

Civil Society
and Politics in
CENTRAL
ASIA

Edited by
CHARLES E. ZIEGLER



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Civil Society in a Period of Transition

The Perspective from the State

Ruslan Kazkenov and Charles E. Ziegler

Kazakhstan is in many respects the Central Asian nation best situated to build a civil society, a market economy, and a functioning democracy. Education levels are high, economic growth rates have averaged over 10 percent per year since 2000, and the country has an abundance of natural resources. Most importantly, Kazakhstan has an abundance of human capital. Social organizations are stronger than those found in other Central Asian countries, with the possible exception of Kyrgyzstan, though they remain relatively weak and ineffective compared to those in Western democracies. There are many nongovernmental organizations (NGOs), although few of them have regular access to the country's decision makers. An additional problem is that many officials still display a Soviet-style mind-set contemptuous of public opinion.

In this chapter we discuss the development of civil society in the Republic of Kazakhstan since independence, focusing on the interplay between state and society; more precisely, we develop the Kazakh state's perspective on civil society, supplemented by the perceptions of civil society actors. Our research questions are the following: First, what role does the central government envision for civil society in Kazakhstan? Second, what have been the major obstacles to realizing this vision, according to officials and analysts? Third, what are the prospects for civil society development? To

address these questions, we examine official government laws, programs, and statements related to civil society, together with insights from a series of civil society workshops we conducted in Kazakhstan.

Prior to 1991 Kazakhstan was a union republic in the USSR, before that part of the Russian Empire, and before that a series of khanates. Its existence as a modern, sovereign state dates from the collapse of the Soviet Union, and great effort has been expended simply in creating a viable, effective state. In this context a historically weak civil society has functioned more as a partner to, or even a creation of, the new state, rather than a dynamic force influencing government. Kazakhstan's government has officially promoted the idea of a vibrant civil society, but its preference is for one that seldom challenges state prerogatives.

Although civil society remains weak in Kazakhstan, in contrast to the rest of Central Asia, the Kazakh state has promoted civil society—albeit a docile, co-opted form of it—as a vital component of its national identity. The reason for this seeming anomaly, we argue, rests with Kazakhstan's aspirations to global prominence. Kazakhstan's government regularly declares its commitment to democratic norms, including political pluralism, religious tolerance, and respect for human rights and the rule of law, at least when speaking to Western audiences. In the context of Kazakhstan's multivector foreign policy, the goal is to retain and strengthen ties with the West without sacrificing relations with the country's influential authoritarian neighbors, China and Russia. Proclaiming a commitment to building a strong civil society, even if that society is carefully managed and controlled, preserves the Western dimension of Kazakhstan's foreign policy.

CIVIL SOCIETY AND THE STATE IN KAZAKHSTAN

In Kazakhstan, the growing role of the state in public life, acting as the major engine of development in a globalized world, logically reduces the space for civil society activity. For Kazakhstan, as well as for other countries of the former USSR, implementing radical social reforms is difficult because it is necessary simultaneously to pursue a major economic transformation while maintaining (or creating) a viable, strong state. The first order of business following independence was to ensure security of the population, to avoid chaos and instability, and to start the nation on the path to free-market economic development. Civil society had played virtually no role in political reform in Central Asia and clearly could not be

expected to follow the pattern of opposition to authority observed in Eastern Europe. Civil society, such as it was in the early 1990s, was subordinate to the state and was expected to participate in building the new economic and political order envisioned by state authorities.

Shortly after its birth as an independent state, Kazakhstan appeared to be on the road toward some form of democratic political system. As in any democratic transition, this process includes the formation of a law-based state, the development of competitive political parties, the transformation of the mass media into a relatively independent source of information, the formation of nongovernmental and religious organizations, the creation of institutions of self-governance, and the growth of a solid middle class with a stake in representative government. Kazakhstan has made some progress in realizing these components of democracy but lags behind in others and is best characterized as a "soft authoritarian" political system. However, the government consistently promotes the image of an emerging democracy to enhance domestic legitimacy and international standing.

Vocal support for civil society demonstrates the government's commitment to democracy and, if properly controlled, may facilitate official goals. From the perspective of the Kazakh state, the social function of civil society is to consolidate and integrate society, a particularly important function during the transitional period. Civil society may assist the state in determining priorities, coordinating interests, achieving compromise and consensus, and solving problems that arise. The state provides the organizational and administrative mechanisms through which citizens' actions are channelled and directed toward purposeful activity. From the state's perspective, civic activism has the potential for violence and may threaten the entrenched regime and so must be carefully managed. Since civil society is at present quite weak, cooperation with the government tends to be the norm, supplemented by the occasional protest.¹

The experience of many developed countries, and some developing states, shows that reliable guarantees of human rights and freedoms can be established only through the joint efforts of a lawful democratic state and developed civil society. While states may be instruments of repression, without a viable state there can be no democracy. Civil society involves the striving by citizens to achieve social or political goals through free associations, in which members observe the rule of law and respect human rights. Civil society may be considered an independent realm, occasionally standing against the state and yet inseparably linked with it through a great

number of interactions. Civil society stands between the individual and the state, the organs of power and society, and carries out the function of integration (that is, promoting the cohesion) of public and private interests. Civil society encourages the state to be useful to its citizens and to serve their interests. The more educated and mature the civil society, the more successfully it solves this complex and challenging task.

Kazakhstan may have a long historical tradition, but it has existed as an independent, modern state only since 1991. From the state perspective, then, civil society has a role to play in partnership with the state in developing the national idea—the national identity—of Kazakhstan. President Nursultan Nazarbayev, in his address to participants of the Civil Forum, noted, “We face a serious challenge today. Unlike many countries where democracy was formed on the basis of a developed civil society, we are simultaneously building both democracy and civil society and the state.”² The problem is that in Kazakhstan, as in many postcommunist societies, the society is weak and fragmented after many years of being repressed by a strong state. In contrast to postcommunist European countries, however, Central Asia’s authoritarian states have constrained rather than enabled the development of civic activism.

The formation of civil society may be conceptualized as a “civilizing process” whereby individuals become citizens, civil relations develop between members of society, and within society the germ of public spiritedness is born.³ The primary components of this civilizing process are the state, the individual, and society. A prerequisite of such development is the balanced, equal development and mutual equality of freedoms and obligations of all three of the elements that constitute civil society—the individual, the society, and the state. As in any modern state, however, individuals and social organizations are far from equal with the state. Moreover, certain groups in society—usually business organizations, the wealthy, and informal organizations with close ties to government officials—have much greater influence on state policies than their less well connected counterparts.

Western-style individualism, and Western models of civil society, are frequently criticized by state officials as alien to the Central Asian experience. Granted, merely copying and transferring to Kazakhstan social institutions and practices that have proven successful in other contexts is culturally insensitive and likely to be ineffective. Even the more democratic postcommunist countries choose not to adopt Western democratic

practices if they are culturally suspect. For example, Lithuania considered and rejected the concept of trial by jury, deeming it unsuitable for Lithuanian society. As a member of a 2008 UNDP delegation to Vilnius, one of the authors was informed by the chairman of the Lithuanian Supreme Court that finding a truly independent pool of jurors in such a tiny country would be very difficult: “We in Lithuania cannot find so many independent jurors. The population of Lithuania is only two million, so to find jurors who are not godfathers or other relatives to each other will be very difficult.”⁴

The wholesale application of Western institutions and practices in radically different social and cultural contexts is seldom a recipe for success. Central Asian leaders contend, and academic studies confirm, that exporting democracy, and particularly exporting specific forms of civil society, does not work.⁵ Quite often such institutions and practices perform poorly, yielding results contrary to what might be anticipated. Kyrgyzstan is an example of a country frequently lauded in the West for its activist civil society, yet from the perspective of Central Asians Kyrgyzstan’s politics are chaotic and unstable and do not contribute to the well-being of its people. Moreover, what appears to be grassroots political activism in Kyrgyzstan is in reality the overt manifestation of elite competition.⁶ This example fully relates to the attempts to build civil society in Kazakhstan—to build it based on the patterns of the Western developed countries may be misguided. Kazakhstan can undoubtedly learn much from Western theories and practices of civil society, but the official position is that the country should shape and adapt these imports to suit its distinctly Central Asian society.

In the Kazakh context, a healthy civil society may help in bridging differences among the multiethnic population of this diverse country. Only about 60 percent of the population is ethnic Kazakh, with an additional 25 percent Russian and the remainder consisting of Ukrainians, Uzbeks, Tatars, Uighurs, Germans, Poles, and other nationalities. In addition, there are nearly five hundred thousand *oralmany*, Kazakh ethnic immigrants, who have returned to Kazakhstan from neighboring countries after an absence of seventy years in some cases. These *oralmany* often have difficulty fully integrating into Kazakh society due to cultural, educational, and linguistic differences.⁷ As a new state, Kazakhstan is confronted with the difficult task of building a national identity that restores Kazakh pride in its heritage while accommodating the political, cultural, and spiritual needs of its diverse population.

Kazakhstan's government has sought to revive ethnic Kazakh traditions but has focused on developing a civic consciousness that emphasizes tolerance and respect for the country's ethnic and religious diversity. This inclusive approach stands in contrast to exclusivist programs advocated by postcommunist nationalists, including Yugoslavia's Slobodan Milosevic, Russia's Vladimir Zhirinovski, or the Kaczynski brothers in Poland. Since independence Kazakhstan's schools have sought to inculcate among all students the values of patriotism, responsibility, service, and obligation to society. Socialization of youth through education resembles Soviet practice, stressing unity, love of motherland, and the inevitability of a bright future. Collective interests predominate, while individualist values and critical facilities receive far less emphasis in the curriculum.⁸

The fundamental position of the state is that civil society development should not copy Western patterns wholesale but should utilize the best world experiences and practices, taking into account the character and specific features of Kazakhstan. One characteristic of Kazakhstan's politics is the virtual absence of political pluralism, which relates to a fear of competition degenerating into political instability, as it has in neighboring Kyrgyzstan. For example, the 2011 violence in Zhanaozen was portrayed by the government as instigated by émigré opposition forces aligned with a handful of domestic malcontents. Although official accounts repeatedly stressed the fair and transparent legal process applied to striking oil workers, Human Rights Watch reported that the government's actions grossly undermined workers' freedom of association and collective bargaining rights.⁹

Genuine pluralism is also absent from Kazakhstan's politics, as evidenced by the country's failure to conduct free and fair elections. Competition for seats in Kazakhstan's parliament (Majilis) is severely constrained; in the January 2012 elections two progovernment parties managed to surmount the 7 percent threshold to win seats alongside the propresidential Nur Otan (Shining Fatherland) Party. Although a marginal improvement over the 100 percent victory of Nur Otan in the 2007 elections, the dominance of the presidential party and its use of administrative resources, together with the charismatic appeal of President Nazarbayev, have created a situation where an Arab Spring or massive political protests similar to those in Moscow in late 2011 appear unlikely.¹⁰

In the Soviet era there was no possibility for the realization of civil initiatives. Social organizations such as clans and kinship networks did not

disappear, but many functioned in an underground or semilegal status unique to Central Asian cultures.¹¹ In the perestroika period certain informal social organizations formed; indeed, Kazakhstan witnessed one of the earliest examples of mass protests when Kazakhs took to the streets in 1986 to protest the appointment of Gennadi Kolbin, an ethnic Russian, as first secretary of the republic's Communist Party.¹² Notwithstanding this early activism, Kazakhstan's *neformaly* (informal groups) were far fewer in number and influence than were those in the Baltic republics, Ukraine, or Russia. The presence of informal communication mechanisms and attempts to coordinate joint actions not under the control of the authorities hinted at the possibility of a revival of civil society. These efforts likewise suggested the preservation of civil ideals and values, albeit at a modest level.

Further development of civil society in Kazakhstan is constrained by the widespread practice of patron-client relations. These hierarchical ties promote dependence and inequality, privileging the wealthy and politically well-connected. During the Soviet period placement in the Communist Party *nomenklatura* was the key to influence and power; today the elite derive their favorable positions from wealth accumulated in the business sector, from ties to the propresidential Nur Otan Party, or through familial connections. These elite networks do engage in competition, but it is a form of competition generally conducted in secret and one that does not provide avenues for average citizens to participate in the usual give-and-take of politics. One can argue, therefore, that this type of political interaction is inimical to the growth of a healthy civil society.

Genuine, democratic political discussions require the existence of modern communications methods that facilitate the free circulation of information on public issues and administrative processes. Productive interaction of citizens representing various and competing group interests cannot take place without access to good information; logically, a healthy civil society needs a mass media not overly constrained by the state. Kazakhstan's mass media are somewhat freer than those in Uzbekistan or Turkmenistan, but information presented by television and radio is routinely shaped to the state's advantage. There are some opposition newspapers, but many have faced harassment and tax and administrative penalties from the authorities for critical reporting.¹³ The Internet is an alternative source of information that can be utilized by civil society groups, but the government in 2009 placed blogs, social networking, and chat rooms under media legislation, legalizing state censorship of the web.

The official perspective of Kazakhstan's government is that relations between the state and civil society need not and should not be solely confrontational, as was the case in Eastern Europe prior to the collapse of communism. Cooperative relations between state and society are deemed necessary in order to preserve stability and promote national development. As in many parts of Asia, the concept of a "loyal opposition" on the British parliamentary model is deemed too risky in a transitional setting, opening the country to forces of fragmentation. This concern is especially acute during a period of globalization, when countries find their sovereignty infringed upon by forces beyond their control. To assess the relationship between civil society and the government from the perspective of nongovernmental organizations, we conducted a series of workshops designed to explore the contributions of civil society to public policy problems facing Kazakhstan and the various forms of NGO-state interaction.

GLOBALIZATION AND CIVIL SOCIETY ASSISTANCE PROJECTS

In recent years there have been a large number of studies devoted to global civil society, as international nongovernmental organizations have promoted causes ranging from human rights to environmental protection to health issues.¹⁴ International organizations such as Greenpeace, Women for Women, the Soros Foundation, and Human Rights Watch provide financing and political support for their domestic counterparts. Such assistance may strengthen civil society, but it also may generate a backlash among authoritarian rulers who fear erosion of their ability to exercise sovereign authority within their borders. Countries that have constrained the activities of international NGOs include Uzbekistan, Turkmenistan, Russia, and Egypt. Kazakhstan and Kyrgyzstan have generally welcomed international NGOs, but even here there is resistance to the wholesale imposition of foreign values and practices. In addition, a number of academic studies have questioned the impact of foreign NGOs in developing civil society.¹⁵

The authors, through funding provided by the U.S. Department of State's Bureau of Democracy, Human Rights, and Labor, conducted a series of civil society-building workshops in Kazakhstan over a period of three years, from 2006 through 2009. The workshops were a joint effort of the University of Louisville's Center for Asian Democracy and Civic Peace, an Astana-based nongovernmental organization. The following insights about

Kazakhstan's civil society and its interaction with the state were derived from the project.

First, we found that women play a large role in leadership of NGOs in Kazakhstan, confirming the hypothesis that civil society development must incorporate a major role for women. Kazakhstan stands out as a moderate Muslim country in which women are educated at levels equal to or even greater than men. Legally, women are treated as equals with men, although they tend to be underrepresented in the higher reaches of politics, business, and education. For example, in 2008 women made up 10 percent of the national Majilis and 17 percent of the regional *maslikhats*, and four of sixteen national-level ministers were women. The government enacted a plan (Strategy of Gender Equality 2006–2016) that is phasing in a quota system for women in the top levels of government. According to this plan, by 2016 women are supposed to constitute no less than 30 percent of all members of the national and regional legislatures and 30 percent of all personnel in the higher levels of administration.

Second, participants in the workshops stressed the importance of changing the psychology of average citizens and officials, in order to shift the political culture away from the *kollektiv* mentality of the communist era and toward a more personal sense of responsibility for governance. Few young people in Kazakhstan have internalized a concept of active citizenship. Given the opportunities in Kazakhstan for making money, many are more concerned with establishing a career or building a business than they are with participating in politics. However, in recent years mutual assistance organizations—many of them religious in orientation—have become more widespread in Central Asia, especially where local governments are unable or unwilling to provide basic services.¹⁶

Those young people who do participate in politics are often the less sophisticated, more traditional rural youth who are mobilized by the powerful propresidential party Nur Otan. Participants frequently commented on the traditional deference to elders and to authority in general, which tends to mute criticism of political figures. Many participants suggested that education, particularly through the university system, was key to enhancing democratic activism. This could be accomplished through a series of short courses or workshops in universities on various aspects of civic culture. In addition, some participants suggested that developing the links between universities and NGOs would prove valuable in developing civil society.

In discussions with officials and NGO leaders knowledgeable on human rights it became clear that neither officials nor average citizens have adequate information on their constitutional rights regarding political participation, which makes enforcement problematic. There still exists a paternalistic strain in the political culture, reinforced by the president's efforts to concentrate power in his office. In contrast to Russia, where there is growing anti-Americanism and a backlash against foreign support for NGOs, most Kazakh officials tolerate or even welcome Western links, as long as such assistance is not directly political (and some officials have interpreted this provision of the law broadly in order to constrain the operations of foreign organizations).

The workshops also illustrated the difficulty of developing the concept of a "loyal opposition" in the post-Soviet Central Asian context. Government officials often view any form of criticism of the government, or any organized opposition, whether in the form of political parties, interest groups, or mass protest movements, as disloyal challenges to state legitimacy. Political apathy is widespread, and government harassment of opposition figures generates little response among the public.

Several factors have combined to frustrate the emergence of the concept of a loyal opposition and the normal give-and-take of a fully democratic society. First is the obvious influence of President Nursultan Nazarbayev, who consistently promotes unity and stability and tends to reflect a Soviet-style view critical of formal political opposition. Second is the overwhelming dominance in the national Majilis and the regional *maslikhats* of a single pro-presidential party, Nur Otan. As in Russia, the progovernment party centralizes power in the hands of the executive and limits the potential for independent political action. The weakness of Kazakhstan's parliamentary institutions, and the flawed nature of the electoral process, makes an independent civil society even more important in democratic construction.

Third, the extraordinary economic performance of recent years and the consequent social and political stability has dampened demands for democratic participation, in a form of authoritarian social contract. Most Kazakhs want a stable environment in which to improve their material well-being and credit Nazarbayev with their country's relatively favorable position in Central Asia. Virtually all Kazakhs, even the most democratically minded, viewed the "color revolutions" in Kyrgyzstan, Ukraine, and Georgia as destabilizing these countries and doing more harm than good.

Fourth, Kazakhstan's mass media is dominated by a few major political and business interests and does not report objectively on political issues of interest to nongovernmental organizations. As in Russia, stories may be commissioned by the wealthy and powerful, political battles may play out in the media, and the media tend to promote the business or personal interests of the owners or government officials. Kazakhstan does not have a freedom of information law, and investigative journalists may be arrested and imprisoned if they report critically on government activities. The presidential family controls many of the country's media outlets, ensuring favorable press for the government. Reducing state control of the mass media and ensuring freedom of the press will be a critical step in strengthening NGOs and legislatures.

However, NGOs can in part substitute for a fully independent mass media. For example, during the 2005 presidential elections several NGOs acted as independent election monitors, calculating that the true vote for Nazarbayev was closer to 60–65 percent than the officially reported 91 percent. NGOs had estimated that the true size of the opposition vote would be about 40 percent, were free and fair elections held. In 2011 NGOs criticized the government for enacting a law placing new restrictions on religious associations. However, genuinely independent NGOs have limited financial support and frequently experience harassment or restrictions from the government.

Despite the authoritarian elements of the superpresidential political system, Kazakh political culture is considerably more complex than many Western observers have acknowledged. There are historical elements derived from the nomadic tradition that, when combined with the educational achievements of the Soviet era and the rapid economic growth of the postcommunist period, give Kazakhstan an advantage over its Central Asian neighbors. There is an increasingly affluent, well-educated middle class, concentrated in the larger cities. Kazakhstan also has a diverse society and a culture of religious and ethnic tolerance that bodes well for democratic development. This tolerance has been nurtured and promoted by the government as part of its soft-power campaign to strengthen ties with the West and stands in marked contrast to ethnic tensions in other post-Soviet Central Asian states.¹⁷ But civil society remains constrained by the authoritarian nature of the system.

Globalization has opened up what was a closed political system, bringing both positive and negative influences to Kazakh society. Together with

new economic, religious, and organizational freedoms have come problems of organized crime, poverty, narcotics, and the threat of terrorism. New states face a challenge of providing stability and security for the population and providing other public goods. From the perspective of the Kazakh state, nongovernmental organizations can improve the efficiency of state institutions, but only if they are closely monitored by authorities.

EVOLVING STATE-SOCIETY RELATIONS

Immediately following the collapse of the Soviet system the newly established constitutional and legal system of Kazakhstan was focused on limiting the influence of political parties and public organizations on state affairs. The new state sought to disestablish the political monopoly of the Communist Party, limit the role of public organizations in the bodies of the state power, and constrain the role of labor unions in the economic sphere. As market reforms were implemented new policy issues and new public organizations emerged. During the first decade of independence relations between state institutions and nongovernmental organizations were often confrontational. However, even under those conditions some nongovernmental organizations managed to establish constructive cooperation with republican and regional authorities.

Legal limitations were an obstacle to a more effective cooperation. Political developments such as the constitutional reform of 2007 opened a new stage in the process of establishing a legal basis for the interaction of the state and NGOs.¹⁸ Legally, NGOs, according to Kazakh law, are considered "noncommercial organizations" and must be registered with the authorities. However, in recent years the government has lowered the registration fee, and registered NGOs are exempt from paying taxes. In addition, the Law on Normative Legal Acts (1998) requires legislators to accept input from NGOs in the formulation of legislation.¹⁹ In reality, such input is usually a formality. From the state perspective, the purpose is to co-opt NGOs as advisory bodies in the policy formulation process and to use them to supplement the policy implementation side when the state proves unwilling or unable.

In contrast to Anglo-American pluralist democracies, where civil society is understood as a sector almost completely independent of the state, self-sufficient and autonomous, the idea in Kazakhstan is quite different. Since civil society is extremely weak, the state assumes the role of sup-

porter and nurturer, if not creator. Few Western governments would deem it necessary to adopt a lengthy plan for the advancement of civil society, as in Kazakhstan's *Conception of the Development of Civil Society in the Republic of Kazakhstan 2006-2011*, enacted by a decree of President Nazarbayev. The conception, which was designed to accelerate the development of civil society, called for the government to work out a plan for the implementation of various measures designed to strengthen Kazakhstan's civil society.²⁰ This idea of the state directing, supporting, and controlling civil society is alien to Western notions of how state and society interact.

The process of forming civil society in Kazakhstan has only just started. In any political system, civil society is in constant evolution. Weak civil societies may become stronger and more assertive; strong, independent civil societies may erode over time.²¹ Conditions in Kazakhstan are more favorable for the development of civil society than under the Soviet regime—the process of moving from a dialogue between civil society and the government to building forms of partnership between the two is taking place, according to the regime. What is less likely under Kazakhstan's strong state model, with a relatively quiescent population, is a confrontational relationship between state and society.

Many of Kazakhstan's social problems are rooted in the backwardness of civil society and in the inability of state institutions to cooperate with social organizations. In Kazakh society there is still a deeply rooted belief that all depends on state power. The Soviet legacy and indigenous cultural tendencies have left the majority of Kazakhstan's citizens with low levels of political efficacy, though with relatively high levels of political awareness. Civic activism independent of government direction or support remains an alien concept, and state officials seem to prefer this state of affairs. Hence NGOs acquire special importance as channels for addressing public problems and for expressing public opinion in ways that are not threatening to the state. NGOs have the ability to reflect the specific interests of small social groups that may otherwise be neglected by the state. An important aspect of NGOs' activity is to address the urgent needs of citizens in acquiring social services that cannot be fully provided for by state structures.

At present nongovernmental organizations take an active part in solving a range of social problems. Dialogue and partnership between NGOs and power structures are established not only at the level of central ministries but also at the regional and local levels—with local representative (*maslikhat*) and executive (*akim*) authorities. However, there is a strong

urban bias to Kazakhstan's civil society—the majority of NGOs operate in Almaty, Astana, and other big cities. In Almaty, for example, the Council of NGOs operates under the city administration, participating in discussions and helping solve significant social problems. In rural areas the authorities generally operate without any input from civil society organizations.

An important dimension of the maturity of Kazakhstan's NGOs is the formation and activity of umbrella associations that bring together broad categories of social organizations—societies of invalids, religious associations, women's organizations, youth movements, public associations involved in the fight against corruption, and others. Examples of the major umbrella organizations include the Civil Alliance of Kazakhstan (under Executive Director Alina Khamatdinova), and the Almaty Confederation of Nongovernmental Organizations Eriptes (led by Leila Akhmetova). The major function of these organizations is to unify the country's diverse NGOs, providing a more effective forum for them to engage with government. The strategy is largely one of partnership and cooperation with the state, rather than confrontation. On occasion, these NGOs may promote greater democratic accountability, as in Civil Alliance's monitoring of the January 2012 elections.²²

Many NGOs carry out scientific and practical studies and conduct research on the country's political and social problems. NGO educational activities seek to improve the electoral culture among youth, fight corruption, enhance access to information, promote environmental protection, encourage the development of small and medium enterprises in the rural areas, and provide support to *oralmany* (ethnic Kazakh emigrants). The results of NGO research and their policy recommendations can help state agencies to understand the complexities of social problems; they generate alternative visions and look for new approaches to intractable problems. NGOs are often more flexible, creative, and mobile than the state bureaucracy in addressing policy issues. An additional benefit of civic participation is in the socialization of citizens; the activities of NGOs open up opportunities for personal self-expression and for realizing the creative potential of scientists and lay people.

From the regime's perspective, major problems for civil society at this stage of development include reforming legal provisions for NGO activities and addressing the issue of financing by the state and private sector and through international grants. A presidential decree amending legislation on the "state social order" that went into effect in January 2012 mandated

that partnership councils be established to allow for NGO participation in and implementation of legislation. NGOs are expected to assist the state in dealing with social problems that are very difficult or unduly expensive. In return, the state will render financial and political support for NGO activities, aiding the development of NGOs for the purpose of minimizing state participation in certain social spheres.²³

CIVIL SOCIETY AND KAZAKHSTAN'S INTERNATIONAL POSITION

Kazakhstan's claims to regional leadership in central Asia and its efforts to be accepted by the Western community of states open the country to outside influences in support of civil society. One example of this external dynamic is Kazakhstan's chairmanship of the Organization for Security and Cooperation in Europe (OSCE) in 2010 and the subsequent OSCE summit in Astana.

As with all OSCE member states, Kazakhstan is bound by the various provisions of OSCE agreements, including the "basket three" commitments to human rights. In lobbying to chair the organization and host the summit, Kazakhstan opened its record to critical publicity from more democratic states.²⁴ In addition, the summit gave representatives of civil society an opportunity to express their positions. One of the authors was a delegate to the OSCE summit and participated in the review conference prior to the summit, where representatives of NGOs expressed their opinions and gave their proposals and recommendations. The review conference gave NGOs the chance to meet with representatives of the media and other governments and to establish contacts with NGOs from other parts of Central Asia and Europe.

Then-Secretary of State Hillary Clinton, who headed the U.S. delegation, met representatives of civil society organizations at Eurasian National University just prior to the summit. In her remarks to the group, Secretary Clinton observed,

My very first stop was to come and meet with you [representatives of civil society], because strong democracies, thriving economies, and stable societies cannot be built by governments alone. There must be a partnership between governments and vibrant institutions and free societies that work together to solve the problems that we face in the 21st century. Thirty-five years ago, when

the leaders of North America, Europe and the Soviet Union came together to sign the Helsinki Final Act, they committed themselves to a core set of human values, including the fundamental freedoms of expression, association, peaceful assembly, thought, and religion. These values are as fresh as they were 35 years ago, and they are absolutely critical to the building of sustainable societies and nations that are committed to creating a better set of opportunities for all of their citizens.²⁵

Secretary Clinton went on to commend various human rights, democracy, and women's groups for their efforts to promote peaceful change and praised Kazakhstan's government for being more responsive to civil society than any other regime in Central Asia.

Former Kazakh foreign minister and chairman of the OSCE Kanat Saudabayev acknowledged at a summit press conference and in his statement to the summit opening that his country was seeking to work with civil society, stressing how important it was to normalize relations between the Islamic world and the West, to increase tolerance, and to achieve an effective dialogue between civilizations. "In the human dimension Kazakhstan has done all it can to foster constructive co-operation with civil society and has ensured the broadest possible involvement of non-governmental organizations in the Organization's activities and the many events in the run-up to and within the framework of the Summit," he stated. By organizing a conference for civil society groups just prior to the summit, Saudabayev argued, his country had more than fulfilled its promises in the human rights sphere.²⁶

Assertions notwithstanding, Western democracies view Kazakhstan's record on democratic governance and civil society as marginal at best. From the perspective of Western democratic nations, Kazakhstan's government, while far more tolerant of civil society than authorities in Uzbekistan or Turkmenistan, routinely uses a variety of administrative measures to limit freedom of speech and the media. Journalists often engage in self-censorship, or they may find themselves subject to criminal libel suits. Freedom of association is guaranteed by the constitution, but Kazakh officials often harass groups or individuals who push the boundaries of what is politically acceptable.²⁷ Kazakh officials counter that the government accepts and even encourages civic activism, though it must be channelled and closely monitored to ensure social stability. Given the country's ethnic

and religious diversity and the potential for fragmentation, achieving consensus is more critical for the ruling elite than preserving pluralism.

CIVIL SOCIETY AND DEMOCRATIC DEVELOPMENT

Civil society in a modern polity is inextricably linked to the rule of law, since law delineates the proper spheres of autonomy and responsibility for the individual, social groups, economic organizations, and the state. Civil society, in its relationship to the state, can resort to various tactics and strategies, from strict confrontation to pragmatic partnership. However, in all cases the goal is to make the state as responsive to its citizens as possible, attentive to their interests. The more developed civil society becomes the more successful it is at keeping the state accountable to the citizenry. Genuine civil society embodies the concept of popular sovereignty rather than state sovereignty.

Hegel's key contribution to the concept of civil society is that it is a sphere of activity separate from the state, and from the individual, that becomes manifest in the modern world. But Hegel held civil society to include the economy, as did Marx and Engels. It was only with Gramsci that civil society would come to be differentiated from the market as well as the individual and the state. Only a strong civil society, according to Gramsci, could challenge the hegemony of the bourgeoisie. As Mary Caldor has argued, common to the evolving definitions of civil society throughout the nineteenth and early twentieth centuries was the notion of a rule of law protecting the individual within a defined territorial state. It was only with the Latin American and East European intellectual movements of the late twentieth century that the idea of civil society *against* the state emerged.²⁸

Postcommunist transitional countries, after years of repression under Marxist-Leninist political systems, in general tended to eschew political ideologies. These governments either adopted purely pragmatic approaches to policy or mobilized nationalist sentiments to build social consensus. Civil society played virtually no role in the transition from communism, with the possible exceptions of Poland, Hungary, and Czechoslovakia. Regime change may be achieved through the efforts of civil society, as in the case of many of the Arab Spring countries, but civil society by itself cannot build a democratic order. In turn, democratic institutions often remain hollow shells without civil society's contribution toward deepening democracy.

One measure of political maturity is the level of self-government—the

degree to which political institutions, occasionally at the national but more often at the local or regional level, make the most efficient use of people's talents and abilities. The modern democratic state does not simply dictate but rather delegates significant powers to those levels closest to the population. This may be done formally through a federal system, as in Canada, or more informally through a decentralized unitary system, as in Britain. Enhancing local self-government improves governance and increases trust among the population. To this end Kazakhstan, while rejecting a federal form of government as potentially destabilizing, has publicly touted its efforts to improve local self-government and encourage cooperation between local authorities and civil society organizations. In a state as geographically large as Kazakhstan, an overly centralized government apparatus has difficulty tailoring policies to specific local needs.

But local government in Kazakhstan is not very responsive to public opinion, nor is the civil service more generally, as Charman and Assangazyev argue in chapter 6. Local and regional *akims* are appointed by the center, and neither they nor the *maslikhats* operate transparently or have any tradition that would lead them to cooperate with civil society organizations. At the local level participation is restricted to the ritual of voting, particularly in the rural areas. The central government's efforts at improving governance include pressuring local officials to engage in cooperative relations with civil society organizations to improve service delivery in such areas as health, education, housing, environmental protection, and cultural activities.²⁹ However, as in most postcommunist systems, the bureaucracies are notoriously unresponsive to the public, and local officials seldom advocate for their constituents.

A more responsive government requires an independent mass media and a free flow of information to generate trust in government, increase transparency, and expose corruption. Yet in Kazakhstan, as in other Central Asian countries, the flow of information still resembles that of the Soviet period—most originates at the governmental level and flows downward, rather than the reverse. Information is controlled and managed vertically, with the ruling elite using television, radio, and most newspapers to inform the population of government decisions and social activities. The idea of an independent, critical journalism is only now beginning to be understood, as the country opens up to the forces of globalization.

The shift from a managed mass media to one that is truly open, critical, and able to conduct a democratic dialogue between the political elites

and the mass public will occur slowly and is not possible without the existence of fundamental individual rights and freedoms. The right to freely exchange information, together with the right of association, is critical to a dynamic civil society. As Jürgen Habermas has argued, social consensus can be achieved only through reasoned argumentation and mutual respect, which requires the freedom of individuals and groups to dispute and debate public issues.³⁰ Democracy provides the ideal context for such debates. However, independent mass media in open systems do not guarantee good governance or a better society. Competition for audiences and profits leads the media in democracies to cater to popular demand for entertainment, sensationalism, and superficial treatment of important issues.

In keeping with the professed goal of developing a modern economy and society, the government has invested in web technology. According to Kazakhstan's E-Government portal there were 2,466 mass-media outlets in 2006; of these about 10 percent were television and radio, with the remainder print media.³¹ Roughly two-thirds of the media outlets are Russian-language, and about one-third are available in the Kazakh language. While the government claims that Kazakhstan's mass media operate freely, the major broadcast media are owned by either the state or members of the president's family and are heavily censored. Reporters without Borders ranked Kazakhstan 160 out of 179 countries in its Press Freedom Index for 2013, just ahead of Uzbekistan, but behind Tajikistan and Belarus.³² Freedom House evaluated Kazakhstan's press in 2012 as "not free," scoring it slightly worse than the press in Tajikistan and Russia (but considerably better than in Turkmenistan).³³ The absence of a genuinely free press constrains the development of civil society and of democracy.

A mature democracy requires strong political institutions, including competitive political parties, in addition to societal pluralism. Indeed, strong political institutions are the key to channeling civic activism into productive channels. As Sheri Berman has observed, "If a country's political institutions are capable of channeling and redressing grievances, then associationism will probably buttress political stability and democracy by placing its resources and beneficial effects in the service of the status quo," but if "political institutions are weak and/or the existing political regime is perceived to be ineffectual and illegitimate, then civil society activity may become an alternative to politics for dissatisfied citizens, increasingly absorbing their energies and satisfying their basic needs."³⁴

A basic weakness of post-Soviet political systems has been their inability

ity to develop cohesive, organized political parties that command the allegiance of a substantial segment of the population. The patterns consist of hegemonic propresidential parties (Nur Otan in Kazakhstan or United Russia in the Russian Federation), personalistic parties, or oppositional parties that are unable to advocate clear alternative platforms. Nur Otan's monopoly of seats in the national Majilis following the 2007 elections was recognized by the government as an institutional weakness; hence the directive for the 2012 parliamentary elections that the second-place party would receive a share of the seats even if it could not surmount the 7 percent threshold. Parties are vital to an effective democratic process since they are the chief institutions that contest offices and aggregate specific interests voiced by individuals and civil society organizations, but real party competition cannot be created via government decrees. Monopolistic or hegemonic parties have little incentive to pay attention to the demands of civil society, leading to apathy and alienation, a situation that was present both in Eastern Europe in the 1980s and in the authoritarian Arab states in 2011.

Kazakhstan's government needs to accommodate the increasingly diverse interests of a growing middle class, the result of the country's dynamic economic growth since independence. President Nazarbayev remarked on his country's progress in a 2011 speech: in 1994, he noted, per capita GDP was just over U.S.\$700; by January 2011 it had increased more than twelve times, exceeding U.S.\$9,000. This record has not been approached by comparably dynamic economies over the same period—South Korea's GDP per capita increased threefold in a comparable twenty-year period following independence, Malaysia's economy doubled, Singapore's increased fourfold, Hungary's increased a respectable 500 percent, and Poland's increased by four times.³⁵ An affluent, educated middle class acquires the "action resources" that allow people to govern their lives. People who become empowered through economic development gradually develop an empowering culture of democratic values and demand more democratic government.³⁶ This process may not be linear, but the general insights of modernization theory have held up remarkably well in various contexts, and we might expect similar developments in Central Asia.

In the United States, religious associations constitute a large proportion of the most active civil society organizations. The post-Soviet states, including Kazakhstan, have seen a renaissance of religious traditions, which are in turn related to a growing nationalism and rediscovery of his-

tory. Kazakhstan's government consistently advocates religious tolerance and interconfessional dialogue, hosting meetings of the Congress of World Religions to display its commitment to religious diversity. The constitution guarantees freedom of religion and mandates a secular state. The U.S. State Department's 2010 report on religious freedom found no instances of discrimination against traditional religious groups (Muslim, Russian Orthodox, Jewish, Protestant, and Catholic) as long as they were legally registered, though some fringe groups, such as Jehovah's Witnesses and Hare Krishnas, and excessively zealous missionaries may face harassment from the authorities.³⁷ One of the government's major concerns is religious extremism and its potential threat to national security. The 2005 Extremism Law and National Security Amendments and a 2011 Law on Religious Activity and Religious Associations sought to eradicate unregistered religious activity in an effort to combat religious extremism. These laws give local officials considerable discretion in deciding which religious groups are acceptable and which can be disallowed, leading to intrusive police measures against nontraditional religions and suspected extremists.³⁸

Democracy necessarily involves a tension between defense of an individual's rights and liberties (the liberal perspective) and the good of the larger society (the communitarian approach). Political culture in the United States reflects the liberal perspective of Locke; Kazakhstan's political belief system, as reflected in the government's position on civil society and the approach used by most civil society groups in working with the state, remains closer to the communitarian ideals of Rousseau. Both outlooks are majoritarian and essentially democratic, in theory if not in practice, but the American perspective frequently leads to a neglect or frustration of the common good, while in Kazakhstan preserving social order often trumps individual liberties.

From the perspective of the Kazakh state, the purpose of politics is to guide the people toward greater political maturity—it is a paternalistic state. Civil society's role is to be a pliant supporter of government policies, rather than a critic or watchdog. Effective governance means that the wise leader does not simply react to pressures from civil society but shapes and educates public opinion. In Rousseau's terms, the sovereign reflects the general will and on occasion may need to override particularistic interests for the broader good. Sovereign authority plays a critical role in ensuring the liberty and equality of all citizens in the polity through the social con-

tract.³⁹ Kazakhstani officials claim a strong state is needed to establish the conditions for economic prosperity, protect the private sphere, and deliver effective and responsive governance. Civil society can play a vital role in this vision by articulating specific interests, providing services in areas where the state is unable or unwilling to assume responsibility, and monitoring the operations of national and local governments.

Civil society in Kazakhstan is still in its infancy (or at best, adolescence), and NGOs tend to embrace the role assigned them by the government. Still, high levels of education and political knowledge, a growing middle class, the relative openness of the country, rapid economic development, widespread access to the Internet, extensive international educational exchange programs, and the government's determination to build a reputation for regional leadership all provide a favorable environment for the continued development of civil society. While the state severely constrains the activities of civil society organizations, regime goals of being accepted by the Western democratic community create exogenous pressures that over time may strengthen civil society. The civil society organization leaders who participated in our workshops clearly demonstrated both political acumen in dealing with the state and commitment to their causes, giving us reason for optimism.

Achieving a balance between a dynamic (albeit socially responsible) market economy, a strong and yet law-based state, and an energetic civil society is not easy, particularly in the post-totalitarian moment. Kazakhstan has succeeded admirably in the economic arena, and its political system, while not yet democratic, is less repressive and more stable than those of many of its Central Asian neighbors. Civil society is the least developed of the three spheres. The major obstacles to a more effective civil society, as we have seen, are government controls over media, a low level of political activism (especially in the rural areas), and the tendency of state officials to ignore or discount the potential contributions of civic activists.

The prospects for civil society development in Kazakhstan, however, are better than those in other Central Asian countries, with the possible exception of Kyrgyzstan. Much, of course, depends on the next generation of leadership. If the post-Nazarbayev government can maintain the country's solid economic performance and social stability while relaxing political controls and strengthening representative institutions, Kazakhstan's civil society could well flourish.

NOTES

1. See Charles E. Ziegler, "Civil Society, Political Stability, and State Power in Central Asia: Cooperation and Contestation," *Democratization* 17, no. 5 (October 2010): 795–825. One major protest occurred in the western town of Zhanaozen during celebrations in December 2011 marking the twentieth anniversary of Kazakhstan's independence. Striking oil workers from the OzenMunayGaz firm used the occasion to express their grievances against the company and local officials by rioting in the main square. Reportedly, sixteen demonstrators were killed by riot police. Nazarbayev blamed the incident on organized criminal elements influenced from outside the country; the president fired the leaders of OzenMunayGaz, the governor (*akim*) of Mangistau oblast, and his son-in-law Timur Kulibayev, head of the Samruk-Kazyna National Welfare Fund.

2. "Nazarbayev postavil zadachi Kazakhstanskim NPO: Itogi i obrashenie Grazhdanskogo foruma," *Kazakhstanskaya pravda*, no. 295 (October 16, 2003), <http://www.centrasia.ru/newsA.php?st=1066278360>.

3. On the role of the state in a civilizing process, see Norbert Elias, *State Formation and Civilization: The Civilizing Process*, vol. 2 (London: Basil Blackwell, 1984).

4. Personal communication to Ruslan Kazkenov, Vilnius, Lithuania, July 2008.

5. See Zoltan Barany and Robert G. Moser, eds., *Is Democracy Exportable?* (Cambridge: Cambridge University Press, 2009), especially the chapter by Adam B. Seligman, "Democracy, Civil Society, and the Problem of Tolerance."

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

7. UNDP-Kazakhstan, *Status of Oralman in Kazakhstan* (Almaty, 2006), http://www.undp.kz/library_of_publications/files/6838-29587.pdf.

8. Jazira Asanova, "Teaching the Canon? Nation-Building and Post-Soviet Kazakhstan's Literature Textbooks," *Compare: A Journal of Comparative and International Education* 37, no. 3 (2007): 325–43.

9. Human Rights Watch, *Striking Oil, Striking Workers: Violations of Labor Rights in Kazakhstan's Oil Sector* (2012), http://www.hrw.org/sites/default/files/reports/kazakhstan0912ForUpload_0.pdf.

10. Ak Zhol and the Communist Party each managed to secure just over 7 percent of the vote in the 2012 elections, while Nur Otan received 81 percent. Joanna Lillis, "Kazakhstan: Genuine Pluralism Remains Elusive as Observers Slam Election," EurasiaNet, January 16, 2012, <http://www.eurasianet.org/node/64845>. See also Yermukhamet Yertsybayev, presidential advisor for political affairs, interview, December 2011, Interfax-Kazakhstan, http://www.interfax.kz/?lang=eng&int_id=13&category=exclusive&news_id=61.

11. Edward Schatz, *Modern Clan Politics: The Power of "Blood" in Kazakhstan and Beyond* (Seattle: University of Washington Press, 2004).

12. Human Rights Watch, *Conflict in the Soviet Union: The Untold Story of the Clashes in Kazakhstan* (Washington, D.C., October 1990).

13. Freedom House rated Kazakhstan's press as "not free" in *Freedom of the Press 2012*, <http://www.freedomhouse.org/report/freedom-press/2012/kazakhstan>.

14. Margaret E. Keck and Katheryn Sikkink, *Activists beyond Borders: Advocacy Networks in International Politics* (Ithaca, NY: Cornell University Press, 1998).

15. Pauline Jones Luong and Erika Weinthal, "The NGO Paradox: Democratic Goals and Non-democratic Outcomes in Kazakhstan," *Europe-Asia Studies* 51, no. 7 (1999): 1267–84.

16. Eric McGlinchey, *Chaos, Violence, Dynasty: Politics and Islam in Central Asia* (Pittsburgh: University of Pittsburgh Press, 2011); Alisher Khamidov, "Central Asia: Citizens Learning to Take the Initiative," EurasiaNet, May 23, 2012, <http://www.eurasianet.org/node/65449>.

17. Kazakhstan's embassy in Washington, D.C., for example, regularly releases stories about the country's commitment to the rule of law, political development, religious tolerance, and human rights.

18. S. F. Udartsev, "Konstitutsionnaya reforma 2007 g. v Kazakhstane v kontekste evolutsii formy gosudarstva," Democratic Party Adilet, <http://dp-adilet.kz/ru/719.html>, accessed January 24, 2012.

19. Asian Development Bank, "Overview of NGOs/Civil Society: Kazakhstan," December 2007, <http://www.adb.org/Documents/Reports/Civil-Society-Briefs/KAZ/CSB-KAZ.pdf>.

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23. "O vnesenii izmenii i dopolnenii v nekotorye zakonodatel'nye akty Respubliki Kazakhstana po voprosam gosudarstvennogo sotsial'nogo zakaza," http://www.kazpravda.kz/_pdf/jan12/0501121aw.pdf, accessed January 9, 2012.

24. See Charles E. Ziegler, "Security, Sovereignty, and Democracy: The EU, the OSCE, and Central Asia," in *Competing for Influence: The EU and Russia in Post-Soviet Eurasia*, ed. Roger E. Kanet and Maria Raquel Freire (Dordrecht: Republic of Letters Publishing, 2012).

25. Hillary Rodham Clinton, "Remarks: Town Hall on Empowering Civil Society for Central Asia's Future," November 30, 2010, U.S. Department of State, <http://www.state.gov/secretary/rm/2010/11/152169.htm>.

26. Statement by Mr. Kanat Saudabayev, Astana, December 1, 2010, <http://www.osce.org/cio/73861>; Statement by Mr. Kanat Saudabayev, Vienna, November 15, 2010, <http://www.kazakhstanlive.com/Documents/Speech%20Saudabayev%201511.pdf>.

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