

Çoruk, E.; Ökten Kemalođlu, N. (2023). "The Relationship Between Political Instability And Constitutional Changes: Political System And Institutionalization in Kyrgyzstan's Political Life (1991-2021)". *Asya Arařtırmaları Uluslararası Sosyal Bilimler Dergisi*. 7 (Özel Sayı-1), 69-82.

Arařtırma Makalesi

**THE RELATIONSHIP BETWEEN POLITICAL INSTABILITY AND
CONSTITUTIONAL CHANGES: POLITICAL SYSTEM AND
INSTITUTIONALIZATION IN KYRGYZSTAN'S POLITICAL LIFE (1991-2021)***

Siyasi İstikrarsızlık ve Anayasal Deđişiklikler Arasındaki İliřki: Kırgızistan'ın Siyasi Hayatında Siyasal Sistem ve Kurumsallařma (1991-2021)

Elifcan ÇORUK**

Nilay ÖKTEN KEMALOĐLU**

Abstract

To analyze the mobility in a country's politics objectively, it is important to consider the issue at the constitutional level. The Kyrgyz Republic is a politically active country in Central Asia. This study examines the political transformation that Kyrgyzstan has seen since its establishment as a post-Soviet state. The analysis is conducted through the lens of political system analysis, employing a constitutional institutionalist approach. The constitutional amendments of the Kyrgyz Republic were examined by document analysis method within the scope of the study. In this sense, the study adds to the body of political science literature by examining how the nation's constitutional amendments have affected political election processes, leadership changes, and the formation of patronal relationship networks. The primary conclusion of the study corroborates the study's hypothesis, namely

* Geliř Tarihi / Received: 12.12.2023, Kabul Tarihi / Accepted: 27.12.2023. <https://doi.org/10.58640/asyar.1410320>

** R. A., Istanbul University Faculty of Economics Department of Political Sciences International Relations, elifcan.coruk@istanbul.edu.tr, ORCID ID:<https://orcid.org/0000-0002-3026-1645>

** R. A., Marmara University Faculty of Political Sciences- Political Science and International Relations Lectured (English), nilay.okten@marmara.edu.tr, ORCID ID:<https://orcid.org/0000-0002-1035-0528>

that the primary aim of constitutional amendments in Kyrgyzstan is not political stability but rather the leaders' desire to fortify their relationships and themselves.

Keywords: *Kyrgyz Republic, Constitutional Amendment, Institutional Approach, Political Instability, Document Analysis.*

Öz

Bir ülkenin siyasetindeki hareketliliği objektif bir şekilde analiz edebilmek için konuyu anayasal düzeyde ele almak önemlidir. Kırgız Cumhuriyeti, Orta Asya'da siyasi olarak aktif bir ülkedir. Bu çalışmada Sovyet sonrası Kırgızistan'ın kuruluşundan bu yana yaşadığı siyasi değişim, anayasal kurumsalcı yaklaşım çerçevesinde siyasi sistem analizi perspektifinden analiz edilmiştir. Çalışma kapsamında Kırgız Cumhuriyeti'nin anayasa değişiklikleri doküman analizi yöntemiyle incelenmiştir. Bu bağlamda çalışmanın siyaset bilimi literatürüne katkısı, ülkedeki siyasi seçim süreçlerinin, liderlik değişimlerinin ve oluşan patronaj ilişki ağlarının anayasa değişiklikleri üzerinden incelenmesidir. Çalışmanın hipotezlerini destekleyen temel bulgu, Kırgızistan'daki anayasa değişikliğinin temel amacının siyasi istikrardan ziyade liderlerin kendilerini ve ilişkilerini güçlendirme çabaları olduğudur.

Anahtar Kelimeler: *Kırgız Cumhuriyeti, Anayasa Değişikliği, Kurumsal Yaklaşım, Siyasi İstikrarsızlık, Doküman Analizi.*

Introduction

Central Asia is a heterogeneous geography with many ethnic identities, large and small. Kyrgyz, a nomadic community in this geography, consists of tribes and kinship groups. These kinship relations arise from the struggle between the northern and southern regions. This struggle affected all the dynamics of the political system in Kyrgyzstan during the nomadic period, the Russian Empire period, the USSR period and even the independence period.

Within the scope of the study, the content and processes of the constitutional amendments were analyzed through constitutional institutionalism rather than the general analysis of the political system of Kyrgyzstan. With this analysis, it is anticipated that the study will make an important contribution to the political science literature. This study, which focuses on constitutional institutionalism through system analysis, aims to contribute to constitutional institutionalism studies within the framework of political science by considering the constitutional changes experienced in the post-independence Kyrgyzstan political system in the context of the effect of patronal relations.

Working from here; system analysis and the institutionalist approach are briefly explained, the method section in which the methodology used is conveyed, the findings section where the constitutions and constitutional amendments are handled as findings, and the analysis section where the evaluation of the mechanisms on which the political system develops in the light of these findings. With the conclusion part, the study ends with the evaluation of the hypotheses presented and suggestions for future studies.

Theoretical and Historical Background

The study is handled with the perspective of constitutional institutionalist approach, which is a theoretically important part of system analysis. System analysis is important in terms of examining political life and its effects as a whole. David Easton, who has produced a very comprehensive study with the method he developed on systems analysis, has made important contributions to the studies carried out with this understanding.

Easton (1965: 26-28) defines political system analysis as the whole of institutions, values and processes that shape political life. In this framework, Easton (1965: 29) presents the political system analysis by using the concepts of input, output, internal and external environment, demand, support and feedback.

Based on Easton's analysis, we can say that the political system creates political life processes based on its own institutions and values. Based on the value that political system analysis attributes to institutions, the institutionalism approach supports both Easton's evaluation of political life and the theoretical part of the study at this point.

The institutionalist approach within the framework of political system analysis is an approach that argues that the institutional structures of the state and the rules set by the state authority are determinative in the functioning of political life (Alkan, 2018: 139). Therefore, attention is drawn to the nature of the constitutions to determine the political life autonomously, the legal regulations regarding the political process and the distribution of legal authority. The most important contribution of the institutionalist approach to regional studies and political science is that it can have transformative effects on the functioning of political life and the behavior of political actors, especially within the scope of constitutional arrangements. This is the reason why the article examines the constitutions within the framework of the institutionalist approach.

However, when the political system of Kyrgyzstan is analyzed with an institutionalist perspective, it is seen that patronal relations networks are also important. In other words, constitutional regulations are based on leader and region-oriented relations in the country. From this point of view, our main aim is to provide an overview of the post-independence constitutional developments in Kyrgyzstan, to focus on the emergence of constitutions and the political outputs of constitutional amendments.

Regionally, the separation of north and south determines the sides of patronal relations in Kyrgyzstan. The traditional north-south divide is characteristic of the political functioning of Kyrgyzstan. This situation, which is also referred to as clan politics, forms an integral part of the

country's political analysis (Ryabkov, 2008: 302-303). According to Alkan (2010), who states that the Kyrgyzstan political system can be read through the working constitutional changes and the bond of patronal relations; "patronal relations and constitutional changes in political life were built on the power relations established during the Soviet period in Kyrgyzstan, and this situation continued on all political changes after independence."

Constitutional regulations, which are an important output of political institutionalism, are not as honest as they should be due to the dominance of patronal relations in Kyrgyzstan. Pistan (2019) explains this situation with the concept of pseudo-constitutionalism. Pseudo-constitutionalism, seen in Kyrgyzstan as well as in other post-Soviet countries in the post-Cold War era, works with authoritarian presidents who seem to build democracy while promoting different degrees of authoritarianism through constitutional amendments (Pistan, 2019: 17). This situation reveals constitutional changes and patronal relations in Kyrgyzstan. In the country's politics based on the separation of north and south, all political crises turn into a constitutional problem and constitutional amendments are used by leaders as a tool to overcome these crises (Alkan, 2009: 363). This shows that not a constitution that will ensure political stability, but the constitutional amendment requested by the term leader has been implemented.

The year 1991, when Kyrgyzstan declared its independence from the USSR, brought many constitutional developments. In this period, it is seen that the regionally influential political actors in the country started to establish political parties. Standing out among these, Askar Akayev, who became the first president of Kyrgyzstan after the USSR, first demanded the adoption of a new constitution in order to quickly establish the legislative ground. For this reason, as a result of the arrangements made between the Supreme Soviet Council and the commission responsible for the constitution, the first Constitution of Kyrgyzstan was adopted on 5 May 1993. The historical limitation of this study, which examines the constitutional changes and political instability in Kyrgyzstan, is the twenty-year period since independence (1991-2021).

Methodology

In this study, the relationship between Kyrgyzstan's constitutional amendments and political stability is discussed with the document analysis method. Document analysis is a systematic method used to examine and evaluate all documents, both printed and electronic materials (Wach, 2013: 1-2). Features such as efficient use of time, low cost, reuse, objectivity of the sample, and lack of reactivity highlight document analysis (Kıral, 2020: 178). The documents selected within the scope of the study within the framework of document analysis are basically the Kyrgyz Constitutions between 1991-2021. The constitutional amendments that took place in this time period were also included in the working documents.

The main research questions of the study; "How to analyze the political life of the Kyrgyz Republic through constitutional changes?", "Can the political instability in post-Soviet Kyrgyzstan be explained by constitutional amendments?" and "How to establish the relationship between change, instability and constitution in the post-Soviet Kyrgyz political life?" is in the form. The hypotheses accompanying the research questions of the study are "Leader-oriented constitutional changes in post-Soviet Kyrgyzstan cause political instability." and "patronal relations in post-Soviet Kyrgyzstan are influential in political instability and political leadership change." listed as.

Findings Askar Akayev era

Based on the 1993 Constitution, post-Soviet Kyrgyzstan is a law-based country in which its people have sovereignty and the only source of power is the state. The Parliament (Jogorku Kenesh), which replaces the President and the former Supreme Soviet Council, is elected by the people of the Kyrgyz Republic and has the right to act on their behalf. In the Kyrgyz Republic, the legislative power consists of the parliament, the executive power consists of the government and local state administration, and the judicial power consists of the courts, primarily the Constitutional Court. Under the 1993 Constitution, the government is considered the highest organ of the executive, but is headed by the president, who gives the government the power to set the agenda (Article, 70, 72).

The 1993 Constitution defined parliament as one of the functions of legislative power and executive control. The right to initiate legislation belongs to the Parliament, which consists of 105 deputies, the

President, the Government, the Supreme Court, the Supreme Economic Court and the people. If the constitution is amended, at least two-thirds of the total number of deputies of the parliament must be voted on, but changing the constitution is prohibited during the state of emergency and martial law. The government can decide on all state matters except the constitution and the administrative and supervisory powers vested in the president and parliament. With the 1994 Constitutional amendments, referendums continued to become a policy increasingly.

Kurmanbek Bakiyev and The Provisional Government Period

Kurmanbek Bakiyev, who was prime minister during the Akayev period and one of the leading politicians of the south, filled the seat of power that was vacated after the 2005 protests as president. During the government of Northern Prime Minister Felix Kulov and Southern President Bakiyev, the presidency was further strengthened through constitutional amendments (Ismailbekova, 2018: 187-188).

The new constitutional amendment was announced to the public in a referendum held in October 2007. Following the referendum, which was accepted with approximately 96% of the vote, parliamentary elections were held on 16 November 2007 (OSCE, 2008: 26-27). Changes brought by the 2007 Constitution; The President, who will determine the main aspects of the country's domestic and foreign policy (Article 42/3), can dismiss a member of the Government on his own initiative or on the recommendation of the Prime Minister (Article 46/3), executive power is the Government (Article 68).

Towards the end of the Bakiyev period, the political instability experienced as a result of the protests reappeared in the country. With Bakiyev's coming to power, the Uzbek society, which made up the majority of the country's population in the south and was close to the government, moved away from power due to nepotism and rising Kyrgyz nationalism (Fumagalli, 2016: 187). During this period, a temporary government was established under the presidency of former Foreign Minister Roza Otunbayeva, who also participated in the protests. The Provisional Government initiated efforts to present the new constitutional amendment to the public with a referendum on 27 June 2010 (Coldosov, 2017: 263).

The prominent situations in the amended articles of the Constitution; The president, elected by the people for a six-year term, can no longer be re-elected (Art. 60), the number of deputies in the parliament, where each party can have a maximum of 65 deputies, has been increased from 90 to 120 (Art. 70), the presidential veto of the parliament is overridden by a two-thirds majority. (Art. 81) and the government headed by the prime minister is defined as the highest organ of the executive (Art. 83).

Within the scope of these articles, it has become compulsory to form a coalition in order to form a government in the parliament. The coalition government under the presidency of Otunbayeva consists of the Republican Party, Ata-Jurt Party and KSDP, which consists of 77 deputies in the parliament.

The Period of Almazbek Atambayev

After Otunbayeva's presidency and the Provisional Coalition government ruled Kyrgyzstan for a year, the presidential election took place in October 2011, which put an end to the current government. Almazbek Atambayev, who was the prime minister during the Provisional Government, became the new president with the 2011 elections. With this period, the relatively democratic environment offered by the coalition government in the temporary period began to change gradually.

The first elections in the Atambayev era were held in 2015. Due to the 2010 constitutional amendments, a coalition government was established under the Prime Ministry of Temir Sariyev with the parties exceeding the 7% electoral threshold in these elections based on the majority of the deputies (Fumagalli, 2015: 477). The constitutional changes also affected the electoral law in this period. A new election model was developed to provide automatic vote counting in the 2015 Parliamentary Elections and for the first time, biometric voter database and electronic ballot box scanners were used (TURKPA, 2015: 2).

At this point, it is important to remember the statement stated in the 2010 Constitution (Art. 114/2) that the constitution cannot be changed until 2020. Despite the existence of this article, which aims to protect political stability, the process resulted in a constitutional referendum in 2016. In this direction, a

referendum was held in Kyrgyzstan in December 2016 and as a result, the 2016 Constitutional Amendment Law was accepted.

According to the 2016 Constitutional amendment, executive powers have been strengthened (Articles, 87-89), the prime minister can appoint and dismiss ministers and local civil administrators with the approval of the parliament. In addition, the term of appointment as prime minister, which was 15 days after the parliamentary elections in the coalition system, was increased to 25 days with the new regulation (Pannier, 2016). In addition, regulations affecting the powers, autonomy and independence of the Supreme Court and the Constitutional Chamber were revised (Meldon, 2016). Within the scope of Article 64, the President has the power to decide on the investigation and dismissal of judicial officers at various levels and to oversee the appointment of the Attorney General with the approval of the parliament. Accordingly, it is seen that the Constitutional Office can only be an advisory body and a wide discretion can be given to the President in the appointment process. This control is important because in Kyrgyzstan, the Prosecutor General, who has the legal authority to evaluate the actions of the president, has the right to bring criminal cases against deputies and judicial officials (Esengeldiev, 2017).

The last political activity of the Atambayev period is the presidential election held on October 15, 2017. In this election process, the pre-election positions and relations of these actors are as important as the political actors participating in the election. After the end of his term of office, Atambayev resigned from his post due to the article of the current constitution that prevented the President from being a candidate for a six-year term for the second time in a row (Art. 61/2). According to the constitution, Babanov and Jeenbekov came to the fore among the politicians in the compulsory power change process. As a result, according to the election results of 15 October 2017, Sooronbay Jeenbekov became the new president of Kyrgyzstan with approximately 55% of the votes (KR MSK Information Office, 2017).

Sooronbay Jeenbekov Era

The new President Jeenbekov is a leader who came to power thanks to the network of relations created by Atambayev and therefore is expected to protect the relations networks of the Atambayev period. An example of this situation is the appointment of Farid Niyazov, who previously worked as Atambayev's policy adviser, to the same post during Jeenbekov's term (Ismailbekova, 2018: 27). So much so that Jeenbekov honored Atambaev with the country's highest title, the "Hero of the Nation" medal (RFE/RL's Kyrgyz Service, 2017).

However, this relationship did not always continue in this way. Shortly after, President Jeenbekov, who did not want his power to be overshadowed, was disturbed by Atambayev's persistent interventions and the relations between the leaders began to deteriorate (Umarov, 2019). In addition to the interventions, the patronal relations of the two leaders in different directions also caused the deterioration of the relationship. The fact that Southern President Jeenbekov's multi-brother and family circle is active in politics is an indication that both difference and patronal relations have turned into kinship-based relations.

The deteriorating relations between the two leaders also paved the way for a change in the law. Accordingly, the article in the current Constitution granting immunity to former presidents was repealed with the votes of 111 deputies out of 120 (Eurasinet, 2019). Former President Atambayev, who left the party as a result of this change and said that he did not recognize Jeenbekov's legitimacy, was arrested on 9 August 2019 on many serious charges such as corruption.

By 2020, the events that ended the Jeenbekov era began. Among the four parties that stood out in the elections to be held on October 4, 2020, it is important that Sadir Japarov and Babanov, who will play an important role in the future politics of Kyrgyzstan, are not included according to the preliminary results (OSCE, 2020: 21). Parties that could not be represented in the parliament with the announcement of the preliminary results, announced to the public that they did not accept the election results and called for protests as of October 5, and Japarov was released from the prison where he was held by the protesters during the protests (OSCE, 2020: 21).

As a result of the growing protests, the current Prime Minister and Speaker of the Parliament of the country resigned on October 6, 2020, and the voting results in all polling stations were declared invalid in order to ensure social stability (OSCE, 2020: 21). In the face of these developments,

Jeenbekov, who is still serving as President, declared a state of emergency in Bishkek on October 9, 2020 (Leonard, 2020). On October 14, 2020, the Parliament proposed Caparov as the new prime minister of the country, with the deputies meeting the quorum as a result of the extraordinary sessions. (Rev.2016 Art. 77; OSCE, 2020: 22). Upon the resignation of the current President Jeenbekov on October 15, 2020, Japarov became the acting President of Kyrgyzstan.

Sadir Caparov Period

In November 2020, the Caparov government proposed a draft constitution with far-reaching amendments that would give the president significantly increased powers. Although this situation was announced in the form of a nationwide constitutional referendum on November 17, it could not be implemented due to the fear that the protests that became widespread in the political and social field would return and there would be warnings from the international arena. Later, the decision was presented with a referendum plan scheduled for January 10, 2021, which envisages changing the form of government rather than completely changing and drafting a new constitution (OSCE, 2021: 3). This date denotes the presidential election as well as the envisaged referendum.

According to the current Constitution, an early presidential election is announced by the Parliament within one week at the latest after the expiration of the current president's term and is held within 3 months from the end of the term of office (Art. 68). Thereupon, Caparov, who resigned from his current duties, preferred the Speaker of the Assembly, Talant Mamitov, whom he trusted, as the interim President, both to protect his personal interests and to comply with the constitution.

While transitioning to the Presidential System of Kyrgyzstan with the results of the referendum held on January 10, 2021, Caparov became the first President of the Kyrgyz Republic in the changed system as a result of the Presidential elections held on the same day. After the accepted referendum, the new Constitution draft of the Kyrgyz Republic was published on the official website of the parliament by the members of the Constitutional Council on February 9, 2021.

According to the draft of the new Constitution, the presidential election year, which is elected for six years according to the current law, is arranged as 5 years. In addition, with the new draft, the president presides over the executive power and the coordination and interaction between state power and state organs is under the responsibility of the president. This addition refers to the transfer of executive powers of the parliament to the president, unlike the constitutional amendments in 2010 and later that strengthened the parliament against the powers of the president. Likewise, the number of deputies, which was 120 in the current law, was reduced to 90 with the new bill. In addition, the statement that no party can have more than 65 deputies in the parliament within the scope of the current law was not included in the draft constitution. This also means that there will be no coalition governments in parliament. In addition, the articles of law that can be submitted to the referendum for possible changes with the participation of at least two-thirds of the total number of deputies have been arranged in a way that requires the approval of the president within the scope of the new law.

Analysis of Findings and Discussion

The disintegration process of the USSR deeply affected Kyrgyzstan, which is a post-Soviet country, in terms of nationalism and independence. In this process, local dynamics became more prominent, Kyrgyz was accepted as the official language, students were politicized in a nationalist line, and Askar Akayev from the north, who received the support of the Communist Party, emerged as the leader and eventually became the first President of the Soviet Kyrgyz Republic on October 28, 1990. With the declaration of independence of Kyrgyzstan on August 31, 1991, it was deemed necessary to establish a new legal status and a new ground of legitimacy for the post-Soviet Kyrgyz state. In this context, the country's first Constitution was created. This beginning also offers the opportunity to examine constitutional institutionalism in Kyrgyzstan from the perspective of political system analysis after independence.

In order to remain strong in the bilateral structure between the President and the Prime Minister, important patronal networks were established in the political life of the Akayev period. The 1993 Constitution and 1994 Constitutional amendments, which led to the emergence of dual parallel executive

power, caused the political process to slow down and different relations networks (Fumagalli, 2016: 185). Because with the authority given by the Constitution, the President could play an interventionist role against the Prime Minister. During this period, patronal networks became more family and kin centered. Akayev, a member of a northern tribe with a strong influence in the country, gained power in his political life with the support of this tribe (Öraz, 2006: 90).

A political life began in 1994, in which constitutional changes were made frequently through referendums. With successive constitutional amendments, the president has gained more and more power. For this reason, referendums became a policy-making tool during the Akayev era. The right to a referendum in parliamentary and presidential regulations, the president's right to dissolve the parliament in times of crisis between the executive and legislative powers, and his permission to control the government are indicators of this situation (Fumagalli, 2016: 186). At the same time, Akayev's right of permanent immunity was granted to himself and his family in this process (Ismailbekova, 2018: 8).

Therefore, in the network of relations established in this period, it was seen that the Akayev family and people from its close circle were appointed to important positions in the northern region of the country. During this period, in which his wife also played an active role, the leader's eldest son Aidar Akayev became the Director of the Private Kazakhstan Bank in Kyrgyzstan, and his daughter Bermet Akayev became the official consultant of the American University (Ismailbekova, 2018: 9). The position of Akayev himself and his family in political life has been strengthened through both referenda and networks. However, the southern region had a weak representation in this network of relations, and the turmoil caused by this weakness resulted in the first change of power in 2005. Therefore, at this point, it is observed that the main purpose of institutionalism-based constitutional amendments is aimed at the stability of the leader's own power and relations rather than political stability.

The contested 2005 Parliamentary elections, especially with the nomination of Akayev's two children, led to the 2005 protests, which are referred to as the Tulip Era in the literature (Ismailbekova, 2018: 13). Although Akayev and his family left the country after these events, this situation was related to the dissolution of the patronal networks established by the leader during his rule, rather than the power of the opposition (Alkan, 2011: 264).

Then, with the 2007 constitutional amendments, Bakiyev consolidated his power through the networks he intensified, both by obtaining the constitutional amendment he wanted and by obtaining the majority after the parliamentary elections. Because Bakiyev announced that he would strengthen his own presidency by making a constitutional amendment against Prime Minister Kulov (Ismailbekova, 2018: 187-188). This situation can be read as Bakiyev will follow the relational policies of the Akayev period, that is, he will use the constitutional amendments in his favor.

The aforementioned networks can be associated with family members and relatives during the Bakiyev period. Family members and relatives soon gained control over government structures, state resources, and many levels. Contrary to the northern region dominated during the Akayev period, the network of relations established in this period resulted in the appointment of people from the southern Bakiyev family and its close circle to important positions. The leader's younger son Maksim Bakiyev was appointed to the management of the Central Development, Investment and Innovation Agency and influenced the country's domestic and foreign economy, his brother Janish Bakiyev was appointed as the head of the country's National Security Service, another brother named Adil Bakiyev was appointed as a consultant to the Chinese Embassy and other. The fact that the brothers took place in the local government bodies in the South is an indicator of the aforementioned relationship networks during the Bakiyev period (Ismailbekova, 2018: 15-16). From these examples, it can be deduced that Bakiyev's administration and the relations established were not different from the Akayev government. Therefore, it is possible to say that although the political figures have changed in Kyrgyzstan, the similarities in the way politics are implemented continue.

Based on these changes, the presidential system, which was experienced as authoritarian with the new constitution in Kyrgyzstan, is evolving into a new system that aims to establish a balance between the parliament and the president. Therefore, the new constitution is important in balancing the relations between the executive and legislative bodies. For example, the requirement that the number of seats in the parliament be less than 65 for all parties is to prevent the country from turning into a one-party

regime. Therefore, to obtain a parliamentary majority, a coalition government must be formed and the prime minister must be the leader of the most influential party of this government. Thus, the coalition governments to be established in the Parliament became the center of political life, and in this context, multi-party life in Kyrgyzstan showed itself more actively in the political arena, especially after the October 2010 parliamentary elections (Alkan, 2011: 299). However, the decision not to change the articles on the distribution of powers over the President of the Kyrgyz Republic, the Parliament, the Executive Power and the Judiciary in the new Constitution is also important (Art. 114/2). With this decision, Kyrgyzstan, which is famous for its political instability, aimed to maintain constitutional stability and the President's decision-making authority.

On the other hand, competitive political party relations with coalition governments, which became mandatory in this period, were paved. Therefore, the relations formed by the political parties in the parliament began to be used as a patronal power. The family and clan-based patronal relations that we have seen especially in the Akayev and Bakiyev periods have been replaced by businessmen and political relations networks that have developed around political parties with the Atambayev period. The fact that the political actors appointed as prime ministers in all coalitions except the 2011-2012 Babanov government are members of Atambayev's party KSDP shows that the patronal networks tended towards political-technocratic relations from the family in this period. Participation in political parties, the majority of which consisted of wealthy and influential people, was also seen as an opportunity to reach financial resources and earn income, and therefore, the resources were shared among the political parties that formed the coalition government. Instead of the presidency, the parliament itself has become a rent-seeking system that summarizes the state-business network. Thus, the parties in the coalition government not only shared important ministerial positions, but also lucrative businesses (Engvall, 2017: 274). As a result of these relations, Atambayev has worked not to strengthen democracy, but to strengthen his own leadership power and network of relations since the half of his term in power. An indication of this is that KSDP, the leading party of the Atambayev era, came to the fore in the context of new patronage relations and this rise was reflected in the parliament (OSCE, 2016: 30).

In addition, the use of the biometric voter database according to the electoral law, which was amended with the support of the constitutional amendments before the 2015 elections, also includes important analysis. When viewed within the constitutional framework, this change made in the form of elections is legally positioned. However, it had anti-democratic consequences in terms of the course and speed of the process. In this process, political participation decreased by 59% compared to previous years. Because the public has not been sufficiently informed about the changed voting system, the transparency of the election has been jeopardized and no documents have been published to increase public confidence (OSCE, 2016: 9).

Based on these developments, the referendum, which was voted in December 2016 despite the low turnout, was officially accepted in January 2017. It can be said that the constitutional amendments created are in preparation for the Presidential election to be held in 2017. The fact that the presidency was limited to a single term before the 2016 amendments and Atambayev could not be a candidate in the elections planned to be held in 2017, it can be concluded that the constitutional amendments were designed to benefit Atambayev in 2017 (Putz, 2016). Therefore, the examined constitutional amendments aimed to increase the responsibility and influence of the prime minister, especially through his authority to appoint and dismiss in local governments.

The most prominent political actor of the 2017 election period is Prime Minister Sooronbay Jeenbekov from the South and KSDP. Due to the weakness of the northern network in the KSDP, apart from Atambayev, Jeenbekov, who is well-known and from the south, was chosen as the presidential candidate because of the thought that Atambayev can be trusted and managed, and because of his patronal party relations (Eurasinet, 2017). In this process, Atambayev said that the country proposed amendments that increased the powers of the prime minister and partially reduced the powers of the president with the new constitutional amendment. An unofficial purpose of this situation is to prevent the next president from gaining too much power and at the same time establish himself in the political arena. However, in the current politics, the situation did not progress as Atambayev had planned. During the new President Jeenbekov's term, the direction of the patronal relations networks was not based on

the political party, and family and kin-centered relations were re-established. Therefore, the country's politics, based on patronal relations, has once again manifested itself.

Jeenbekov, who is still the President in October 2020 and declared a state of emergency due to the election period protests, left his post unexpectedly. The unstable and chaotic political environment, which has become a classic in every period of power change in Kyrgyzstan politics, has emerged in this process as well. In an environment of increasing violence during the election period, following the resignation of the current Prime Minister on 14 October 2020, the Parliament proposed Caparov as the new Prime Minister after reaching one-third of the deputies who met the quorum. (OSCE, 2020: 22). Known as “from prison to prime minister” (Putz, 2020) in the international press, Caparov's nomination as Prime Minister was approved by President Jeenbekov on the same day. However, on October 15, 2020, Jeenbekov announced his resignation and Japarov announced the new acting President of Kyrgyzstan.

The sudden and rapid rise of Caparov brought with it a new constitutional process. Being the advocate of the presidential model presented in the proposed new draft constitution, Caparov emphasizes a strong presidency in terms of political stability. Therefore, the president or head of state is planned to be effective in legislative activities as well as executive power. Based on the strong presidential content of the new draft constitution, it is seen that Kyrgyzstan will transition from semi-presidential to strengthened presidency during the Caparov period and this transition is supported by constitutional amendments. In addition, it is important to conclude that the patronal relations, which are an integral part of the country's politics, will be established through the personal relations that Caparov developed from the business world and prison, unlike family, kinship or party relations as in previous periods.

As a result, we see that all the constitutional changes experienced in Kyrgyzstan, the way of politics and the nature of the political system have developed within the framework of the relations and power of the political leaders. In short, the networks of patronal relations and the politics developed through these networks come before the democratization and political stability of the country. As Pistan, mentioned in the theory part of the study, emphasizes with the concept of pseudo-constitutionalism, constitutional changes in Kyrgyzstan also prioritize the term leader himself and his relations rather than political stability.

Conclusion

In this study, the constitutional changes made in Kyrgyzstan in the post-Soviet period are examined from the perspective of political system analysis within the framework of the constitutional institutionalist approach. This analysis also explained the relationship networks of political leaders and political instability. Political system, political instability, constitutional regulations, leader-oriented politics, patronal relations are the basic concepts of the working hypotheses, as mentioned in the previous sections. In this context, there is a confirmation of the hypotheses put forward in the study.

First, leader-oriented constitutional changes in post-Soviet Kyrgyzstan cause political instability. Because although the country has started to fulfill the institutional requirements of being an independent country, this institutionalism has not brought an objective political system in the constitutional sense. In the institutionalist view, constitutional amendments are made for the continuity of political institutions. However, the constitutional changes seen in Kyrgyzstan are parallel to the aims of political leaders to secure themselves and their patronal relations networks.

Second, patronal relations in post-Soviet Kyrgyzstan are influential in political instability and political leadership change. Every period of leadership change in the country is experienced by eventful election processes. The basis of these events is the separation of the northern and southern regions, which is also effective in the political conflicts in the country. This distinction is the source of the patronage system in political relations. These patronage relations based on relatives, clans, parties or economic bases negatively affect the institutionalism and democracy of the country. The fact that the multi-ethnic structure cannot be managed is an important cause of political instability. Because the Kyrgyz political system, which does not solve this problem with an objective administration, acts on the basis of the personal relationship networks of the leaders. Through these networks that develop informally, political leaders can make arbitrary appointments to state institutions regardless of merit. In

Kyrgyzstan, where constitutional amendments are used by the leaders to their advantage, constitutional amendment is a form of policy making.

In conclusion, the main concluding argument supporting the research questions and hypotheses of the study; Institutionalization and constitutional changes in Kyrgyzstan between 1991 and 2020 were made not for the stable functioning of the political system, but within the framework of the tradition of leader-oriented politics. This is the main reason for political instability.

References

- Azattyk. (2010). Биримдик жана өнүгүү коалициясы түзүлгөнү жарыяланды (Coalition for Unity and Development announced), <https://www.azattyk.org/a/2250813.html> (23 January, 2023).
- Alkan, H. (2009). "Post-Soviet Politics in Kyrgyzstan: Between Centralism and Localism?" *Contemporary Politics*. 15 (3), 355-375.
- Alkan, H. (2010). *Otoriter Merkezileşmeye Karşı Merkezkaç Direnişinin Gölgesinde Siyasal İktidarsızlık*. Ankara: Stratejik Düşünce Enstitüsü.
- Alkan, H. (2011). *Orta Asya Türk Cumhuriyetlerinde Siyasal Hayat ve Kurumlar*. Ankara: USAK.
- Alkan, H. (2018). *Cumhurbaşkanlığı Sistemi: Kurumsalcı Yaklaşımın Işığında Yeni Siyasetin İzleri*. Ankara: Liberte.
- Coldoşov, A. (2017). "Kırgızistan İç Siyaseti" in *Kırgızistan: Tarih-Toplum-Ekonomi-Siyaset*. Ed., Cengiz Buyar. Bishkek: BYR Publishing House, 245-286.
- Constitution of the Kyrgyz Republic. (1993).
- Constitution of the Kyrgyz Republic. (2007).
- Constitution of the Kyrgyz Republic. (2010).
- Constitution of the Kyrgyz Republic. (2010-Rev.2016).
- Easton, D. (1965). *A Systems Analysis of Political Life*. New York: John Wiley.
- Engvall, J. (2017). "From Monopoly to Competition Constitutions and Rent Seeking in Kyrgyzstan". *Problems of Post Communism*. 65 (4), 271-283.
- Esengeldiev, A. (2017). "Kyrgyzstan's 2016 Constitutional Referendum", <https://freedomhouse.org/report/analytical-brief/2017/kyrgyzstans-2016-constitutional-referendum> (1 January, 2023).
- Eurasianet. (2016). "Kyrgyzstan: Presidential Loyalist Named New PM.", <https://eurasianet.org/kyrgyzstan-presidential-loyalist-named-new-pm> (2 January, 2023).
- Eurasinet. (2017). "Kyrgyzstan: Most Competitive Presidential Race in Country's History Taking Shape", <https://eurasianet.org/kyrgyzstan-most-competitive-presidential-race-in-countrys-history-taking-shape> (1 January, 2023).
- Eurasinet. (2019). "Kyrgyzstan: Former president on verge of losing immunity", <https://eurasianet.org/kyrgyzstan-former-president-on-verge-of-losing-immunity> (1 January, 2023).
- Freedom House. (2016). "Kyrgyzstan: Changes to Constitution Bolster Authoritarianism", <https://freedomhouse.org/article/kyrgyzstan-changes-constitution-bolster-authoritarianism> (1 January, 2023).
- Fumagalli, M. (2015). "Kyrgyzstan 2015: A Country Adrift?". *Asia Minor*. 26, 469-481.
- Fumagalli, M. (2016). "Semi-Presidentialism in Kyrgyzstan", *Semi-Presidentialism in the Caucasus and Central Asia*. Ed., R. Elgie and S. Moestrup. Londra: Palgrave Macmillan, 173-205.
- Ismailbekova, A. (2018). "Informal Governance and Corruptio-Transcending the Principal Agent and Collective Action Paradigms Kyrgyzstan Country Report Part 1 Macro Level", *A joined report by Basel*

Institute on Governance, <https://baselgovernance.org/publications/informal-governance-and-corruption-transcending-principal-agent-and-collective-3> (1 January, 2023).

Kıral, B. (2020). “Document Analysis as a Qualitative Data Analysis Method.” *Journal of Social Sciences Institute*. 8 (15), 170-189.

Kırgız Cumhuriyeti MSK Bilgi Dairesi. (2017). “Merkez Seçim Komisyonu, 15 Ekim 2017 tarihinde Kırgızistan Cumhurbaşkanı seçimlerinin sonuçlarını belirledi”, <https://shailoo.gov.kg/ru/news/1973/> (1 January, 2023).

Kırgızistan Ülke Bülteni. (2012). “Dış Ekonomik İlişkiler Kurulu”, <https://www.deik.org.tr/uploads/kirgizistan-ulke-bulteni.pdf> (1 January, 2023).

Leonard, P. (2020). “Kyrgyzstan: Politician’s mob rampage draws army onto the streets”, <https://eurasianet.org/kyrgyzstan-politicians-mob-rampage-draws-army-onto-the-streets> (1 January, 2023).

Meldon, M. (2016). “Kyrgyzstan’s Constitutional Referendum: Steering Populism Toward Securing Vested Interests”, <https://constitutionnet.org/news/kyrgyzstans-constitutional-referendum-steering-populism-toward-securing-vested-interests> (1 January, 2023).

OSCE. (2021). Kyrgyz Republic- Early Presidential Election 10 January 2021 Statement of Preliminary Findings and Conclusions. Bishkek: OSCE.

OSCE. (2020). Kyrgyz Republic Parliamentary Elections 4 October 2020 Final Report. Warsaw: OSCE.

OSCE. (2016). Kyrgyz Republic Parliamentary Elections 4 October 2015 Final Report. Warsaw: OSCE.

OSCE. (2012). Kyrgyz Republic Presidential Election 30 October 2011 Final Report. Warsaw: OSCE.

Öraz, S. (2006). “Tribal Connections within the Political Processes: The Case of Kyrgyzstan.” *Journal of Central Asian and Caucasus Studies*. 1 (2), 78-91.

Pannier, B. (2015). “In Kyrgyzstan, An Unexpected Victory For Atambaev’s Chosen Candidate”, <https://www.rferl.org/a/kyrgyzstan-presidential-election-analysis-jeenbekov/28796176.html> (1 January, 2023).

Pannier, B. (2016). “What’s in Kyrgyzstan’s Constitutional Referendum?”, <https://www.rferl.org/a/kyrgyzstan-constitutional-referendum-whats-at-stake/28164053.html> (1 January, 2023).

Pistan, C. (2019). “Pseudo Constitutionalism in Central Asia: Curse or Cure?”, <https://www.sipotra.it/wp-content/uploads/2019/04/Pseudo-Constitutionalism-in-Central-Asia-Curse-or-Cure.pdf> (1 January, 2023).

Putz, C. (2020). “From Prison to Parliament: Meet Kyrgyzstan’s New Prime Minister”, <https://thediplomat.com/2020/10/from-prison-to-parliament-meet-kyrgyzstans-new-prime-minister/> (1 January, 2023).

Putz, C. (2016). “Kyrgyzstan’s Controversial Constitutional Referendum”, <https://thediplomat.com/2016/12/kyrgyzstans-controversial-constitutional-referendum/> (1 January, 2023).

RFE/RL’s Kyrgyz Service. (2017). “New Kyrgyz President Bestows ‘Hero’ Title On Predecessor Atambaev”, <https://www.rferl.org/a/kyrgyzstan-jeenbekov-atambaev-hero-award/28882047.html> (1 January, 2023).

Rickleton, C. (2019). “Kyrgyzstan: Pressured Ex-candidate Says He Wants No Part of Power”, <https://eurasianet.org/kyrgyzstan-pressured-ex-candidate-says-he-wants-no-part-of-power> (1 January, 2023).

Rickleton, C. (2020). “Kyrgyzstan’s China Debt: Between Crowdfunding and Austerity”, <https://eurasianet.org/kyrgyzstans-china-debt-between-crowdfunding-and-austerity> (1 January, 2023).

Ryabkov, M. (2008). "The north-south cleavage and political support in Kyrgyzstan". *Central Asian Survey*. 27 (3-4), 301-316.

Tayfur, N. A. (2020). "Kyrgyzstan: New Cabinet, Premier Japarov Sworn in", <https://www.aa.com.tr/en/asia-pacific/kyrgyzstan-new-cabinet-premier-japarov-sworn-in/2022599> (1 January, 2023).

Trilling, D. (2010). "Kyrgyzstan: Bishkek Coalition Talks Back at Square One", 12 Aralık 2010, <http://www.eurasianet.org/node/62520> (1 January, 2023).

TURKPA. (2015). "4 Ekim 2015 Tarihinde Kırgız Cumhuriyeti'nde Gerçekleştirilen Parlamento Seçimlerine İlişkin Rapor", https://turkpa.org/tr/content/faaliyetler/preandparlelections/634_krgzistan_cumhuriyeti_parlamento_seimleri_raporu_4_ekim_2015 (1 January, 2023).

Wach, E. (2013). *Learning about Qualitative Document Analysis*. IDS Practice Papers.

Umarov, T. (2019). "The Failure of Atambayev's Planned Power Transition", <https://carnegie.ru/2019/08/23/failure-of-atambayev-s-planned-power-transition-pub-79718> (1 January, 2023).

CONTRIBUTION LEVELS OF THE AUTHORS: First Author 50%; Second Author 50%.

ETHICS COMMISSION APPROVAL: There is no need for ethics commission approval in the study.

FINANCIAL SUPPORT: No financial support was received in the study.

CONFLICT OF INTEREST: There is no potential conflict of interest in the study.

COPYRIGHT AND SIMILARITY REPORT: The authors own the copyright of their works published in the journal; the similarity report of the study has been received.

COMPLIANCE WITH SCIENTIFIC AND ETHICAL PRINCIPLES: It has been declared that scientific and ethical principles have been followed during the preparation of this study and all studies used are stated under the heading "References".

