partners they are in contact with. Some of the Kyrgyz

NGOs and international networks/partners they are in contact and cooperate with are given in the below list:

- Assembly of the People of Kyrgyzstan: Assembly of People of Kazakhstan[27] and Kyrgyz Association of Krasnoyarsk Oblast
- Association of Communication Operators: Russian Association of Electronic Documentation, Tajikistan Internet Providers Association, Kazakh National Telecommunications Association, Union of Telecommunications Associations of Central Asia (initiated by Association of Communications Operators)
- Kylym Shamy: Helsinki Federation
- Diamond Association: Association of Women's NGOs (CIS), Kazakh Feminist League, Russian Independent Women Forum
- Association of Specialists of Interactive Methods of Study: Scientific Technologies and Language Institute (USA)
- Producer's National Assembly of the Kyrgyz Republic: International Labor Organization (ILO), International Union of Producers, employers' Unions of Kazakhstan, Tajikistan and Ukraine
- Yustin Consumer Association: World Bank
- Ashar (currently Arysh): "National Fronts" (in various countries during the late *perestroika* and disintegration period)
- Kalys Public Foundation: UNIFEM, World Bank, Community Development and Investment Agency, Scotland Agriculture College, Donetsk Agro Consult of Ukraine, British Department for International Development (DFID)
- Association of Lawyers of Kyrgyzstan: American Association of Lawyers, Lawyers Network

In addition to the list, it should be noted that UN and its branches, USAID, OSCE, WB, IMF, Soros Foundation, HIVOS, CHIMERA and many other

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[27] Assembly of People of Kyrgyzstan was the first example of inter-ethnic associations among Central Asian Republics. Other countries, such as Kazakhstan, followed the Kyrgyz example, as the General Secretary of the Assembly of People of Kyrgyzstan, Alexei Fukalov stated..

international organizations form the biggest part of international connections of Kyrgyz NGOs. The above list implies that a great deal of transnational connections is based on a sectoral basis, although the content of this relation varies.

International networks contribute in various ways to the development of NGOs. First, they play an important role in finding funds and grants. Without the financial resources allocated by international actors, many Kyrgyz NGOs could not survive or implement projects for social, political and economic development. Second, they also function as mechanisms to transfer experience obtained in other parts of the world to new NGOs. Through seminars and trainings, new NGO staff with qualities to implement certain projects can be generated. Third, as it is the case in local networks, they can set standards for NGOs for validation.

### 3.4 NGO-State Relations

A relationship in which both state organs and NGOs cooperate and respect each other is seen as a pre-requisite for the successful building of civil society. In this mutual relationship, state is supposed to take measures to provide an enabling environment for the creation of a genuine civil society, or in other words, provide a progressive and comprehensive legal framework, aim its ideal implementation and, initiate the basics for successful partnership. In turn, NGOs are supposed to be constructive in their approach to state, recognizing the boundaries between political sphere and civil society. There are factors affecting the above mentioned tasks and duties, both in positive and negative ways. According to NGO representatives, there are cases where state and NGOs depict a promising picture. On the other hand, there are a number of issues on which state or NGOs fail to comprehend their roles. One main problem is that some government officials see NGOs as simply contractors obliged to comply their wishes, whereas there are

NGO leaders, who transgress the officials' right of political decision making[28]. Askar Akaev, as the head of the state for fifteen years, frequently articulated the need to create a lively civil society along a free market and a democratic political system from the onset. All of these targets were realized to an extent that was disappointing when compared with the enthusiasm of the first years of independence.

Asking why Kyrgyz NGOs had relatively little impact, one answer is that it is "because of their failure to establish cooperative relations with the government." (Kasybekov, 1999: 71). Although establishing good relations is not the exclusive task of NGOs, it rightfully points to the fact that in a country like Kyrgyzstan, state-NGO cooperation is crucial if the development of civil society is aimed. In other words, "Constructive state policy toward civil society enhances the role that civil society can play and its contribution" (Toichubaev, 2002:147). Looking from the general perspective of transition from communism to liberal democracy, most of the contemporary questions arising in the sphere of civil society have to do with the Soviet legacy that can broadly be defined as suspicion towards autonomous organizations on the part of state and distrust towards government authorities on the part of NGOs. According to one view, "neither Central Asian traditions nor Western influences but Soviet economic legacies, coupled with economic underdevelopment, have most immediately defined the civic sphere" (McMann, 2004: 214). Economic realities are hard to neglect, but without the legacy of communism on political culture these economic realities could not be translated into complexities in the sphere of civil society. Never having experienced a historical period in which modern free associations of citizens were an integral part of the society, along with the existence of informal relationship networks and Soviet-type social organizations –as discussed earlier, and the dominance of party/state monopoly eliminated the basis for autonomy and spontaneity. The destruction of the boundary between the public and the private can be seen as the major source of the problem of a lack of understanding of the mutual roles as of today.

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[28] Interview made with Gulnara Bekbasarova, System Analyst of the Association of Cities of the Kyrgyz Republic, Bishkek, October 5, 2004, Bishkek.

On the part of the state, there were also efforts to establish successful state-NGO relations and in turn, NGO leaders appreciate the importance of cooperation with the government, not only because civil society-state cooperation is promoted by donors, but more importantly, cooperation increases realization of project and programme targets. The legislation is progressive but not all-encompassing and occasionally ambiguous. Some NGO leaders admitted that there are official efforts to cooperate, but these efforts are thought to be primarily superficial. Despite formal contacts between state organs and NGOs, substantial change in state-NGO relations is said to be not achieved. Organizing roundtables and conferences at different times, Kyrgyz state had some efforts in mobilizing the potential of NGOs in the restructuring of the country. On January 19, 2001, a governmental decree ordered the state administration at all levels and also deputies to meet with NGO leaders on a regular basis. This decree was effective to a considerable extent, as Batal Bozgorpaev, deputy governor in Issyk Kyl province tells: "We invite NGOs to province administration and we provide them with information. We do not bother, but rather help each other." (ICG, 2001: 22).

In April 2001, Public Council on NGO Affairs under the Chief of the Presidential Office was set up in order to maximize the potential for cooperation and coordination with the NGOs. Headed by a permanent Steering Committee consisting of three people from the Presidential Office, the Council is thought to act as an interface between the Office of the President and representatives of the third sector. State officials also recognize that NGOs both should and can share the responsibility and commitment of the state in the development of the country. This approach was frankly expressed in a speech delivered by Berdaliev, Deputy Chief of the Public Council on NGO Affairs: "…ongoing third sector institutions have stepped up their capacities in terms of human resources and organizational development sufficient[29] to participate more widely and constructively in decision making" (Baimatov, 2004: 36). Thus, state is ready to cooperate with the NGOs as a strategic partner in implementation of domestic programmes and

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[29] Interview made with Aida Keneshbekovna, Director of Uluk Jer, in October 5, 2004, Bishkek.

policies. However, not all NGO representatives think that formal inclusion of NGOs in local projects or roundtable meetings are necessarily good for civil society. According to one argument, which complies with the instrumentalist approach to NGOs by some state officials, these are mere public relations activities. Major obstacle in front of full realization of partnership is impeded by the political motivations of some powerful NGOs, too. Ambitious NGO leaders preparing themselves for future political positions decreases officials' willingness to cooperate, leading them to look at NGOs with suspicion and potential threat for their seats. In fact, in the absence of a powerful multi-party system with fully fledged political parties as the vehicle of political competence, many NGOs are more powerful agencies for political advocacy. A sign of lack of powerful political parties is the low level of party membership among *Jogorku Kenesh* deputies and NGOs remain as a tool for political participation second to the informal methods of gaining political power.

One other reason increasing government officials' discontent with the NGOs is that more and more money for developmental projects and programs is being channeled to NGOs and not to the government. In many localities, especially in remote areas where transition hits the population more powerfully, officials feel being treated unjustly. As a matter of fact, foreign donors choose funding projects via NGOs, not simply to contribute to the development of civil society, but also because it is easier to ensure compliance of NGOs to with the principle of transparency. Giving the money to NGOs does not totally eliminate improper utilization of these resources, but decrease such losses to a considerable degree compared to the government bodies. As NGO representatives complained, it is not a rare occasion where a local administrator builds a new house or buys a new car just after getting financial aid to solve a local issue. Therefore, foreign donors choose NGOs for cooperation more as they can have a right to follow financial records of projects implemented by NGOs. As long as the governments fail to deal adequately with corruption, this trend is very likely to continue.

During the interviews, NGO leaders are also asked about their views on government, political system and, major issues that hinder a good relationship. According to the interviews, majority of the NGO leaders are content with the presidential regime, although they admit that parliamentary system is better. Alexei Fukalov (the Secretary of the Assembly of the People of Kyrgyzstan), Elmira Turkmenova (Executive Director of Association of Specialists of Interactive Methods Training), Toktaim Umatalieva (Director of Non-Governmental and Non-Commercial Organizations Association) were clearly pro-presidentialist, arguing that the country needs a strong leadership in the period of transition. Younger respondents, like Zulfiye Kurbanova (Editor of the newspaper Ittipak), Kyialbek Toksonbaev (National Coordinator of Public Association 'Civil Society against Corruption) and Edil Baisalov (Director of Coalition 'For Democracy and Civil Society'), on the other hand, emphasized the need for a parliamentary system that can counterbalance the authoritarian tendencies of the presidents. For the majority of the respondents, the fate of democracy in the country is not dependent upon a choice between presidential or parliamentary systems. This situation may be indicative of the fact that legacy of Soviet style thinking is getting weaker in time while a new generation of elites exposed to western ideals emerged. Second, the positioning of a particular NGO with reference to state affects their preference of regime type. NGOs defining themselves more as partners than watchdogs, policy defenders or as a bulwark in front of state misconducts are not bothered with a president who is equipped with intensive executive powers. Their argument is that in a period of difficult transition, a powerful leader is needed. These are mostly the NGOs with developmental agendas, having no direct explicit political advocacy purpose.

In very few instances, state officials can exert pressure upon NGOs arguing a minor mistake or deficiency in foundation documents. NGOs with critical agendas are the organizations subjected to this kind of harassment. One such case was with the "Coalition", which monitored the controversial parliamentary elections of 2000 and criticized the way the elections are conducted. In retaliation, the Ministry of Justice and Central Election Committee denied

granting the permission to monitor the presidential elections at the same year, arguing that Coalition is not properly registered with the Ministry of Justice. In the summer of 2000, pressures increased and several people left the organization. Official antipathy did not totally vanish in time, and Tolekan Ismailova, the director of the group, was beaten in front of her house in Bishkek in 13 March 2001 (Fitzpatrick, 2001). From then on, director of the Coalition, Edil Baisalov stated that their relation with state has progressed to a considerable extent.

In contrast to other Central Asian republics, especially Uzbekistan and Turkmenistan, we can say that there are no serious sources of frictions related to the registration procedures. In cases where NGOs critical of the government in issues like corruption, human rights abuses, power abuses, fraud elections etc., ambiguous provisions of the legislation help state organs exert pressure on NGOs on the basis of improper registration. Also, the legislation leaves open door for personal opinion of officials at the stage of registration and if the officials decide that any NGO is politically motivated, registration may be denied. In this respect, state organs did successfully avoided abuse of this option and only few NGOs closely related with religious extremist groups are denied registration.

There are issues which determine the nature of state-civil society relationship and hinder the development of collaborative type in Kyrgyzstan. These include problems related with registration and activities, existence of governmental NGOs (GONGOs) or Quasi NGOs (QUANGOS), NGO dependency to state, mutual transgression of boundaries or interference in each other's affairs and, double standards posed by government organs.

### 3.4.1 Intervention to NGO Activities

The first dimension of problems of state-NGO relations are those related with the legal framework. The real problem pertaining with the law is that it tends to justify inappropriate state intervention in NGO affairs. Although the law clearly

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points that NGOs and state can not interfere in each others' affairs, the law has some vague points through which state officials can exert inappropriate surveillance and intervention. The law, for example, requires NGOs to include excessive mandatory details in its charter (detailed information on founders of the organization), and these detailed information in practice allow authorities gather extensive information about any association (Horton and Kazakina, 1999). As Edil Baisalov from the Coalition NGO also confirms, state organs systematically gather information about NGOs (founders, leaders, employees, members), but he also believes that Kyrgyz NGOs have learned to deal with it and no serious problem is caused by the intelligence activities of state.

Inappropriate intervention of state agencies can also occur under the cloak of "control and supervision of public associations." The registration organs, for example, have the task to supervise the compliance of an association with its own charter (Horton and Kazakina, 1999: 44-45). This is different than supervision of NGO activities with the legislations adopted by state, because this process allows room for state official's personal judgments on an association's compliance with its defined program of action. The registering authorities have the right to demand printed copies of decisions adopted, send its representatives to participate in activities of an association and obtain members' or citizen's views on charter compliance. Although none of these possible ways of intervention are used systematically, it largely enables authorities while dealing with associations that are perceived as a threat.

The law also defines the instances when the existence of an association can be terminated, though on vague grounds. "Violation of Republican Legislation" can result in "suspension of activities" of an association. While the prior can include, for example, violation of a traffic rule, the latter can be exercised in various ways, such as prohibition of the association's leaders' access mass media, denial of the right to organize meetings, conferences and demonstrations, denial of the right to participate in elections and even freezing or seizure of the bank accounts, as some law enforcement officials explain (Horton and Kazakina, 1999). The

suspension of an association's activities may last 6 months. If the association fails to eliminate the suspension, courts have the right to liquidate the association and terminate its existence.

It was frequently confessed by NGO representatives that the Kyrgyz civil society has a long way to become fully developed. Throughout the interviews, the overall impression was that in spite of the shortcomings of many NGOs, there is also an advanced understanding of the problems of civil society and genuine efforts to solve them by a small but ever growing group of powerful NGOs. On the other hand, an observation during the interviews was that many of the problems of state-civil society relations were a result of poor understanding of the terms civil society and NGO. As one of the interviewees, a leading journalist, Zamir Osorov, writing for the respected newspaper *Obschestvenniy Reiting* told, "Defining the problems and taking the necessary measures" should be one of the priorities in the sphere of civil society[30].

The most frequently cited problems of the NGO sector were those related with poor or deliberately wrong understanding of civil society and NGOs, both by the state institutions and civil society organizations. Relatively a new concept in the Kyrgyzstan as a post-Soviet country, awareness and a clear understanding of the population, state officials and NGO founders' of the concept civil society was very important. In a country like Kyrgyzstan, especially in the mountainous south, that is, where educational institutions are in decline and sources of information very scarce, people may not be even aware of the term or concept. In cities, on the other hand, the interpretation of the term can be influenced by the Soviet legacy in thinking, that is, the persistence of ex-communist elite in politics and economy, and stereotypic views toward civil society can be developed.

A number of interviewees were critical of the government officials, whose attitude towards NGOs was marked with suspicion to a large extent. Accustomed to be governed under a single central power, officials are told to be seeing NGOs

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[30] Interview made with Zamir Osorov, Obshestvenniy Politicheskaya Gazeta, in September 24, 2004, Bishkek.

as institutions trying to share and even capture the political power, in line with the false perception of civil society and state as antagonistic entities. As the emergence of independent public organizations in FSU countries and CEE rested heavily upon the critique of the existing regimes rather than a desire to liberal democracy, the view of civil society as a threat to power seems difficult to fade while the elites and officials with communist past dominate the official posts. However, this dichotomy in thinking is not exclusive to officials.

As some of the NGO leaders admitted, there are indeed NGOs trying to abuse the opportunities present in the sphere of civil society (easiness to get registered and organize activities, get funds etc.). Often politically motivated, these NGOs' founders see civil society organizations as a jumping board for government posts. If it is not the case, they hope getting more international support by attracting the attention of observers and donors[31]. Therefore, officials' suspicion towards NGOs can not be seen as groundless, keeping in mind the fact that there may be NGO leaders with serious political motivations. It should not be forgotten, however, such organizations and persons are very few.

As Zamir Osorov put it[32], like in NGOs, in media organizations there people often acting irresponsibly and unprofessionally, abusing the right to criticize the government for personal career and fame. Media is a part and a powerful ally of civil society and it is a powerful check on undemocratic practices. Without being deeply accustomed to the principles of independent media, some journalists use their right to criticize the government in an unacceptable fashion, again for personal interest and international support. One should keep in mind that media organizations in Kyrgyzstan, like NGOs, political parties or ordinary people, enjoy a higher degree of freedom of speech compared to all other Central Asian republics and many other FSU countries. Indeed, almost all interviewees rated the freedom of speech as the most developed right in Kyrgyzstan. As a sign of

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[31] Interview made with Edil Baisalov, Director of Coalition 'For Democracy and Civil Society,' in September 28, 2004, Bishkek.

[32] Interview with Zamir Osorov, Obshestvenniy Politicheskaya Gazeta, in September 24 2004, Bishkek.

this freedom, many of the interviewed NGO representatives formulated several criticisms towards the government. The only way to protect and develop this freedom is the right use of it.

### 3.4.2 GONGOs

GONGOs and QUANGOs are both a reality for Kyrgyzstan and constitute a serious problem with respect to the development of civil society in Kyrgyzstan. NGOs, which are considered as GONGOs or QUANGOs are founded by relatives (mostly wives of political elite, as it was the case in Public Fund Meerim founded by ex-president Akaev's wife Mairam Akaeva), with the initiative of state, (for example Association of Non Governmental and Non Commercial Organizations), and reregistered organizations of the Soviet period (for example trade unions).

According to NGO representatives, there are a variety of reasons why government engages in establishing NGOs. First, the government is aware of the fact that foreign donors prefer NGOs for cooperation instead of official institutions because of transparency issues. Therefore, those NGOs headed by officials' wives, relatives or close friends are set up with the hope of channeling the funds into a channel where officials have indirect right to decide how the money will be used. Because government-NGO cooperation is the prerequisite for some of the grants, those NGOs in close cooperation with authorities have a considerable degree of chance for funding. Hence, as one of the columnists of a leading political newspaper puts it, "NGO sector is more profitable for government than individuals."[33] High ranking bureaucrats can at the same time direct NGO projects, as it has been the case in a drinking water project in the Aksy province funded by Switzerland. It is also argued that women's NGOs, many of them having very close relations with state or corrupt organizations, is the most corrupt sector (Handrahan, 2000). In addition to decreasing NGOs chances for survival, GONGOs may play a detrimental role with respect to

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[33] Interview made with Zamir Osorov, Obshestvenniy Politicheskaya Gazeta in September 24, 2004, Bishkek.

democracy and civil society. Highly tolerant and in no ways critical towards authorities, they can not exert pressure on governments towards good governance. Autonomy from the state is the key defining aspect of civil society, and with the destruction of this principle, these organizations may become mere puppets. Even in some instances, they may play the role of governments' guardians in a very undemocratic fashion. For example, in a press conference organized by the OSCE following the 2000 presidential elections, Toktaim Umetalieva, director of the Association of Non-Governmental and Non-Commercial Associations attracted serious criticism when she shouted at the director of OSCE election monitoring mission, who claimed the elections to be not free and fair. As a result, some of the NGO leaders argued that the existence of such organizations created tension with the donor organizations and INGOs. On the one hand, there are local NGOs very critical of the overall situation in Kyrgyzstan and they try to convince international actors to be less tolerant towards the government. On the other hand, there are extremely consentient NGOs that deliberately refrain from criticizing anything about Kyrgyzstan and ask for more support for government. Facing two totally different pictures, international organizations sometimes choose the rosy picture, often for their own purposes like demonstrating successes rather than failures to the donors and sensitive audiences. Thus, controversies break time to time between oppositional NGOs and international organizations[34].

One related issue is the existence of NGOs founded through the direct initiative of INGOs. In some instances, as Aidar Mambyetov from Association of Civil Society Support Centers reported, foreign institutions prefer take hold of NGOs that exist only on paper and turn it into a functioning institution. During the interview made with Mambyetov[35] from the Association of Civil Society Support Centers, which mainly focuses on capacity development in NGOs, he complained being considered by other NGOs, often in a pejorative fashion, as a

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[34] Interview made with Kyialbek Toksonbaev, national Coordinator of Public Association "Civil Society against Corruption", in September 27, 2004, Bishkek.

[35] Interview made with Aidar Mambyetov, Project Manager of Association of Civil Society Support Centers, October 6, 2004, Bishkek.

branch of Counterpart Consortium. It was told that the Association is actually founded by Counterpart Consortium, but it aims to develop autonomously and become fully independent in close future. Another example, demonstrated by Asiya Sasykbaeva from Interbilim, was the NGOs on conflict prevention[36]. After the events of September 11, Central Asia came to the forefront of international attention. Ferghana Valley, covering parts of three republics, became one of the issues for international organizations of peace keeping and conflict prevention. However, when foreign donors and INGOs came to the region, lack of local NGOs on conflict prevention emerged as a serious problem. Thus, some of the formally established inactive NGOs started to be controlled and developed by foreign organizations.

Emergence of GONGOs can be explained to large extent with the government-related persons' desire to control and benefit from the foreign funds. However, it can be expected that GONGOs may loose their appeal when the number and capacity of Kyrgyz NGOs increases in time and foreign donors may choose working with autonomous organizations. Furthermore, NGOs closely related with authorities should not be seen as inherently anti-democratic, but their coexistence with a series of other peculiar phenomenon results in problems. Corruption, communist legacy in thinking, prevalence of clan and tribe structures easily affect those NGOs not genuinely independent.

The existence of NGOs that are acting as government agencies and public relations organs are also a sign of a misconception of the idea of civil society, possibly in a deliberate way. During an interview conducted with the director of this kind of organization[37], the director surprisingly argued that Kyrgyzstan was much more democratic and had a much more developed civil society compared to all FSU countries, and even many western countries, because of two things: first, she argued that Kyrgyzstan had a larger number of NGOs per person and

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[36] Interview made with Asiya Sasykbaeva, Director of International Center 'Interbilim,' in September 28, 2004, Bishkek.

[37] Interview made with Toktaim Umetalieva, President of Association of Non-Governmental and Non-Commercial Organizations, in October 11, 2004, Bishkek.

second, unlike any other country in the world, NGO leaders could become members of local governing bodies. Leadership in such organizations is inclined to reject the autonomous, progressive role of the NGOs and act as mere project implementers, closely cooperating with government structures. In fact, under ideal circumstances, it is not an essentially negative phenomenon for NGOs to be pro-government or fully cooperating with government. Measuring the level of democracy with NGOs per-capita is in line with the views of Akaev, who said, as one NGO leader narrated[38], "If Netherlands is the country of tulips then Kyrgyzstan will be the country of NGOs." Possibly trying to demonstrate his commitment to build a lively civil society to international circles, Akaev's expression can be seen as a legacy of Soviet economic thinking, which sees success as a numerical representation of production or occurrence. Without demonstrating a genuine willingness towards increasing the qualities and role of civil society organizations, quantitative development of NGOs alone should not be expected to contribute democracy.

The right for NGO leaders to join local governments is also by no means a self-evident positive phenomenon, since the dangers of relations of patronage and personal interest are no less than the benefits of a -not necessarily but only possibly- independent say in administrative bodies in Kyrgyzstan.

Another dimension of the problems in state-civil society relations is the discriminatory approach of state and of international organizations towards NGOs. This strategy is frequently employed by governments in order to divide the NGOs through "selective involvement of favored ones in government programs and policies" (Tandon, 1989: 1). Some NGOs are excluded or not invited to from conferences, meetings, roundtables, hearings alike that are useful for information, establishing contacts and participate in decision making processes. Just like a handful of NGOs make up almost all of the media coverage, many of the NGOs feel underrepresented at the government or international level. Even the interviewees from the bigger, powerful NGOs

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[38] Interview made with Oleg Jerebko, Executive Director of Association of Communication Operators, in September 24, 2004, Bishkek.

admitted that such a problem exist for many NGOs especially if their capacity is suspected or rarely, if they are simply seen as troublemakers.

GONGOs, QUANGOs and other NGOs close to or non-critical of government, on the other hand have more advantage in recognition. Closer relationship with the state can be an important asset for NGOs to find foreign funding, especially if the project requires state support. Some NGOs complain both about government and foreign organizations, which are paying attention only to a number of larger NGOs. Good relations with government bring recognition by foreign organizations; good relations with foreign organizations bring recognition by government. This is of course not an ideal democratic situation, but has a rationale behind. Both for governments and donors, capacity is an important issue in choosing partner NGOs and not a large number of Kyrgyz NGOs have the same level of development in this sense. To avoid taking risk for a project, donors -and government to a lesser extent- make their decisions on the basis of organizational capacity. When more NGOs achieve a certain level of institutionalization, which goes hand in hand with capacity building, more of them will be recognized by state and international organizations.

### 3.4.3 Dependency to State

As it has been mentioned before, Soviet economic legacy can be seen as the primary source defining the civic sphere in Kyrgyzstan. As in the Soviet period, state is the owner of almost all facilities and services an NGO may need. Transportation, offices, halls, as well as printing and distribution companies are the property of government in Kyrgyzstan.  With the state being the most powerful owner of facilities and services, it is compulsory for NGOs to ask authorities for a theater, for a meeting, or for an automobile to go to localities in order to implement a project. In my opinion, in addition to state monopoly over resources, two other factors are in play in NGOs expectations from the state. First, we can look at the Soviet legacy in a different way. In the absence of

private property during the communist period, the concept of public property was developed by the party/state. Accordingly, producing, housing, transportation and other facilities were seen as public properties, that is, state was the sole investor building and providing these facilities while officially the whole population was announced to be the owners. As seen in the Soviet period, political authorities were the only center from which representatives of public organizations could demand any type of assistance. Through lobbying, officials could provide offices, transportation, printing facilities, and subsidies and so on. As one can hardly talk of a large scale transformation of the political culture in Kyrgyzstan, the existing situation may be indicative of a public organizational culture which considers demands from authorities both as normal and as a natural right. Therefore, demands for facilities can not be seen necessarily detrimental to NGO autonomy. Second, it should be considered that in the independent Kyrgyzstan, proliferation of NGOs was caused by the alarming need for non-state actors in the fight against enormous economic challenges. Previously provided by the central governments, almost all basic services suffered the harsh realities of free market economy (Tabyshalieva, 2001: 82-116). Therefore, NGOs are indispensable allies of the state in the field of development. For example, the "National Program to Overcome Poverty 'Araket'" designed for the 1998-2005 period, has goals that are clearly in line with the goals of NGOs and the logic that sees a lively civil society as the basis of the welfare of the citizens. Thus, NGO expectations of state assistance do not seem irrelevant, especially in rural regions where NGOs are playing a critical role in preventing the collapse of the social structures. In the joint efforts to overcome poverty, state assistance is both necessary and productive.


3.4.5 State-NGO relations: Conclusion


Mutual disrespect towards the other part's rights and duties is one of the problematic issues in state-NGO relations. Although this problem stems partially from stereotypes about state, civil society and a poor conception of the latter,

many interviewees defined mutual interference as a major problem and therefore special attention is needed for this issue.

On the part of the state, the problem stems from the old habit of thinking of alternative sources of power as evil and treachery. Many of the political and bureaucratic elite in Kyrgyzstan have a communist past with which they have not faced yet. They long for the days in which all non-state entities, that is, public organizations, factories, media, were under the direct control of the party-state. Thus, today they try to exercise a similar power on non-state actors, which are primarily NGOs. In addition to a lack of trust in non-state actors, today they may also have another incentive for getting involved in NGO affairs, which is, the fear of their wrongdoings to be exposed to public attention. In a country where buying and selling of government posts is the rule rather than the exception, state officials' and bureaucrats' negative view of NGOs as watchdog organizations is meaningful. Then what about the citizens and NGO leaders? What is their role in this mutual relation of disrespect?

On the part of citizens, source of the problem is seen in the misconception of freedoms. With many of the political and individual rights guaranteed, many Kyrgyz citizens think of freedom in absolute terms, and discard the boundaries between civil society and state, as some of the interviewees claim. In other words, they argue that new freedoms are loose for Kyrgyzstan, without demanding the narrowing of it, of course. Instead, they believe people of Kyrgyzstan will quickly adapt a mature understanding of freedoms and start to play the game with the rules.

The problem of mutual disrespect for each other's sphere was most clearly defined by Maksatbek Tashbolotov, director of Public Foundation Kalys, himself a former bureaucrat. "Four years ago I did not even know what an NGO is, but now I think I can see the failures of both sides, because I now know how state and NGOs work" he said and jokingly added: "In my opinion, in order to solve

the problem of mutual interference, bureaucrats and NGO leaders should be rotated."[39]


### 3.5 Public Response to NGO activities


Relations between NGOs and population in Kyrgyzstan can be analyzed at two levels. At the first level, we see NGOs as service providers for population. With the collapse of basic services and infrastructure, NGOs emerged as a powerful ally of Kyrgyz state in overcoming these problems. In this respect, population is the passive part, taking what NGOs can offer. At the second level, on the other hand, we see individuals voluntarily participating in NGO projects and programs, become members and even activists of NGOs. It can be said that both levels are determined by the wide scale poverty in the country, increasing the number of needy people and decreasing the number of people with enough financial and educational resources to take part on the active side.

A second determinant of this relationship is the Soviet legacy. For decades, people of Kyrgyzstan were unable to establish autonomous organizations to solve their problems. There were semi-autonomous organizations under strict party-state control, far from representing the ideals of a genuine civil society. People lost their belief in organizing around a political party or autonomous group to defend their rights and interests with the Communist Party so corrupt and unable to address people's problems, public associations so dependent and artificial. With the breakup, freedom to organize in political parties and public associations was legally recognized. However, distrust in formal organizations prevented the majority of the population to be active in these parties and associations. Today only few political parties and NGOs enjoy a broad membership.

Thirdly, there are questions on the levels of public participation in NGO projects. International donors together with the leaders of NGOs are the centers where

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[39] Interview made with Maksatbek Tashbolotov, Director of 'Kalys' Public Foundation, in October 4, 2004, Bishkek.

problems and need of the population. They also decide on how to solve these problems. The population is left most of the time out of these processes. In turn, people are expected to work voluntarily in projects in which they had no say. As a result, awareness and participation in NGO activities remains low (Kustebaeva, 2004).

There have been some efforts to ascertain the way the population thinks of civil society and NGOs. Two nationwide surveys conducted by IFES in 1996 (Olds, 1997) and 2001 (Pototskii and Sharma, 2002) revealed several aspects of population's perception of civil society and NGOs. A little more than half of the respondents believe that it is possible to form organizations without the permission of the government, (55% in 2001, and 54% in 1996). 6% believes it is partially possible. Percentage of respondents believing that it is not possible drops significantly to 10% in 2001 from 37% in 1996. The difference is meaningful considering the respondents who do not know whether it is possible or not (27%). Majority of the respondents find such organizations essential (26%) or very necessary (33%). A smaller group believes they are not very necessary (11%) or not at all necessary (6%).

According to the IFES survey, belief in the possibility of establishing organizations and necessity of such organizations is related with education and level of political efficacy (Pototskii and Sharma, 2002: 52), measured with the same survey. The survey also depicts an increasing NGO awareness among the population, especially due to election monitoring activities. The respondents were also asked whether they think NGOs can deliver services more efficiently than the state. Majority of the respondents replied "do not know" (49%) or did not answer at all (3%). Among those who answered, a significant majority believes that NGOs can deliver services better than state (58%). Looking at the ethnic composition of respondents believing in NGO efficiency, Russians are the only ethnical group thinking NGOs can deliver services better than state. It is believed that it is because ethnic Russians are much more concerned with the overall situation in Kyrgyzstan and much more dissatisfied with the performance

of government and state organs (Pototskii and Sharma, 2002: 53). In a related way, more people dissatisfied with the overall situation stated their enthusiasm about NGOs (33%) than satisfied people (23%). Similarly, those who consider corruption as a serious problem in Kyrgyzstan believe in NGO efficiency (33%) more than those who think it is not a serious problem (18%).

Cross-analysis of the above mentioned categories reveal a consistently pro-NGO group that has an interesting profile. Accordingly, 22% of total respondents are consistently pro-NGO. Ethnic Russians form the largest ethnic group in this category (31%) compared to Kyrgyz (22%) and Uzbek (13%). Low level of pro-NGO respondents among ethnic Uzbek contradicts with the argument that Uzbeks consider civil society as a primary sphere for protecting their rights and interests (Horton and Kazakina, 1999). University graduates are the largest pro-NGO group looking at education level (37%).

Respondents who thought NGOs can deliver services better than state were asked which services these could be. The most frequent response was "I do not know" (21,5%), while allocation of foreign aid, solving everyday problems, helping poor people, provision of financial support, and performing charitable activities were cited as services that can be provided better by NGOs. Smaller fractions cited assistance in job finding, provision of healthcare services, protection of human rights, provision of information, and protection of environment as other services.

NGO awareness is another aspect measured. Membership, awareness in community and perceived impact of NGOs on individual's lives are very low. NGO membership is 2% and 51% of the respondents have heard of NGOs while 43% has never heard of an NGO. 14% know about any NGO active in the place where s/he lives. 7% believed NGOs had a positive impact upon his/her life, while 85% answered that NGOs had no impact at all. There is also a significant drop in people responding they would voluntarily work for NGOs (42% in 1996, 10% in 2001). Economic situation in the country partly explains low levels of

NGO membership, awareness, impact and will for voluntary work. While economic differentiation is thought to enrich the sphere of civil society by urging people to direct towards self-help, the situation in Kyrgyzstan can be defined as large scale poverty than economic differentiation because a small minority enjoys political and economic freedom. Struggle for survival prevents majority of the people concentrate their efforts on other activities. Further, needs for survival reinforces traditional patronage networks through which greater security can be provided compared to modern forms of social organizations (Pototskii and Sharma, 2002). Consequently, impact of NGOs in Kyrgyzstan remains very low. Throughout the interviews made for this research, the NGO representatives were asked for their views about membership and NGO awareness among the population. Accepting the obstacles in front of public participation, none of the interviewees saw these low levels as a factor impeding the works of NGOs. Thus, we can conclude that the real problem with the low levels of awareness and participation is that they decrease overall positive approach towards NGOs and civil society (Baimatov, 2004: 35).

### 3.6 NGO-Media Relations

As powerful factors affecting political life in the country, media organizations role can not be neglected for the successful establishment of civil society in Kyrgyzstan. Emergence of independent media organizations started in the late Soviet period during *perestroika*, when popular opposition groups started to publish their own newspapers and journals. In the first years of independence, numerous media organizations were established, which enjoyed a rather positive climate. In the mid 1990s, pressure on newspapers with critical agendas started and pressure grew bigger in time. Akaev managed to incorporate majority of the media organizations into a pro-government bloc and reduced the chances for survival of the remaining institutions. Astronomical penalties, state monopoly over printing facilities, distribution, and paper supply were the effective tools used in repressing journalists and media organizations. Government officials and

state organs often applied to courts, which are not seen as independent organs for resolving controversies but puppets of political and economic powers, especially on the basis of libel. In many cases media organizations were sentenced paying high penalties.

State printing house also acts in a discriminatory way by denying publishing some independent newspapers. Thus, NGOs acting as watchdogs and policy defenders lacked a powerful ally in promoting democracy, although NGO leaders that have been interviewed mentioned no serious trouble in finding media coverage on activities. According to one research, lack of an independent media is a major impediment in front of forming political parties, NGOs and, criticizing the government (Kuchukeeva and O'Loughlin, 2003: 578-90).

Opposition newspapers *Asaba* and *Respublika* (50,000 and 10,000 circulations each, respectively) are the two most oppressed media outlets. Both newspapers have ceased activity as a result of pressure, while publishers of *Asaba* established a new newspaper called *Agym*. Physical attacks on opposition journalists also exist, without an evidence of state involvement. Leaders of newspapers like *Moya Stalitsa* (focusing on high-level corruption relations), *Demokrat* (Newspaper owned by the 'Coalition') were subject to such attacks (Committee to Protect Journalists, 2004).

Kyrgyz NGOs do not face serious difficulty in finding media coverage for their activities. Newspapers, radios and television channels regularly inform the population on NGO projects, demonstrations and speeches delivered by NGO leaders, as majority of the NGO leaders expressed. There are two major problems in this respect, however. First, because of economic hardships, people buy rarely a newspaper, which have a circulation around 5000 at most, and TV set ownership is quite low, especially in rural regions (ICG, 2001). Therefore, media plays a relatively smaller role in publicizing NGOs and their activities. Second problem is related with the low number of active NGOs. According to Baisalov, director of Coalition NGO, news about five or ten NGOs makes up 90% of

media coverage on NGOs[40]. The situation can be explained by discriminative approach of media organizations, most of which are explicitly pro-government. Or, highlighting pro-government NGOs and discrediting opposition NGOs can be used as a strategy to decrease the appeal of opposition NGOs for the general public. Furthermore, coverage of moderate NGOs' activities may serve as a positive feedback to foreign organizations, implying there is no serious trouble in the field of civil society. It should be noted that there has been also some changes in favor of NGOs in Kyrgyzstan in this field. The newspaper *Demokrat*, published by Coalition NGO since 1998 and opening of the first independent publishing house by Freedom House in 2003 in Bishkek are two such events.

*Demokrat*, published weekly, is an effective independent newspaper closely associated with NGOs. In *Demokrat*, not only most of the NGO activities are covered but also news, researches, columns, interviews that are critical of the undemocratic practices of the state are published. The newspaper informs the population on election procedures, new legislations and other useful practical knowledge, which are thought to be helpful in realization of democratic rights of the people.

The conditions for NGO-media relations found another support with the opening of Freedom House publishing house in Bishkek in November 2003, after a very controversial struggle with the state organs, who feared loosing their monopoly over printing facilities and mass-publication of opposition publications[41]. Even after the opening of the printing house, pressures continued. For example, the state institution for electricity services denied providing electricity to the printing house. In turn, Freedom House installed its own electric generator but local administrators prohibited using the generator, on the basis of incomplete safety measures. However, the publishing house managed to overcome these difficulties and an important step in forming an independent media was completed.

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[40] Interview made with Edil Baisalov, September 2004, Bishkek.
[41] Interview made with Asiya Sasykbaeva, Director of International Center 'Interbilim,' in September 28, 2004, Bishkek

3.7 NGO-Business Relations

In Kyrgyzstan, relations between NGO and business sectors are still on the make. According to INTRAC (1998) negative stereotypical perceptions and unrealistic expectations are detrimental to NGO-private sector relationship. NGOs expect companies provide almost unconditional support. Seeing the companies as irresponsible social actors, NGOs may attribute themselves the role of moral guides for companies. It may be also the case that the perceived power of company boardrooms can attract NGO leaders. Finally, NGOs may push for cooperation with a company in order to use it as a tool for raising their profile among donors, government, and supporters. The companies on the other hand, can see NGOs as idealistic, undisciplined organizations unaware of the realities of market. Cooperation with NGOs can be turned into public-relations activities, emphasizing social responsibility of the firm. Yet, in spite of all dangers and difficulties, one can talk about the emergence of NGO-business relations in Kyrgyzstan, unfortunately developing at a very low pace.

According to some NGO leaders, their main problem is not with the state, but with the corporations failing to meet the legal standards[42]. What they mean with this is the difficulty of defending the rights of Kyrgyz citizens as consumers and their right to live in a healthy environment. The existence of companies disregarding the legal arrangements is indicative of low level of corporate responsibility in companies operating in Kyrgyzstan. Yet, the development of a better relationship between businesses and NGOs with critical agendas towards them is crucial for civil society development.

Four levels of such relationship can be defined (Heap, et al, 2000: 22): Information, contacts, cooperation and partnership. Most of the relations occur at the first three levels, while partnership, especially with big firms, occurs very rarely. Partnership often occurs as a result of NGO engagement in business or

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[42] Interviews made with Anatoly Ilich,Chairperson of Consumer Rights Protection Association "Yustin" in October 4, 2005 and Aida Keneshbekovna, Director of "Uluk Jer," in October 5, 2005, in Bishkek.

personal relations with business people. Partnership can be in the form of mutual economic interest or exchange of services. According to a survey (Heap, et al, 2000), around 200 NGOs have their own private companies as self-financing institutions. Small scale production and handicrafts production, for example, is a widespread business activity among NGOs. In performing their businesses, NGO firms contact with other firms and both sides profit from this cooperation. Partnership can also be in the form of providing services to each other. For example, NGOs need various services to realize their activities, especially closed spaces for training, conference etc. activities. Private sector provides NGOs with these facilities and in turn, gets help in administrative planning, consultation and information.

NGOs also help people establish their own small scale enterprises especially in rural areas, through channeling foreign funds. NGOs organize training seminars for future entrepreneurs, find the starting fund for applicants, and prepare business plans for small and medium scale businesses.[43] Women's NGO Alga, Foundation to Save the Town in the mining town Yangak, Center of Children's Center *Intymak*, and The Union of Rural Women of the Issyk Kul Oblast are some of the organizations providing such services. Among the interviewed organizations, Diamond, *Uluk Jer* and *Kalys* Public Foundation were performing such activities. *Uluk Jer*, initially themselves not knowing how to apply for grants, managed finding credit for small and medium scale businesses, especially for women. In a complementary fashion, they have organized seminars of technical and basic managerial training. Association of Specialists of Interactive Methods of Study is also providing training seminars to corporations. Companies and NGOs apply the Association in order to obtain training for their staff on how to conduct training programs in a specific area. Since the Association has specialists in various fields, they easily respond to demands from various different sectors.

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[43] Interview made with Aidar Mambyetov, Project Manager of Civil Society Support Centers, in Oct. 6, 2004, Bishkek.

As partnership occurs rarely between NGOs and businesses, so do the sponsorship and material assistance. Often in times when large-scale meetings are going to be organized, bigger companies like KATEL, Kumtor Operating Company, Aeropag-Bishkek, Arashan, DHL, Coca-Cola and some hotels become sponsors of the meeting and cover the expenses to some extent[44]. For example, conference of "Social Partnership for Prosperity" organized by Counterpart Consortium in September 1998 in Issyk Kul was such an event. In 1999, Arashan also gave two computers to Counterpart. However, these are very rare events and, a genuine relationship between business sector and civil society needs further efforts to be built.

### 3.8 Problems of Civil Society

### 3.8.1 Problems of Institutionalization

One of the serious problems cited by NGO representatives was the fact that only a few hundred of all NGOs were active, although the estimated total number of NGOs ranges from 4,000 according to official data to 10,000 according to some NGO leaders.

High number of NGOs in Kyrgyzstan is not perceived as a problem in itself. Rather, many NGO representatives, like officials, see the creation of many NGOs as a sign of an enabling environment for civil society. Thus, having the highest rates of NGO per capita among all five Central Asian republics[45], NGO density in Kyrgyzstan is a source of pride. The problem, however, is with the sustainability of these NGOs. In other words, one dimension of the problem can be found in the causes of why so many NGOs can not succeed in becoming

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[44] Interview made with Cholpan Akhmatova, Executive Director of Counterpart Consortium, in Oct. 6, 2004, Bishkek.

[45] Kyrgyzstan leads the way with one NGO per 1,900 people while Kazakhstan follows with one NGO per 2,300 people and Tajikistan with one NGO per 5,000 people. Uzbekistan, partly due to its high population has a lower figure, one NGO per 10,000 people and Turkmenistan comes as the last with one NGO per 18,400 people. (Kuchukeeva and O'Loughlin, 2003: 11)

institutionalized and have a longer life span. In order to analyze the NGO viability, NGO sustainability indexes are developed. Since 1997 NGO sustainability became a subject of measure for NGOs, and USAID started to prepare NGO sustainability indexes for countries. Some of the relevant figures for Central Asia and other post-communist regions from the reports of years between 1998[46] and 2003 are given in the below table:

TABLE 4[47]

|  | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 |
|---|---|---|---|---|---|---|---|
| Kazakhstan | 4.4 | 4.8 | 4.7 | 4.3 | 4.1 | 3.9 | 4.1 |
| Kyrgyzstan | 3.9 | 4.1 | 4.3 | 4.3 | 4.1 | 4.1 | 4.2 |
| Tajikistan | 6.6 | 6.1 | 5.4 | 5.1 | 4.6 | 4.6 | 4.6 |
| Turkmenistan | N/R | 6.6 | 6.0 | 5.8 | 5.6 | 5.7 | 5.6 |
| Uzbekistan | 4.7 | 5.3 | 5.1 | 4.6 | 4.7 | 4.7 | 5.2 |
| Eurasian countries on average | 4.6 | 5.0 | 4.6 | 4.6 | 4.5 | 4.5 | 4.5 |
| Central & Eastern Europe on average | 2.7 | 2.3 | 2.4 | 2.4 | 2.5 | 2.5 | 2.7 |
| South-Eastern Europe on average | 4.5 | 4.6 | 4.3 | 4.2 | 4.0 | 3.9 | 3.8 |

The table indicates that Kyrgyz NGOs experience a long period of stagnation, while Kazakh NGOs managed to achieve a considerable amount of progress. Thus, Kazakhstan took the lead in 2004 with 4.1 while Kyrgyzstan's leadership was ended with 4.2 as a result of resistance to progress. On the average, Eastern and Central European countries score 2.7 in 2004, in spite of a downwards trend in NGO sustainability scores. South-Eastern European counties form the second category with 3.8, depicting a promising development since score of 4.5 in 1998. Comparing former communist countries this way, we can look at why so many Kyrgyz NGOs fail to develop after being founded.

According to Chinara Konushalieva[48], executive director of Non-Governmental and Non-Commercial Associations, so many NGOs are established in

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[46] Figures for 1997 are not included because not all Eurasian countries' ratings are measured.

[47] Source: USAID, the 2004 NGO Sustainability Index.

[48] Interview made in October 11, 2004, Bishkek.

Kyrgyzstan because "It is fashionable to establish NGOs, especially for professionals seeking additional income." However, not all NGOs have the institutional capacities to overcome the difficulties to make an NGO work in Kyrgyzstan. Defined by Asiya Sasykbaeava,[49] Director of International Center Interbilim as a problem of "low levels of institutionalization," issues of weak management, lack of strategic planning abilities and weak intra-NGO control mechanisms are seen as major causes of NGO failure, often resulting in inactivity and shut down.

In spite of the fact that capacity development is a major sphere of activity of many international NGO development organizations and support centers, many NGOs turn out to be unable to institutionalize. According to Oleg Jerebko, Leila Sydykova and Dylara Abdrakhmanova, lack of qualified staff is the major factor causing NGOs fail to function properly and shut down. People with deep knowledge and understanding on running a non-profit organization is quite a need of Kyrgyz NGOs where few NGOs are operating on a professional, long term planning.

Another factor affecting NGO life length is their financial dependency on donor organizations. Since most of the projects are short term ones, after finishing a project, majority of NGOs start to experience financial problems and cease activity.

### 3.8.2 Donor Dependency

Promotion of NGOs through international institutions, either by governmental (such as USAID and Friedrich Ebert Foundation) or private ones (such as Soros Foundation, and IREX) for social, economical and political developmental projects has become a major trend within the last three decades. Especially in authoritarian contexts, this strategy has two major advantages: first, the funds are granted to independent NGOs, which provide more transparency than

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[49] Interview made in October 28, 2004, Bishkek.

government organs. Second, through these organizations, a lively civil society is intended to be created, which, in turn, can contribute to the empowerment of local populations and democratization of the country. The perils of such a strategy have become a focus issue in the 1990s and especially after 2001. Promotion of civil society in Kyrgyzstan is expected to take into account the thoughts of local people and civil society leaders, as expressed by most of the NGO leaders interviewed. Aida Keneshbekovna[50], the leader of a civil society organization defending the environmental rights of the people living in devastated areas, says they are fed up with 'trainings' and need to feel the support of foreign organizations more. Otherwise, democracy assistance through civil society can end up with the consolidation of authoritarian regimes and undemocratic practices (Blank 2005: 3), or with the creation of an elite class alienated to the problems of the country[51].

In the absence of local partners, sponsors, membership fees in most cases for financial support, Kyrgyz NGOs heavily rely on foreign donors and their grants. Few NGOs are engaged in profitable activities for creating a financial source for the survival of the NGO and its activities. Therefore, most NGOs have little chance of survival if they can not get foreign grant. Furthermore, foreign organizations also train the NGO leaders in the country. Most donors, as the real owners of money, are the real organs deciding which project to implement and how. Extensive training activities, opportunities to travel abroad, constant interaction with foreigners, can result in the creation of NGO elite class, which is alienated to real problems. This was a complaint expressed by some of the smaller, less institutionalized NGOs towards bigger, western type professional NGOs.

On the other hand, Kyrgyz NGOs' views on the effects of donor dependency vary. While majority of the interviewees admitted that they believe extensive financial dependency is not a good phenomenon for NGOs, some of the

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[50] Interview made with Aida Keneshbekovna, Director of Uluk Jer, in Oct. 5, 2005, Bishkek.
[51] Interview made with Maksatbek Tashbolotov, Director of 'Kalys' Public Foundation, in Oct. 4, 2005, Bishkek.

respondents argued that financial dependency is not a big problem in itself. According to Asiya Sasykbaeva from Interbilim, financial dependency causes donor and personal interests prevail in most NGOs. On the other hand, Edil Baisalov and Cholpan Akhmetova believe that dependency on donors for money and other material resources is not a problem in itself. In their opinion, as long as the activities are in line with the aim of building democracy and helping the population overcome poverty, donor dependency is not a problem.

### 3.9 Problems of Kyrgyz Democracy

In addition to learning what prevents Kyrgyz NGOs from contributing more fully to the development of democracy in Kyrgyzstan, it is also important to consider the views of NGO representatives on the overall situation and problems of democratization. A survey of NGO leaders conducted in 2002 (Kuchukeeva and O'Loughlin, 2003) shows that less than half (47.6%) of the NGO leaders think of regime in Kyrgyzstan as a democracy while 37.3% believe it is not a democracy. 48.2% of the respondents cited liberal democracy and 24.1% as the present form of democracy as the best form of democracy for Kyrgyzstan. Communism (7.8%) and other regimes (10.2%) were also seen as primary option by some NGO leaders. In terms of economic system, liberal economy has the biggest appeal (57.8%). Interestingly, demand for centralized planning is higher than mixed economy, chosen by 23.5% and 13.9% of the respondents, respectively. As this data shows, liberal democracy and market economy are seen as the ideal combination only by -roughly- half of the NGO leaders. If one thinks that the NGO activists are the most westernized and one of the well educated parts of the society, the figures seem lower. The same research also reveals the problems in Kyrgyzstan, according to NGOs. Unemployment (49%), declining production (11.2%), terror (10%), corruption (9.8%), regional instability (6.5%) and poverty (5.6%) were the most frequent responses. In addition to citing problems, they were also asked to define what concerns them most. 82% was concerned with the economy, 72% with unemployment, 64% with poverty and, 42 % with decline in

social protection. Thus, one can conclude that struggle for survival is the most important issue for vast majority of population, while the elimination of above mentioned problems have a great impact upon the material lives of the respondents.

During the interviews with the NGO representatives, NGO leaders were asked about their view of democracy. While almost all of them appreciated the importance of having a regime based on freedoms, they have emphasized the destructive impact of transition upon material lives of the population. The type of rights that were granted to the people was seen as the primary distinction between the Soviet era and independency: during communist regime, rights like education, health, housing, employment etc. were indiscriminately granted to the people. In the independence period, although such welfare rights were abolished, population gained basic civic and political rights like freedom of association and speech. These rights, however, can not be fully utilized in Kyrgyzstan due to continuing impact of Soviet era politics and increasing poverty.

In terms of the development of democracy, it is said that there is a huge gap between the rhetoric and reality[52]. Put in other words, despite Akaev's continuing efforts in emphasizing the importance of democracy, market economy and civil society, and passing of progressive laws, little is achieved in terms of the consolidation of democracy. Therefore it can be said that frustration of Kyrgyz people and progressive NGOs stem partly from this large gap between expectations and reality.

Free and fair elections, rule of law, accountability of rulers and independent courts, are among the basic pre-conditions of a democracy. As with the elections, they are told to be "free and fair only on the paper."[53] According to the survey conducted by Kuchukeeva and O'Loughlin (2003) right to have regular and fair

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[52] Interview made with Gulnara Bekbasarova, System Analyst in Association of Cities of the Kyrgyz Republic, October 2004, Bishkek.

[53] Interview made with Oleg Jerebko, Association of Telecommunication Operators, September 2004, Bishkek.

elections is the most important political right for NGO activists. Concentration of a number of powerful umbrella organizations on election observation can be seen both as a cause and a result of this sensitivity towards free and fair elections. Coalition NGO and Non-Governmental and Non-Commercial Organizations Association are the most active organizations in this sense, the number of observers trained and sent to elections by each organization expressed in several thousands.

Many NGO representatives also think that the principle of rule of law is severely hurt. Persons with political and economic power frequently make abuses of law, which deepen cynicism in the population and erode the belief in founding a democratic society. In such an environment, Zamir Osorov from Oschestvenniy Reiting states that an important part of Kyrgyz society is not ready to enjoy the rights and freedoms provided by laws in a proper way. Just like there are instances of government officials disobeying the laws, there are many people doing so. Frequent changes in the laws are thought to result in holes in the laws, ambiguities and inconsistencies with the international law. According to Dylara Abdrakhmanova, executive director of the Association of Lawyers of Kyrgyzstan, many NGOs make use of the holes in the laws, just like the ambiguities in laws are used by some government officials. In the short run, making use of these laws makes things easier for NGOs, but in the long run, Abdrakhmanova expects a chaos that will benefit no one.

As mentioned before, Akaev's strategy to cope with the tribal/ethnic differences within the country, that is, his usage of appointing as a balancing mechanism, reproduced informal networks patronage. Especially the appointment of provincial governors, and until 2001 *akims*, that is, local mayors, are appointed by Askar Akaev. He was holding extensive powers in all three spheres of executive, legislation and judiciary, strengthened by several referenda, which enabled him to directly appoint most of the officials in all spheres (ICG, 2004: 5). In the existence of a consolidated democratic system in which political parties were strong enough in the parliament to check the president, extensive

constitutional rights of the president would not be a problem, but weakness of parties and parliament[54] increase the risks of powerful presidential rights. Some of the NGO representatives and citizens are thought that Akaev was a good politician and had positive plans for the country. The problem according to them was the lack of a loyal and enthusiastic team around the president to implement these plans. Whatever the real inclination of Akaev was, it is a matter of fact that Akaev tried to use presidential appointments as a tool for creating a sort of balance in the distribution of power.

In order to prevent a local interest groups to form powerful ties with the governors, average tenure for these posts were kept at eighteen months with some exceptions, and a rotation system of governors is used in order to prevent serving outside of the region where they have strong political networks (ICG, 2001: 5). Money is another important factor in these appointments, with jobs of public service are sold and bought on a regular basis. Knowing their time is limited in a position; officials are in a hurry to recover the money they have spent in order to get the respective job. As a result, officials became deeply embedded in the network of corruption.

Another factor affecting the rule of law is the judiciary. Akaev frequently used judiciary branches as a tool for eliminating his opponents. In the cases where opposition figures and free media were taken under pressure with extra-legal methods, courts were unable to protect the aggrieved party, and a deep distrust in the population grew. According to a survey (Kuchukeeva and O'Loughlin, 2003: 575) 85.5% of the population is either not very confident or not confident at all. Only 13.3% are "fairly confident" and 0% is "very confident." Consequently, distrust in legal organs makes people solve their legal problems in extra-legal ways. Kyrgyz peoples' approach to rule of law is also heavily influenced by the experiences of Soviet period, when all judicial mechanisms were at the service of the state. Being vulnerable to pressure from authorities to a large extent in the

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[54] The ratio of former Communist party members in the parliaments formed with 1995 and 2000 elections were 85.5% and 62.0%, respectively (Niazaliev, 2004: 119).

pre-independence period, the courts may be still perceived as an extension of executive branch.

As mentioned above, one can not speak of judiciary as an effective and independent branch of the state. In the Akaev era, courts have been frequently used to prevent opposition figures run in elections, manipulate election results, suppress the media and issue sided, disproportionately heavy decisions for ordinary people. A dependant judiciary had also adverse effects on economy. A poorly functioning judicial system prevents investors establish businesses, because amazingly high density of corruption prevents people doing business to a large extent (Cokgezen, 2004: 86). Investors also fear that their investments can be claimed by powerful people or authorities, and courts do not provide protection from such arbitrary practices.

"Appointed by the president, funded by the budget and given salaries below the minimum wage"[55] the courts have become marionettes in the hands of presidency. Unemployment rates are high among lawyers, and those who can find a job in a court can do nothing but to follow the wills of authorities. Despite some financial improvements in judges' status, they still do not have the independent space in which they can operate freely. Judges frequently face demands from political and economic elites, and there are no counter-measures for preventing judges to act improperly.

Since the collapse of the Soviet Union, the media in the Kyrgyz Republic have enjoyed greater freedom than their counterparts in other Central Asian republics. There is no exclusive ministry for media affairs. Instead, a division under the Ministry of Justice registers "means of mass information," and there are no recorded cases where registration is being refused. Law on Media, adopted in 1992, is one of the freest legal frameworks in the former Soviet Union and unlike the media legislations in other Central Asian republics it is not a copy of the Soviet law of the same name. In line with the international laws and the

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[55] Shamarai Maichiev, President of the National Legal Corporation, interview made by ICG, cited in ICG, 2001.

Constitution, it is based on individual rights, including the right of free expression. Especially in the first half of the 1990s, hundreds of new media outlets are established and they operated with little interference from government officials. Thereafter the situation has declined and the pressures over independent media in Kyrgyzstan increased. According to Freedom House Press Freedom Survey (Freedom House, 2004), the rating of Kyrgyzstan fell from 49 (partly free) to 71 in 2004 (not free). Critical outlets and broadcasting companies became co-opted by the state and those denying co-optation were subject to libel suits and threats of license withdrawal.

The financial situation of most Kyrgyz TV and radio stations and newspapers remains weak; few of them are self-sustainable, and journalists are facing an uncertain future. Only in the capital city Bishkek, where more than 70% of Kyrgyzstan's media outlets are concentrated, there exists a substantial advertising market. On the other hand, some media outlets refuse to publish ads on moral grounds, arguing that responsibilities towards advertisers can hurt independency of journalism[56]. Therefore, hidden sponsors are not rare among Kyrgyz newspapers. In other words, most media outlets continue to act as press organs of political groups and parties. This situation is supportive of the existing boundaries between different groups of loyalty.

The media sector remains weak due to problems like lack of professionalism, contract work and self-censorship. In most major cities there are independent broadcasting stations, but lack of capital and mountainous geography of the country makes access to independent information very difficult. In many cases, reporters of the media organs gather second-hand information on local events, because of the high expenses of travel. Therefore, news with inflammatory and sensational content on issues like bribery, religious extremism etc. continues to be published by media[57]. Presently there are more than 300 registered non-state

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[56] The Media Situation in Kyrgyzstan, *Post-Soviet Media Law and Policy Newsletter*, Issue 8, June 3, 1994.

[57] Interview made with Zamir Osorov, Obshestvenniy Politicheskaya Gazeta, in September 24, 2004, Bishkek.

TV and radio stations and newspapers in the Kyrgyz Republic, and a strong division between opposition and state or pro-state media outlets continues to exist.

4. CONCLUSION

In this study, the relationship between NGOs and the democratization process in Kyrgyzstan is aimed to be focused. As the vanguard force within the Kyrgyz civil society, NGOs are in a direct interaction with the process of building of democracy. With the purpose of understanding this relationship, the history of public associations is covered first. Before the Russian domination of the region, traditional forms of popular associations were the only instances of social organization. Modernization process was started during the imperial tsarist era, but was limited. Modernization was introduced primarily by the communist regime, and in contrast to liberal-capitalist modernization, communist regime did not produce modern forms of social organization in a similar way the liberal-capitalist regimes produced. Instead, the communist regime created its own official public sphere, in which the population would contribute to the creation of communism. Throughout decades of Soviet rule, autonomous organizations were non-existent. Until late 1980s, people critical of the regime remained "dissidents" rather than "opposition" (Bernhard, 1993: 311-14). In social organizations that are dependent to the Communist Party, a certain level of societal organization was achieved, while the nature of this organization was far from being autonomous and spontaneous. At a time when problems of the Soviet Union reached a critical degree, policies of *glasnost* and *perestroika* introduced by Gorbachev resulted in crystallization of popular resentment.

As the developments in March 2005 in the country, that is, the overthrow of Askar Akaev by popular protests shows the complex and non-linear nature of the democratization process. Akaev's fall was a result of his failure in solving many problems in political, economic and social spheres. First of all, he failed to create a lively political society with its institutions like political parties and an effective

parliament. He gradually concentrated more power in presidential office through a number of referendums. The frictions he experienced with the parliament, which represented the old structure of political elite, prevented Akaev from providing more freedom and responsibility to the parliament and political parties. Second, the economy of the country remained significantly underdeveloped. The emerging entrepreneur class was far from providing satisfactory levels of economic development. Unemployment and low industrial production, together with the dependency of Kyrgyzstan to few income resources, among which the gold mining has the first place, gave rise to persistent economic instability. Corruption networks in the country also prevented any economic advancement. Third, due to high unemployment levels, deteriorated social security nets and regional imbalances, the social sphere faced serious problems. Drug addiction, alcoholism, rise in criminal activity and persistent ethnic tensions were some social problems. At the overall, the efforts of the regime were concentrated on suppressing, rather than solving these problems. When signs of a new Askar Akaev period (or at least, another Akaev period) became visible, masses revolted and Akaev fled the country.

Despite Akaev's failure in these fields, he may have contributed to the democratization of his country. Genuinely believing or not, he attributed great importance to the development of civil society from the beginning. Under Akaev, NGOs were subject to a progressive legislation. Although throughout their activities, some of the NGOs have faced adverse reactions from the state authorities, they were operating in a far more liberal environment when compared to their counterparts in neighboring Central Asian republics. As a result of the sphere provided by the state and efforts of international agencies, Kyrgyz civil society has reached a substantial level of development and in present day Kyrgyzstan, NGOs have considerable degree of impact. The level of cooperation between state and NGOs is promising while problems related with the perception of respective places of state and NGOs tend not to disappear in the near future. The March 2005 revolution has introduced some blood change to the system, and the new leaders are expected to have learned from Akaev's mistakes.

Another aspect of the democratization process is related with the transnational networks of democracy assistance. To a large extent, practices and norms of democracy assistance programs are developed in western headquarters. Therefore, strategies and evaluation of democracy assistance are shaped in line with the ideal results described within this cultural/institutional context. Instead, the question whether "exporting a stylized version of liberal democracy to diverse local settings is … possible or desirable" (Adamson, 2002: 179).

In this research, the whole process of democratization is aimed to be observed from the perspective of NGOs. The overall situation of democracy, civil society and NGO sector according to NGO leaders is researched. Problems and sources of these problems in respective fields are investigated. NGO leaders' understanding of democratic governance, civil society and NGOs were focused during the field research. The building of state-society relations during the Akaev era, in other words, is aimed to be understood. The use of such an analysis primarily serves to the general aims of studies of democratization. Thus, this study aimed to define the distinct problems faced in democratization processes in a post-Soviet country. In addition the implications of this analysis for governments, international actors and local civil society representatives are outlined.

According to the information obtained in the field, a major problem of Kyrgyz civil society is the existence of GONGOs. The instrumental approach towards social associations, in a similar way to the Soviet tradition of party-controlled associations, persisted to a large extent during the Akaev era. Foreign donors, although paying attention to autonomous NGOs, also contributed to the growth of GONGOs as many developmental projects required close NGO-state cooperation. GONGOs, with their dense ties with the government, were ideal partners in many socio economic developmental projects. Autonomous NGOs, on the other hand, were much more active in the fields like election observation, human rights protection and transparency.

Systematic pressure on NGOs was almost non-existent in Kyrgyzstan, with the exceptional cases of some Islamic fundamentalist groups. As most of NGO leaders admitted, freedom of speech and organization were the most positive aspects of the Akaev regime. In other words, despite the NGOs have a difficult agenda in Kyrgyzstan, they at least could organize and criticize the authorities to an extent that is incomparable to other Central Asian republics. With a relatively free environment for their activities, NGOs frequently interact with government authorities and despite some problems experienced during this interaction, NGOs and authorities learn to work together in time. Kyrgyz NGOs also develop organizational skills and increase their capacities.

To summarize, the overall picture of Kyrgyz civil society represent the complexity of the task of democratization. On the one hand, the understanding of the roles of state and society is persisting, indicative of the impact of political culture on the process of democratic transition (Liu, 2005: 225). On the other hand, a new group of NGOs with liberal-democratic orientation and high organizational capacities is emerging. Nevertheless, in many cases, Kyrgyz NGOs fall victim to the shortcomings of the political sphere: in the absence of strong political parties as mechanisms of political struggle, opposition figures are concentrated in NGOs, which, unlike the political parties, can be financed by foreign donors[58]. The problem with the "lack of a well developed party structure" is that "makes a personal dictatorship vulnerable to sharp shifts in the public mood and to unbridled power struggles when the dictator is incapacitated or dies" (Parrott, 1997: 7). While Akaev was not a dictator, the lack of a strong party politics was influential in the sudden fall of Akaev.

In terms of dynamics of democratization, Kyrgyzstan represents a blurred picture. On the one hand, the elite of the country is still composed of the Soviet-era personalities. Therefore, their willingness for political change is limited. Masses, on the other hand, are deprived of tools of political participation. Thus,

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[58] Reflecting the political ambitions of some NGO leaders, Toktaim Umatalieva, the leader of the pro-Akaev Non-Governmental and Non-Commercial Organizations Association, and one of the interviewees of this study, was a candidate in the August 2005 presidential elections.

as it was the case in the March 2005 events, they can be mobilized not by a shared ideal of a new regime, but the overthrow of the old one. Therefore, one major problem area may be the growth of an uncivil society in Kyrgyzstan. A weakly organized state, or in other words, lack of effectively functioning state organs (police, judiciary etc.), gave rise to the growth of networks of interest during the Akaev era. For example, it would be interesting to ask to what extent popular masses, and to what extent militia-like groups organized and funded by wealthy so called entrepreneurs were effective in Akaev's overthrow (Coombes, 2005). Akaev's commitment to democratic change, at least in the rhetorical level was a critical factor in the creation of a civil society in the country. Despite not being a democratic country yet, Kyrgyzstan is far ahead of its neighbors. Throughout Akaev era, public associations, media and the general population has experienced basic civil and political liberties. According to Mendelson (2002: 233) the combined influence of transnational networks together with local activist NGOs is success at the micro level but failure at the micro level. This proposition can be valid for Kyrgyz NGOs to a large extent. Kyrgyz NGOs have achieved a significant level of development from scratch. In many respects, however, the rise of the social sphere was not accompanied by developments in political and economic field. Political parties are still far from having a substantial impact upon politics. Their limited role as vehicles for political participation further decreases the appeal of formal institutions. Informal and uncivil networks tend to further develop under the conditions of economic decline. The convergence toward authoritarianism in the Akaev era, which is a sign of the declining power and legitimacy of the state (Luong, 2004: 280-81), is an important problem that waits to be solved. But the new leadership was still unable to introduce large-scale reforms in political and economic spheres, and therefore the trends of the past fifteen years can be expected to continue under the new leadership. But despite being challenged by several obstacles, Kyrgyzstan is on the road towards democracy.

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APPENDICES


APPENDIX A



INTERVIEW LIST



1. Alexei Ivanovich Fukalov; General Secretary;
     - Assembly of the People of Kyrgyzstan;
     - Sep. 22, 2004;
     - Dom Druzhba (Assembly Center) Pushkina Str. 78 Room: 50 Bishkek.


2. Zulfiye Kurbanova; Editor of the newspaper "Ittipak"
     - Ittipak, Uighur Society of the Kyrgyz Republic;
     - Sep. 22. 2004;
     - Dom Druzhba (Society Headquarter) 78 Pushkina Str., No: 24. Bishkek.


3. Zamir Arzimbekovich Osorov; Journalist/columnist;
     - Obshestvenno-Politicheskaya Gazeta;
     - Sep. 24, 2004;
     - Shabdan Baatira Str. 4b Bishkek.


4. Oleg V. Jerebko; Executive Director;
     - Association of Communication Operators;
     - Sep. 24, 2004;
     - Kievskaya Str. 96b Floor: 7, Room: 703 Bishkek.


5. Kyialbek Toksonbaev; National Coordinator;
     - Public Association 'Civil Society against Corruption,'
     - Sep. 27, 2004;
     - Kievskaya Str. 120 Room: 21 Bishkek.


6. Aziza Abdrasulova; Chairperson;
     - Kylym Shamy, Organization for Human Rights Protection;
     - Sep. 27, 2004;
     - Kievskaya Str. 120 Floor: 4 Room: 21 Bishkek.


7. Asiya Sasykbaeva; Director;
     - International Center Interbilim;
     - Sep. 28, 2004;

- Razzakova Str. 16/2 Bishkek.

8. Edil Baisalov; Director, Chief Editor of the newspaper 'Demokrat';
  - Coalition 'For Democracy and Civil Society';
  - Sep. 28, 2004;
  - Orozbekova Str. 74d Floor: 4 Ala-Too Square Bishkek.

9. Bermeta Tugulbaeva, Chairwoman;
  - 'Diamond' Women's Association;
  - Tolkun Tylekova, Executive Director;
  - Sep. 29, 2004;
  - Chui Str. 42 Bishkek.

10. Leila Sydykova; Executive Director;
  - Association of Scientist Lawyers;
  - Sep. 29, 2004;
  - Chui Str. 42 Bishkek.

11. Elmira Turkmenova; Executive Director;
  - Association of Specialists of Interactive Methods Training;
  - Sep. 29, 2004;
  - Kievskaya Str. 27 Room; 106 Bishkek.

12. Karypbek Alymkulovich; President; Deputy of the Jogorku Kenesh;
  - National Association of Producers;
  - Oct. 1, 2004;
  - The Parliament (Jogorku Kenesh) of the Kyrgyz Republic Room: 303 Bishkek.

13. Anatoly Ilyich; Chairperson;
  - 'Yustin' Consumer Rights Protection Association;
  - Oct. 4, 2004;
  - Razzakova Str. 50 Bishkek.

14. Jumagazy Sadyr Uluu; President;
  - Ashar and Arysh;
  - Oct. 4, 2004;
  - Togolok Moldo Str. 60 Room: 416 Bishkek.

15. Maksatbek Tashbolotov; Director;
  - 'Kalys' Public Foundation;
  - Oct. 4, 2004,
  - Sydykova Str. 169 Bishkek.

16. Gulnara B. Bekbasarova; System Analyst;
  - Association of the Cities of the Kyrgyz Republic;
  - Oct. 5, 2004;
  - M. Gvardia Str. 38, Bishkek.

17. Aida Keneshbekovna; Director; Talant Joldashbekov; Deputy Director;
    - Uluk Jer;
    - Oct. 5, 2004, Bishkek.

18. Dylara Abdrakhmanova, Executive Director;
    - Association of Lawyers of Kyrgyzstan;
    - Oct 6, 2004;
    - Mikrorayon 10, 4/72 Bishkek.

19. Aidar Mambyetov; Project Manager;
    - Association of Civil Society Support Centers;
    - Oct. 6, 2004;
    - Abdrakhmanov Str. 204, Floor: 4, Bishkek.

20. Cholpan Akhmatova; Executive Director;
    - Counterpart Consortium;
    - Oct. 6, 2004;
    - Abdrakhmanov Str. 204, Floor: 4, Bishkek.

21. Toktaim Umatalieva; President; Chinara Konushalieva; Director;
    - Non-Governmental and Non-Commercial Organizations Association;
    - Oct. 11, 2004;

22. Murat Imankulov; Director;
    - Center for Democratic Education;
    - Oct. 14, 2004;
    - Moskovskaya Str. 62, Bishkek.

23. Dmitry Shevkun; Deputy Director;
    - International Foundation for Election Systems;
    - Oct. 14, 2004;
    - Logvinenko Str. 27 Bishkek.

APPENDIX B


INTERVIEW QUESTIONNAIRE

1.  When is your organization established?

2.  What are the aims of the organization?

3.  What are some past activities of your organization?

4.  What are some future activities of your organization?

5.  Does your organization have branches? If yes, in which locations?

6.  How many members and employees does your organization have?

7.  What are the requirements for membership?

8.  What is the organizational structure and decision making mechanism in your organization?

9.  Does your organization have a publication? If yes, how is it distributed?

10. Is your organization part of an umbrella group? If yes, why did your organization become a member of that particular umbrella group?

11. With which local NGOs does your organization have relationship?

12. What includes your relationship with other NGOs? (Information exchange, partnership, technical/financial support etc.)

13. With which international organizations/NGOs does your organization have relationship?

14. What includes your relationship with international organizations/NGOs? (Information exchange, partnership, technical/financial support etc.)

15. Do you think the population in Kyrgyzstan is interested in NGOs' activities in overall?

16. Do you think the public is aware of the activities of your organization? Do you have activities to increase public awareness?

17. What is the overall situation of the relationship between media and NGOs in Kyrgyzstan?

18. Do you think the media reflects the activities of your organization? Do you have activities to find more media coverage?

19. What is the overall situation of NGO-state relations in Kyrgyzstan?

20. How is the relationship between your organization and state?

21. What are the major problems of civil society and NGO sector?

22. How do you think a democratic society should be? How do you think a democratic society can be created?

23. What are the major obstacles in front of a democratic regime in Kyrgyzstan?

24. Do you have additional comments on the process of democratization and NGOs in Kyrgyzstan?