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“Corruption problems of transition countries: Asian Model and Nepotism”

Introduction

The identification of what we today call Central Asia is relatively new. In the pre-Communist Russian Empire, “Central Asia” referred to the Asia that was part of the Empire. In the Soviet period, the term “Middle Asia” was used in Russian to refer to four of the five Asian Republics (Kyrgyzstan, Uzbekistan, Tajikistan and Turkmenistan) but not Kazakhstan, reflecting Moscow’s strategic and geopolitical perspectives, including Soviet Russian claims of various sorts on northern Kazakhstan and the Caspian Sea littoral. By contrast, the same term “Middle Asia” in Turkic languages has historically referred to lands populated by the broad swath of Turkic-speaking people eastward up to Mongolia, including China’s Xinjiang province, which the native inhabitants to this day call “Eastern Turkestan”. Indeed, from the standpoint of demography and physical geography, Central Asia includes northern Afghanistan as well as western China. Following the Tashkent summit in January 1992, the term “Central Asia” was generally adopted to refer five countries with almost unpronounceable names: Kazakhstan, Kyrgyzstan, Uzbekistan, Tajikistan and Turkmenistan. These states were formed in connection with local traditions, the inheritance from the USSR and models proposed by West. The socio-political constitution synthesis is called the ‘Asiatic road to democracy’. Officially, all states in the region are presidential republics as all the Central Asian countries now have “presidents” (leaders who came from the former Soviet apparatus) and ruling parties (transformed Communist parties) with all necessary democratic institutions.

Traditional, ethnic, clan (regional) and family ties, have direct influence onto political, economic and social situation in the region. Oftentimes, it leads to the personalisation of the state, the relativisation of law, corruption and nepotism. International terminology does not always conform with the reality.

Democracy and human rights situation.

“Today, a decade after national independence, it is clear that the governments of Central Asia have indeed succeeded in adopting many of the structures of western style democracy. All of the countries established legislatures, yet none has succeeded in establishing true, deliberative legislature with powers of the purse. All of the countries adopted judicial systems for adjudication and dispute resolution, yet none has succeeded in creating the conditions for true judicial independence. All of them have adopted constitutional and legal statutes that purport to safeguard the rights of individuals, minorities and to protect due process of law, yet none has actually succeeded in providing functioning protections for fundamental civil and human rights, including such basic freedoms as the right to due process, freedom of speech, freedom of assembly and religious belief.”

A considerable number of political parties are registered, although the range of their activity and social support is very limited; in principle they do not reach beyond the limits of the larger towns. The apparatus of state authority has a non-party character and government policy is not based on the specific programme of any political party. In Turkmenistan, there are no violations of civil liberties of the government’s opponent because the government has no opponents. The Governments restricted freedom of speech and of the press. The governments harassed much of the opposition media, and government efforts to restrain the independent media continued. Vague laws concerning the media, state secrets, libel and national security increased pressure on the media to practice self-censorship. However, the Government continued to issue new licenses for various types of media and, according to the Government, the number of media outlets increased.

But, if we pose a question: "Is there a democracy?". It should surely be said that population in Central Asian Countries has a strong aspiration to democratization.

Corruption.

In Central Asia you can buy everything, not only standard products in plenty of recently opened supermarkets, but also unique civil documents, university diplomas, certifications, tanks, combat aircrafts and other useful things. The corruption is pervasive. State officials are dependent on additional "little money" because of their low monthly incomes; university rectors oversee the sale of diplomas and entrance exams tests as it is the only source to finance school. At the lower levels, corruption is a way of life, and the higher up you go, the bigger the theft gets. It sadly appears that the corruption tries to monopolize the mechanism of market competition and the forms of it become more sophisticated.

The fact that fighting corruption has become a rhetorical theoretically elegant priority is not in dispute any more. Half-baked, poorly designed, inadequately implemented market reforms boost corruption.

The following findings were revealed by the survey: the "influential persons" were contacted and the necessary payments were made to secure admission into hospitals, direct payments were made for the admission of children into "more prestigious" schools and universities, 85 % had bribed land registrars for recording a false lower sale price when registering a land or property, majority of the entrepreneurs found it impossible obtain trade licenses without money to influenced people. Almost 70% of driving licenses were simply bought for the price of US\$50-70. Similarly, businessmen have complained that "their high costs are due to the payoffs they have to make to government officials for sanctions, bank loans, and permits" indeed, according to one businessman, he got sick in his stomach whenever he had to see a government official." In Central Asian countries, the paternalistic role of government in organizing and subsidizing preferred industries leads to direct social benefit and creates avenues for rent seeking and bribe taking. Privileges are distributed in the form of special interest legislation, tariff protection, price supports. The resulting patronage allows the state to be captured by narrow, private interest group.

Why is corruption such a serious problem in Central Asian countries? Is it possible to control or to minimize corruption in these countries? Next paragraphs contend that the extent of corruption in Asian countries depends on two factors: (1) the nature of the causes of corruption in these countries; and (2) the degree of effectiveness of the measures initiated by political leaders to combat corruption.

Values, not institutions, have played the determining role in the recent systematic transitions in Central Asian states. In short, none of the countries can be said to have truly succeeded in making the transition from democratic structure to democratic function. The formal institutions exist but it is the informal institutions that actually guide the processes of policy decision-making. In reality, most of the critical public decisions are made with the interposition of individuals whose interests are directly affected by the outcome.

The entire social system of the Central Asian people is oriented to the past. The genealogies which the people maintain are at once constitutive and symbolic of this orientation... A Central Asian descent line is founded upon a genealogy which is known and shared by all its members. Genealogies may be likened to the chapter of incorporation, a roll call of the membership, a passport for the establishment of identity, an insignia to show relative rank, and a claim on hospitality and cooperation.

The Central Asia states are currently experiencing a revival of "traditionalism", which is visible throughout the region in a variety of different forms. It is often expressed in public ceremonies and events designed to rekindle a sense of continuity with these countries' historical achievements and glorious past. Late in 1998, Uzbekistan's president, Islam Karimov, was awarded the country's newly established highest honor, the "Order of Emir

Timur" in a public ceremony that was designed to dramatize the cultural roots of Uzbek society and to reinforce the government's appeals for discipline and dedication to national goals. In Central Asian countries, the paternalistic role of government in organizing and subsidizing preferred industries leads to direct social benefit and creates avenues for rent seeking and bribe taking.

Privileges are distributed in the form of special interest legislation, tariff protection, price supports. The resulting patronage allows the state to be captured by narrow, private interest group. However, in a region where cultural norms emphasize acting informally and privately, dialogues have become an effective way of building confidence and managing conflicts.

The revival of traditionalism is also expressed in reference to the wisdom of ancient cultural traditions and practices. In Turkmenistan, president Saparmurad Niyazov recently reintroduced genealogical descent as a criterion for public sector employment. He defended this new criterion of advancement by arguing that Turkmenistan should rely on "the experience of our ancestors, who chose their leaders, military commanders, and judges from among the worthiest compatriots with high moral standards."

Anti-corruption measures.

In order to curb corruption in Asian countries, the causes of corruption must first be correctly diagnosed so that political leaders could take appropriate action to minimize, if not eliminate, such causes. The high level of corruption in Central Asian States can be attributed to the low wages of civil servants, the many opportunities for corruption during the last decade, historical roots and the lack of political will in implementing anticorruption measures. The final anticorruption strategy is the effective strategy, which occurs when adequate anticorruption measures are in place and political leaders are sincerely committed to this task by impartially implementing comprehensive anticorruption measures strongly committed to eradicating corruption. A serious anticorruption program cannot be imposed from the outside and credible leadership remains to be the first challenge. Also, two modes of action are possible. The first is often referred to as the strategy of self-regulation: individuals and firms refuse unilaterally to engage in corruption practices, eschewing bribes of any kind. The process of implementing surveys, running workshops, and developing a dialogue within civil society on the nature of the problem can play a major role in galvanizing support for an anticorruption strategy and building constituencies at various levels of the system. The second mode is to engage in a dialogue with the government to work together in changing the environment, its structures, and defining new rules of the game. These countries need a strict administrative procedure, clear and transparent algorithm of actions to be taken for state property, preferences and privileges distribution. As for traditional values, there is not much that can be done them.

All nations of the world passed through traditional society to modern. The Western countries and Japan are mainly modern societies, the transition states aspire to form a model of post-modern society combining both traditional and modern features. There are no good Western and bad Asian or vice versa. Traditions are just different and this phenomena makes our world an unique and exciting place.

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