

Inheritance of power in the XXI century: legal mechanisms for the transfer of presidential powers to controlled viceroys and family members in authoritarian regimes ¹

Legado do poder no século XXI: mecanismos legais para a transferência de poderes presidenciais para vice-reis controlados e familiares em regimes autoritários

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Abstract

This study investigates the prevalence of presidential clans in authoritarian regimes, particularly in Central Asian countries, and their impact on political processes and power transitions. Different methodological approaches were used to study the role of the president, differentiate between authoritarian and totalitarian regimes, and analyze post-Soviet clan communities. The research found that the governmental form influences the president's functions and powers, and that institutional reforms and elections in authoritarian regimes often serve to legitimize elite agreements. The study also examined power transitions in post-Soviet Central Asia, noting the importance of informal agreements and historical traditions in maintaining balance of power. However, it was revealed that the practice of transferring power within presidential clans hinders modern political processes and state development. The experience of power transitions in countries like Kyrgyzstan, Kazakhstan, and Azerbaijan were considered, each exhibiting unique risks and advantages related to succession or dynastic inheritance. It was found that the elites of the post-Soviet republics operate based on traditions and historically formed the mechanism of power, which has become a key aspect in determining the balance of power. The practical value of the

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identified results is to provide an assessment of the effectiveness of the transit of power, highlighting their advantages and disadvantages

Keywords: Legislative power; Government form; Presidential clans; Central Asia; Successorship.

Resumo

Este estudo investiga a prevalência de clãs presidenciais em regimes autoritários, particularmente nos países da Ásia Central, e o seu impacto nos processos políticos e nas transições de poder. Diferentes abordagens metodológicas foram utilizadas para estudar o papel do presidente, diferenciar regimes autoritários e totalitários e analisar comunidades de clãs pós-soviéticas. A investigação concluiu que a forma governamental influencia as funções e poderes do presidente e que as reformas institucionais e as eleições em regimes autoritários servem frequentemente para legitimar acordos entre as elites. O estudo também examinou as transições de poder na Ásia Central pós-soviética, observando a importância dos acordos informais e das tradições históricas na manutenção do equilíbrio de poder. No entanto, foi revelado que a prática de transferência de poder dentro dos clãs presidenciais dificulta os processos políticos modernos e o desenvolvimento do Estado. Foram consideradas as experiências de transições de poder em países como o Quirguizistão, o Cazaquistão e o Azerbaijão, cada um apresentando riscos e vantagens únicos relacionados com a sucessão ou herança dinástica. Verificou-se que as elites das repúblicas pós-soviéticas operam com base nas tradições e formaram historicamente o mecanismo de poder, que se tornou um aspecto fundamental na determinação do equilíbrio de poder. O valor prático dos resultados identificados é fornecer uma avaliação da eficácia do trânsito de poder, destacando as suas vantagens e desvantagens.

Palavras-chave: Ásia Central; Clãs presidenciais; Forma de Governo; Poder Legislativo; Sucessão.

Introduction

One of the most important attributes of a modern country is its political government regime. The choice of the political regime determines how various socio-economic and socio-political processes will develop, the completeness of the constitutional and legal guarantees of human and citizen development, and their specifics³. That is, the political regime acts as one of the elements of the political elite's existence, and the nature of the political struggle depends on its implementation.

³ KRYGIER, M. 2019. **The challenge of institutionalisation:** post-communist “transitions”, populism, and the rule of law. *European Constitutional Law Review*, 3, 544-573.

An authoritarian regime is a political system in which power is concentrated in the hands of a leader or a small elite, who possess exclusive, unaccountable, and arbitrary power. In such regimes, individual freedoms are subordinate to the state, and there is no constitutional accountability or rule of law in the same way as seen in democracies⁴. One of the central features of an authoritarian regime is the limitation, if not outright suppression, of political pluralism. This means that there is usually only one political party that controls the state's power, or if there are more parties, they are often only symbolic and have no real power or influence. The political agenda is primarily, if not exclusively, determined by the ruling party or leader.

In addition, authoritarian regimes often exert significant control over many aspects of life, including the economy, education, and media. This control is often enforced through extensive use of propaganda and censorship, as well as more coercive measures like surveillance, policing, and imprisonment of dissenters. Another defining characteristic is the lack of a meaningful system of checks and balances. The executive branch, typically led by a single leader, holds most, if not all, of the political power. There are no independent judiciary or legislative bodies to challenge or counterbalance the executive's decisions, resulting in a highly centralized system that lacks transparency and accountability⁵. Authoritarian regimes often maintain their power through a combination of intimidation, manipulation, and coercion. This can range from fostering a personality cult around the leader, manipulating electoral systems to ensure their continuance in power, or using force and fear tactics to suppress opposition and dissent.

Currently, in the modern world, there are many countries with authoritarian political regimes as the determining factor; such countries include Turkmenistan, Kazakhstan, Tajikistan, Kyrgyzstan, and others. Although it has evolved from complete totalitarianism and absolutism and sometimes artificially

⁴ TYMOSHENKO, V., Makarenko, L. 2022. Political and legal guarantees of human and civil security. Law Journal of the National Academy of Internal Affairs, 12(4), 9-16. Available in: <https://doi.org/10.56215/04221204.09>. Accessed on October 15th. 2023.

⁵ TATSIY, V., Serohina, S. 2018. **Bicameralism**: European Tendencies and Perspectives for Ukraine. Baltic Journal of European Studies, 8(1), 101-122.

creates elements of democratization of society, a full-fledged democracy cannot be expected. Analyzing the level of public consciousness provides an opportunity to get rid of the burden of responsibility for one's own civilizational choice, which exists and is traditional in states with a low level of political and legal consciousness⁶. The analysis of the authoritarian political regime phenomenon relies on the study and understanding of the main origins and principles, which identify the determinants of authoritarianism as a political regime.

Discussing political activism in Central Asian countries, developed in the late 80s of the XX century due to national movements that consisted of political and economic reforms, as well as increased independence and autonomy of the republics within the Soviet Union (SU)⁷. According to Malysheva⁸, the specificity of Central Asian countries is that they have transformed their political systems into centralized ones that combine elements of authoritarianism with "ruling democracy". Karpovich⁹ in his study notes that Central Asian countries are characterized by deep and hidden internal conflicts that can provoke destabilization and political upheaval while the processes of power transit and legitimation are quite complicated. This is related to the influence of external forces in these countries on political events and the specifics of governance systems.

Shegebayeva¹⁰ highlights that in the current functioning of Central Asian political systems, the parliament has limited powers, with the heads of state concentrating most of the decision-making authority in their hands. They also act as mediators between representatives of rival clans. Ionova's¹¹ study suggests that Central Asian countries have a tradition of obedience to a strong leader,

⁶ FASCE, A., Avendaño, D. 2020. **Opening the can of worms**: A comprehensive examination of authoritarianism. *Personality and Individual Differences*, 163, article number: 110057.

⁷ BASKAKOVA, I.A. 2018. **Transit of Power in Kazakhstan**: Astana's New Approaches. *Bulletin of the Russian State University for the Humanities. Series "Political Science. Story. International relationships. Foreign Regional Studies. Oriental studies"*, 1, 149-161.

⁸ MALYSHEVA, D.B. 2018. Political processes in post-Soviet Central Asia. *Outlines of Global Transformations: Politics, Economics, Law*, 11(3), 36-52.

⁹ KARPOVICH, O. 2021. **Central Asia**: the difficult path of political development. *Central Asia and the Caucasus*, 4, 43-52.

¹⁰ SHEGEBAYEVA, Zh.E. 2020. The Transit of Power in Kazakhstan: Causes, Contradictions, and Prospects. *Studencheskaya Gazeta*, 34, 16-19.

¹¹ IVANOV, E.A., Isaev, L.M., Shishkina, A.R. 2017. Central Asia. Risks of transit of power in aging regimes. *System Monitoring of Global and Regional Risks*, 8, article number: 186.

where legitimacy is based on the belief that the development and stability of the state depend solely on the strong-willed qualities of the president.

According to Pritchins¹², the transfer of power in Central Asian countries often boils down to a selection process. In some cases, potential successors of incumbent presidents are recruited into government structures. The weakening of the influence of the central authority has resulted in a political alliance between party-bureaucracy and nationalistic movements. Their cooperation has increased pressure on the central authority to expand its powers. It's important to note that slogans advocating for state system democratization and the need for economic and political changes often serve as a cover for the underlying power struggle within inter-clan dynamics.

The introduction of the presidential position in the post-Soviet Central Asian republics aimed to strengthen their relations with the Soviet Union and consolidate their own power. For instance, Kazakhstan and Kyrgyzstan held presidential elections elected by the parliament in 1990-1991, driven by informal agreements between major political forces¹³. On the other hand, Turkmenistan conducted direct popular presidential elections in October 1990¹⁴. However, in both cases, the presidents faced opposition from the outset, particularly in Uzbekistan and Turkmenistan, where a hardline approach was taken against the opposition¹⁵. As a result, the republic elites heavily relied on historical mechanisms of power, with regional and clan divisions playing a significant role in determining the balance of power.

Based on the aforementioned context, the main objective of this research is to study the presidential clans operating in the post-Soviet countries of Central Asia. To achieve this, it is crucial to identify the peculiarities and characteristics of the authoritarian political regime. Conducting an analysis of the functioning of

¹² PRITCHIN, S. 2021. **Uzbekistan and Kazakhstan**: features of the transit of power. *World Economy and International Relations*, 2, 89-99.

¹³ BASKAKOVA, I.A. 2018. **Transit of Power in Kazakhstan**: Astana's New Approaches. *Bulletin of the Russian State University for the Humanities. Series "Political Science. Story. International relationships. Foreign Regional Studies. Oriental studies"*, 1, 149-161.

¹⁴ NOHLEN, D., Grotz, F., Hartmann, C. 2001. *Elections in Asia and the Pacific*. Oxford: Oxford University Press.

¹⁵ REKK, D.A. 2020. **Clans of Central Asia**: A Theoretical Aspect. *Post-Soviet Continent*, 25, 86-101.

presidential clans in Turkmenistan, Tajikistan, Kyrgyzstan, Kazakhstan, and Uzbekistan is of great importance. By examining the inherent features of their operation in these countries, a comprehensive analysis of the legal mechanisms involved in the transfer of power within authoritarian political regimes can be obtained. It is worth noting the significance of understanding the consequences of this state system and its impact on the overall development of the state.

1. Material and Methods

The scientific research conducted in this study focused on analyzing the legal mechanisms involved in the transfer of presidential powers to controlled governors and family members within countries with authoritarian regimes. To accomplish this, various methodological approaches were employed to uncover the theoretical and practical aspects of the research. The theoretical-methodological approach was utilized to reveal the functioning of the president as the head of state, determine their role in organizing state power, and highlight the distinctive features of this mechanism in authoritarian and totalitarian regimes. The functional methodological approach enabled the identification of peculiarities within authoritarian and totalitarian regimes, as well as emphasizing characteristic features of the transfer of presidential powers. The logical analysis method facilitated an examination of the functioning of the institution of succession, revealing the mechanism of power transfer in authoritarian and totalitarian regimes. Additionally, the analysis method was applied to shed light on the specificities of this mechanism within the context of post-Soviet Central Asian countries.

The dogmatic methodological approach was employed to define the concept of presidential clans, understand the unique characteristics and applications of this political regime, and analyze the institution of succession within these conditions. By utilizing the formal legal method, characteristic features of presidential clans, which have become integral attributes of this political landscape, were established. Employing a functional methodological approach, the concept of social boundaries was delineated, recognizing their role

as obstacles that limit the freedom of social subjects, while also acting as a variable aspect due to social expediency. The synthesis method determined that structural functionalism influences the cognitive capabilities of political regime functioning in post-Soviet Central Asian countries. The formal-legal methodological approach enabled the analysis of the peculiarities of power transition, highlighting its main advantages and disadvantages, as well as identifying potential risks that could hinder its effective functioning. Through the deduction method, the research identified the process of presidential clan functioning in post-Soviet Central Asian countries, focusing on the inherent features of this type of power transfer. On the other hand, the induction method aided in identifying characteristic features through the analysis of the object of study.

Consequently, the research will be divided into several stages. The initial stage involved exploring the theoretical aspects, focusing on identifying the features of an authoritarian political regime, the role of the country's leader, and the organization of the state system within this political framework. The second stage involved studying the presidential clans in the post-Soviet countries of Central Asia, examining their characteristic features, causes of origin, and principles of operation. Specifically, Turkmenistan, Tajikistan, Kazakhstan, Kyrgyzstan, and Uzbekistan were analyzed among these states. The third and final stage aimed to identify potential issues related to totalitarianism and authoritarianism of political power within these countries, analyzing the risks associated with the functioning of the power transition mechanism.

2. Results and Discussion

Authoritarianism as a form of political regime is a rudimentary idea of the political elite and society about the possibilities of implementing the functioning of the government power mechanism in comparison with the evolutionary model of building political processes. This political regime is characterized by several inherent features, which at the present stage of political

thought development in the conditions of social and socio-economic processes democratization in most countries of the world is possible to apply only in some archaic societies. These societies are characterized by the presence of stable established ties, which are inherent in the traditional way of life and historical past rather than national heritage¹⁶. This regime is formed directly under the pressure and influence of the personal qualities of a single ruler, who organizes the socio-political processes in the country in his manner. That is, the country leader builds the administrative apparatus on his vision and mechanism of the country, which sets as its main goal the preservation of personal power and the prevention or rather severe suppression of civil disobedience or social protests¹⁷. As such, an authoritarian political regime is not connected to society or the state as it is rather an individual manifestation of the personal power of one person or a narrow circle of people who occupy the highest level in the hierarchy of the political ruling elite.

One of the primary characteristics of an authoritarian regime is the concentration of personal power and the absence of legal grounds for political decision-making. Normative legal acts are adopted only after individual decisions made by the authoritarian leadership, which holds personal prerogatives that enable them to exert influence over domestic and foreign policies. When considering the main factors contributing to the establishment of an authoritarian regime, it is important to recognize the following: a low level of political engagement within society, the persistence of historical traditions of governance with a limited political and legal culture, societal heterogeneity in terms of national and cultural aspects, socio-political crises, political instability, and the presence of a single leader within the political elite¹⁸.

Furthermore, it is noteworthy that certain trends reinforce the stability of authoritarian political regimes in modern times. This includes the dominance of historical narratives and historical consciousness within the framework of national

¹⁶ CHEMSHIT, A.A., Statsenko, O.S., Emshit, D.A. 2021. On the change of power under authoritarianism. *Education and Law*, 9, 11-16.

¹⁷ COSTELLO, T.H., Bowes, S.M., Stevens, S.T., Waldman, I.D., Tasimi, A., Lilienfeld, S.O. 2022. Clarifying the structure and nature of left-wing authoritarianism. *Journal of Personality and Social Psychology*, 1, article number: 135.

¹⁸ KOLAS, H. 2020. **New Trend in the Constitutional Law of Post-Soviet Autocracies**. *Transit of Power: to Leave without Leaving*. Charles University in Prague Faculty of Law Research Paper, 1, 1-12.

values, as well as the national and psychological characteristics of society. Additionally, the absence of a democratic tradition for the politicization of socio-political interests can be seen as a contributing factor, representing a negative perception of the concept of a world order based on hostility¹⁹. It is important to acknowledge that this political regime can be characterized by instability, lack of transparency, and unpredictable socio-political and socio-economic processes. Table 1 outlines the key factors that contribute to the establishment of an authoritarian regime.

Table 1. Prerequisites for the formation of an authoritarian regime

No.	Prerequisite	Description
1	Political Instability	Authoritarian regimes often rise out of periods of political instability or crisis. This could be caused by economic hardship, civil unrest, or a power vacuum.
2	Strong Leadership	A strong, charismatic leader who is able to consolidate power and command loyalty is a key prerequisite.
3	Control over Military/Police	Control over the security apparatus is essential for enforcing the regime's will and suppressing opposition.
4	Weak Institutions	Weak or non-existent democratic institutions make it easier for an authoritarian leader to seize power.
5	Popular Support/Manipulation	Often, authoritarian regimes gain initial support by exploiting nationalistic sentiments, fear, or propaganda.

¹⁹HOUSE, F. 2020. Nations in Transit 2020 – Turkmenistan. Available in: <https://www.ecoi.net/de/dokument/2038013.html>. Accessed on: September 18th. 2023.

6	External Support	Support from foreign powers can provide the necessary resources and legitimacy for the regime to establish and maintain itself.
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Source: Prepared by the Author.

The nature of these regimes, marked by the concentration of power within the hands of a single leader or a small group, inherently contradicts the foundational principles of democracy - power distribution, accountability, and individual freedoms. Firstly, authoritarian regimes typically suppress political opposition and limit freedom of speech and the press. This denies the citizens their right to critique the government, voice their opinions, and vote freely - all fundamental elements of a functional democracy. Secondly, authoritarian leaders often manipulate laws and institutions to maintain their hold on power, which may include changing term limits or control over independent judiciary systems. This undermines the rule of law, another pillar of democratic societies. Thirdly, authoritarian regimes may employ propaganda and disinformation tactics to manipulate public opinion and retain power, impeding the informed decision-making process crucial to democratic elections. Lastly, the concentration of power within authoritarian regimes often leads to corruption and lack of accountability, infringing upon democratic principles of transparency and government accountability (Table 2).

Table 2. Characteristic features of an authoritarian regime

No.	Characteristic	Description
1	Concentration of Power	Power is typically held by a single leader or a small group.
2	Limited Political Pluralism	There is little tolerance for political diversity and opposition.
3	Suppression of Civil Society	Security forces are used to control the population and suppress dissent.

4	Rule by Fear or Force	Fear and intimidation tactics, such as the threat of violence or imprisonment, are used to control the population and quell dissent.
5	Human Rights Abuses	Authoritarian regimes often have a poor human rights record, with widespread abuses such as arbitrary arrests, torture, and extrajudicial killings.
6	Resistance to Change	These regimes resist political change and modernization in order to maintain the status quo and their grip on power.
7	Control over Economy	The state exercises significant control over the economy, often owning key industries and controlling resource distribution.

Source: Prepared by the Author.

Analyzing the role of the president as the country leader, it is necessary to separate his main powers. Firstly, it includes representative functions, which involve personifying the fundamental rights and obligations of the state. The president represents the state in performing external functions and has the authority to make official addresses to the nation and parliament. In terms of legislative power, the president holds the ability to call for elections, convene the parliament, dissolve the lower house prematurely, call for extraordinary sessions, and possess the right of veto, among other legislative prerogatives. Within the domain of public administration, the president wields the power to appoint and dismiss the government, serving as the sole bearer of executive power. The president also possesses the right to make final decisions and issue executive acts²⁰.

Powers in the field of formation of public authorities are revealed in the appointment of ministers, prime ministers, judges, and other officials. Regarding the field of foreign policy, the president carries out the supreme representation of

²⁰KAVANAGH, M.M. 2020. **Authoritarianism, outbreaks, and information politics**. The Lancet Public Health, 3, 135-136.

the state abroad in international relations, appoints representatives abroad, participates in negotiations and gives instructions on their organization, signs international legal acts, etc. As for the countries with authoritarian political regimes, the role of the president in these countries is decisive. Therefore, it is worth noting the importance of determining the functioning of the presidential clan.

A characteristic feature of presidential clans in modern conditions is a hierarchy, which is caused by the potential aggregation of status rents, depending on the degree of proximity to vertical power. This feature is quite typical for clans in the post-Soviet space. They have historical and cultural roots, united by common interests and political preferences, and their classes cannot be identified as opportunistic and structural associations²¹. The clan structures of the post-Soviet countries of Central Asia are characterized by their deep historical and cultural rootedness, which has left an imprint on modern post-Soviet society. The reproduction of clans in the post-Soviet countries of Central Asia and their acquisition of a new quality are related to several circumstances.

First and foremost, it is important to recognize that the process of clan consolidation emerged as a response to heightened competition for the privatization of rents in the aftermath of the Soviet Union's dissolution, wherein the loss of sovereignty and a lack of legal regulation created fertile ground for such developments. Additionally, it is crucial to emphasize that the growth and revitalization of clans are influenced by the central government's inclination to balance opposing groups of influence. This approach aids in achieving the objective of establishing legality and control within society. It is also important to note that clan structures were formed in an inclusive mechanism of the authoritarian political regime, and accordingly, the central government regulates the power of influence and loyalty of clan communities by applying the means of narrowing and expanding access to rent²².

²¹PRITCHIN, S.A. 2020. A Dynastic Model of the Transit of Power in States with Emerging Political Institutions on the Example of Post-Soviet Countries. *Journal of Political Studies*, 2, 106-115.

²²ZHURAVLEV, D.A. 2021. **The clan structure of the elites of a democratic society.** *Humanitarian Sciences. Bulletin of the Financial University*, 4, 43-49.

In general, clan communities in post-Soviet Central Asian countries show the validity of neo-institutionalism. The hierarchical structure within these societies is anchored in the personification of the leader, who embodies the social status of the entire community. The geopolitical landscape that emerged following the collapse of the Soviet Union contributed to a renewed interest in historically established approaches, including the clan-based distribution of power. This system, which operated during the Soviet period, gained traction once again. Thus, the traditionally stable system of self-regulation within local communities, characterized by regional, tribal, family, and clan ties, significantly influenced the domestic and foreign policies of post-Soviet Central Asian countries²³.

However, it is important to acknowledge that the post-Soviet Central Asian countries also aspired to fulfill the conditions set by Western nations²⁴. This entailed adopting practices such as parliamentary and presidential elections, power-sharing mechanisms, and multiparty democracy to demonstrate their commitment to Western principles of political development. Nevertheless, it became evident that the post-Soviet Central Asian countries were not adequately prepared to establish and cultivate a political system that aligned with Western principles. This is related to the fact that the standards adopted in Western countries did not correspond to the traditional principles of the Central Asia post-Soviet communities²⁵. Despite this inconsistency with the principles of Western countries, elections and democratic procedures are used by these Central Asian countries as a form of political mobilization.

Post-Soviet countries of Central Asia are traditionally considered unstable. It is influenced by high ethnic fragmentation, unresolved issues related to the demarcation of state borders and the use of water resources, as well as

²³ ISKAKOVA, Z., Kalashnikova, N., Onychko, M., Salikzhanov, R., Smagambet, B., Otar, E., Abetova, Z. 2022. **Family policy as a power source of political stability**: The experience of kazakhstan. Social Politics, 29(2), 521-535. Available in: <https://doi.org/10.1093/sp/jxaa043>. Accessed on: September 18th. 2023.

²⁴ MILLER, A., Galunets, N. 2023. **The establishment of the countries of “American friends” to the USSR and their current role in world politics**. Foreign Affairs, 33(3), 28-35. Available in: [https://doi.org/10.46493/2663-2675.33\(3\).2023.28-35](https://doi.org/10.46493/2663-2675.33(3).2023.28-35). Accessed on: September 18th. 2023.

²⁵ ZHILTSOV, S.S. 2020. **Central Asia**: Features of Political Development. Bulletin of the Diplomatic Academy of the Ministry of Foreign Affairs of Russia. Russia and the world, 1, 143-160.

structural and demographic problems²⁶. Ivanov et al.²⁷ also note that the new challenges related to the stability of the Central Asian regions lie in the transit of power. Despite the strict authoritarian regime and the suppression of opposition forces, the internal political situation in the countries of this region remains quite tense. Burkina²⁸ notes that in these conditions of the political regime in Central Asian countries, the emergence of a power vacuum or the inability of a new political leader to maintain order in the state can provoke a rather serious socio-political crisis.

Sukhrob²⁹ emphasizes that in the Central Asian post-Soviet countries, despite the preserved elements of traditional society, there is not a single country where a rollback to the class system would be possible; 70 years of existence in the Soviet space and a quarter of a century in the context of globalization have irrevocably changed the society of Central Asia. Berezyuk and Klyashtorin³⁰ highlight that in modern conditions, the transfer of power is possible only under two options: holding open democratic elections or an authoritarian transition of powers to a successor. However, regarding the process of holding elections, it should be noted that they are usually indicative of the public formalization of the actual decisions on the transfer of power.

Pritchins³¹ notes that post-Soviet Central Asia authoritarian regime archaic structures are becoming obsolete. This is caused by the current inability to adapt to the personalized authoritarian regime. The primary key, following the author, is the first-generation political leaders becoming old, such as Nazarbayev or

²⁶ VOLKOV, V. 2023. **Comparative analysis of the state policy of national identity in Estonia and Latvia:** The view of Russian ethnic minorities. *Advances in Sociology Research*, 40, 39-69.

²⁷ IVANOV, E.A., Isaev, L.M., Shishkina, A.R. 2017. Central Asia. Risks of transit of power in aging regimes. *System Monitoring of Global and Regional Risks*, 8, article number: 186.

²⁸ BURKINA, Y.R. 2020. **The Significance of the Belt and Road Initiative for Central Asian Countries after the Political Transition of Power.** In: *Silk Road: Historical Heritage and Modern Development: Proceedings of the Scientific and Practical Conference* (pp. 81-83). Novosibirsk: CPI NSU

²⁹ SUKHROB, R. 2020. Tajikistan-Peculiarities of Relations with the States of Central Asia. *Bulletin of the Tajik State University of Law, Business and Politics. Social Sciences Series*, 3, 152-166.

³⁰ BEREZYUK, D.I., Klyashtorin, A.A. 2021. The evolution of the institution of presidency in the post-Soviet republics of Transcaucasia and Central Asia. *Vestnik BIST*, 2, 53-61.

³¹ PRITCHIN, S.A. 2020. A Dynastic Model of the Transit of Power in States with Emerging Political Institutions on the Example of Post-Soviet Countries. *Journal of Political Studies*, 2, 106-115.

Rahmon, and the introduction of new, politically ready leaders, such as Berdimuhamedov. The redistribution of power in favor of the president is a characteristic feature of the post-Soviet Central Asia countries. The expansion of the president's powers was aimed at the concentration of power in a single leader and reduced political competition between branches of government³². Over the course of 30 years since the formation of the post-Soviet Central Asian countries, the establishment and consolidation of political institutions have proven challenging. These countries have struggled to develop and solidify political structures and traditions that would serve as a foundation for a stable power system.

Additionally, they have faced difficulties in effectively addressing the diverse interests of their communities when making decisions. Furthermore, the establishment of a sustainable mechanism for changing and transitioning authorities has been elusive. As a result, these countries have encountered obstacles in creating a durable political framework that can ensure long-term stability and effectively govern their societies³³. Succession is considered one of the most suitable scenarios for preserving the stability of power concerning its transit in countries with weak political institutions. This type of power transfer is characterized by the fact that the head of state chooses a candidate to replace his person, who will be able to ensure the succession institution implementation in the future and the stability of the political system at the time of the power transition. One of the main tasks of the candidate is to ensure the rights and security guarantees of the head of state, which transfers powers to his ruling group and entourage³⁴³⁵.

While considering the issue of the “ideal scenario” power transfer, it should be noted that the candidate chosen by the head of state is consensual,

³² SPRIGMAN, C.J. 2020. Congress's Article III Power and the Process of Constitutional Change. *NYUL Review*, 95, article number: 1778.

³³ PRITCHIN, S.A. 2020. A Dynastic Model of the Transit of Power in States with Emerging Political Institutions on the Example of Post-Soviet Countries. *Journal of Political Studies*, 2, 106-115.

³⁴ CHEMSHIT, A.A., Statsenko, O.S., Emshit, D.A. 2021. On the change of power under authoritarianism. *Education and Law*, 9, 11-16.

³⁵ VILKS, A., Bergmanis, D. 2018. Global organized crime in Latvia and the baltics. *Global Organized Crime and International Security*, 63-70.

that is, the candidate satisfies all members of the political elite, as the process of changing the head of state must be implemented in conditions of the absence of contradictions and dissatisfaction of the ruling elite and counter-elite. Moreover, it is worth noting that the candidate must have all the necessary qualities to be appointed to the position of the country leader to effectively implement the management mechanism, namely, to be a leader with a professional education, to know perfectly the internal structure of state administration, etc. For the process to be legitimate, the candidate must be elected. As such, he must have society's trust and support from the people, as this will contribute to the growth of his political rating and capital, which will ensure the legitimacy of the process of assuming power through elections³⁶.

However, some risks are inherent to the succession mechanism as a special model of power transit, undermining the effectiveness of the power transfer mechanism. First of all, it is worth noting the risk of a split in the political elite, which has a threat in the form of entering into a confrontation between the elite against the successor and his entourage. A significant risk that undermines the effectiveness of the institution of succession is that the candidate may ineffectively manage the state and ensure the country's political stability. The low legitimacy of the successor is also a risk, as it indicates his low popularity and support from the population, as well as violations during the conduct of elections³⁷.

If a candidate violates agreements made with the head of state who elected them as their successor, it can lead to internal conflicts within the political elite. Such conflicts may result in the restructuring of the existing power model that was in place prior to the implementation of the power transition process. The breach of agreements can cause divisions and tensions within the political elite, potentially leading to significant shifts in power dynamics and the overall governance structure of the state. The head of state can attempt to return the

³⁶KOLAS, H. 2020. **New Trend in the Constitutional Law of Post-Soviet Autocracies**. Transit of Power: to Leave without Leaving. Charles University in Prague Faculty of Law Research Paper, 1, 1-12.

³⁷DRAPIATYI, B. 2022. Certain components of the constitutionalization content in the legislative procedure in Ukraine. **Scientific Journal of the National Academy of Internal Affairs**, 27(4), 62-73. Available in: <https://doi.org/10.56215/0122274.62>. Accessed on: 18 September. 2023.

transferred power and remove the candidate from the leadership of the state³⁸. While analyzing the experience of the post-Soviet Central Asia countries, it should be noted that some of these risks were realized during the transition of power.

A notable example illustrating the risks associated with post-transit loyalty can be observed in Kyrgyzstan in 2017. During the power transition, the former head of the country, Almazbek Atambayev, was unable to run for reelection due to constitutional restrictions. Consequently, he threw his support behind Prime Minister Sooronbai Zheenbekov, even though Zheenbekov had a low popularity rating of only 3% among voters. Through a well-orchestrated campaign, which included Atambayev's active involvement, Zheenbekov managed to become the new head of state³⁹. However, the expected smooth transition of power for Atambayev was derailed by the successor's violation of agreements. This breach led to a political conflict that resulted in Atambayev losing his influence over decision-making processes. Members of his political team were dismissed from their positions, and some were even arrested. Eventually, Atambayev himself lost his immunity and was subsequently arrested⁴⁰. This example demonstrates the consequences that can arise when a successor fails to honor agreements made with the outgoing head of state. In this case, the violation of agreements led to a significant political upheaval, with repercussions for key individuals and the broader political landscape of Kyrgyzstan.

A negative experience in power transit is also present in Kazakhstan's politics. As such, in 2019, Nursultan Nazarbayev announced his demotion from the leadership position and initiated a power transition mechanism in the form of successorship. Nazarbayev picked his colleague and upper palate speaker Kassym-Jomart Tokayev. Tokayev was chosen as a new country leader with

³⁸ REKK, D.A. 2020. **Clans of Central Asia: A Theoretical Aspect**. Post-Soviet Continent, 25, 86-101.

³⁹ ABDURASULOV, A. 2017. Elections in Kyrgyzstan: the country's first peaceful transfer of power. Available in: <https://www.bbc.com/russian/features-41628261>. Accessed on: 18 September. 2023.

⁴⁰ MISHCHENKO, O. 2019. **Arrest of ex-president of Kyrgyzstan extended by two months**. Available in: <http://surl.li/caoav>. 24. MISHCHENKO, O. 2019. Arrest of ex-president of Kyrgyzstan extended by two months - Pesquisar (bing.com). Accessed on: 18 September. 2023.

Nazarbayev's support in June 2019. Difficulties during the power transition happened as Nazarbayev managed to hold on to the political influence on both formal and informal levels. As such, a double-sided system was created in a republic with both formal president Tokayev and the head of security Nazarbayev, which caused competition on the inner and outer levels⁴¹. Nazarbayev's daughter, Daryga Nazarbayeva, being a senate speaker also complicated the issue with her ambitions and independent politics. Daryga was removed from the position as agreed by Tokayev and Nazarbayev⁴². Nazarbayev's influence has decreased significantly lately while Tokayev remains a full-fledged leader of the country.

This provides reason to believe that these risks are quite justified and likely, especially for countries with weak political institutions. Under the risk of losing property and freedom and in the absence of institutions, leaders try to use, where possible, the mechanism of preserving power within the family, transferring supreme power to a family member, and implementing a dynastic scenario. Regarding the dynastic type of power transfer, it is part of the successful institution with a characteristic feature in the form of power transit to family members. This power transit institution is characterized by somewhat reduced risks, as family ties reduce the level of internal conflicts among the ruling group. Power transitions, particularly in authoritarian regimes, can significantly impact a nation's economy. This connection can be traced back to various factors:

1. Policy continuity: An authoritarian regime is typically marked by policy stability due to the concentration of power. When power transfers occur, there can be significant changes or discontinuities in economic policies. This can create uncertainties for domestic and foreign investors, potentially destabilizing the economy.

2. Perception of risk: Power transitions can be associated with increased political risk, especially if the process is contested or the successor is seen as

⁴¹ Official website of the President of the Republic of Kazakhstan. 2022. Available in: <https://www.akorda.kz/ru>. Accessed on: 18 September. 2023.

⁴² Resignations of members of the Nazarbayev family. 2022. Available in: <https://www.bbc.com/russian/features-60031958>. Accessed on: 18 September. 2023.

weak or incompetent. This can lead to capital flight, where investors move their assets out of the country due to perceived instability.

3. Institutional weakness: In many authoritarian regimes, institutions are often weak or ineffective, with power centralized around the leader. A transfer of power can further weaken these institutions if not handled properly, leading to economic inefficiencies and corruption.

4. Social unrest: If the power transition is not smooth, it can lead to social unrest or even civil conflict, which can have devastating effects on the economy.

In general, while not all power transitions in authoritarian regimes lead to economic instability, the risk is considerably higher, especially if the transition is abrupt, contested, or mismanaged. The correlation between such actions and the economic state of the nation can be quite complex, as it also depends on various other factors such as the nation's economic structure, external economic conditions, and the role of international actors.

It should be noted that this type of presidential power transfer is successfully functioning in Azerbaijan. As such, in 2003, the President of the Republic Heydar Aliyev handed over power to his son Ilham. To accomplish this power transit, thorough preparation of the successor as the head of state was carried out. Ilham was a member of the Milli Majlis from 1995 to 2003 and had been Vice President of the State Oil Company of Azerbaijan since 1994. Since Heydar Aliyev was undergoing medical treatment in July 2003, his son was nominated for the post of head of state. On August 4, by the decision of the parliament, he was appointed prime minister and later was nominated as a candidate for the presidency due to his father's refusal to run for president in favor of Ilham. As a result of the elections held in October 2003, Ilham Aliyev was elected to the post of head of state with a result of 79.46% of the vote⁴³.

Several key factors contributed to this successful dynastic presidential transition. Firstly, it is worth noting the high level of trust in the former President of Azerbaijan, Heydar Aliyev, as he is perceived by the people as the founder of the independent country. His support allowed for the transfer of legitimacy to his

⁴³Biography of the President of Azerbaijan Ilham Aliyev. 2022. Available in: <https://ru.president.az/president/biography>. Accessed on: 18 September. 2023.

son, Ilham Aliyev, and a high level of support for his successor. Furthermore, it should be noted that the aspect of the stabilization of the apparatus that ensured a conflict-free and sustainable process of the transfer of presidential powers from father to son is the team of the first President Heydar Aliyev, headed by the head of his administration Ramiz Mehdiyev. The importance of this aspect lies in the fact that the existence of effective vertical management is the main condition for the implementation of the dynastic power transition scenario. Moreover, another factor that influenced the successful implementation of this mechanism is the readiness of Ilham Aliyev to accept these powers, as he had a fairly rich track record and managerial experience, which allowed him to quickly adapt to the new role. However, it should be noted that an internal conflict among the political elite did occur in Azerbaijan 2 years after the transit. Part of the first President of Azerbaijan Heydar Aliyev's team at the time of the parliamentary campaign in 2005 made a statement about their ambitions and disagreement with the leadership of Ilham Aliyev. As a result, many high-ranking officials, including Minister of Health Ali Insanov, Minister of Economic Development Farhad Aliyev, and others, were accused of plotting against the head of state and arrested ⁴⁴.

Religion can significantly impact power transfer practices in authoritarian regimes. It often provides a sense of legitimacy to the rule. In many societies, successors in authoritarian regimes where religion plays a central role may be chosen based on their religious credentials or the endorsement they receive from religious authorities. Furthermore, religion often serves as a unifying force in society. Religious leaders or institutions may support a smooth transition of power in an authoritarian regime to maintain societal harmony and uphold the religion's principles. Religion can also be used as a tool of control in authoritarian regimes. A leader might use religious doctrines or collaborate with religious institutions to suppress dissent and maintain power. However, religion can also be a source of conflict during power transitions. If a power transition is perceived to favor one religious' group over another, it may lead to societal discord.

The swift transformation processes, particularly the resurgence of Islam in Central Asian countries, are often marked by an absence of definite objectives for state-building and strategic planning. This is primarily noticeable in the political leadership of these countries, which is grappling with a significant crisis of legitimacy. This predicament often compels them to fortify their authoritarian tendencies. Under such circumstances, Islam can serve as an influential medium for rallying the populace. However, the emergence of religious opposition leaders can potentially destabilize the existing political structures. Consequently, amid political ambiguity, authorities in Central Asia tend to manipulate and regulate the religious domain for their advantage⁴⁵.

While religious aspects are overseen by the state across all Central Asian countries, the principal concerns remain largely unaddressed. Simultaneously, these governments implement legislative measures aimed at curtailing the institutional potential of religious communities. Despite the stringent governmental control over religious life, these communities maintain minimal institutional potential. The existing power elites in Central Asia perceive themselves as devout Muslims and support Islam in a manner that aligns with their interests. The rigid policies imposed on unofficial forms of Islam are not a result of antagonism toward the religion itself. Instead, they reflect the escalating authoritarian tendencies of Central Asian politicians. Anti-terrorism and anti-extremist measures occasionally represent the ruling powers' reluctance to uphold religious freedoms⁴⁶.

It should be noted that the dynastic type of presidential transfer could have been implemented earlier in the post-Soviet space, provided there were no gender restrictions. The political culture of post-Soviet Central Asian countries has quite strong beliefs about the role of women in society. In this regard, the political elites of the Central Asian republics could not allow the fact that a woman

⁴⁵OLIMOVA, S., Tolipov, F. 2011. **Islamic Revival in Central Asia**: The Cases of Uzbekistan and Tajikistan. Documentos CIDOB Asia, article number: 26. Available in: https://www.cidob.org/en/layout/set/print/publications/past_series/documents/asia/islamic_revival_in_central_asia_the_cases_of_uzbekistan_and_tajikistan. Accessed on: 18 September. 2023

⁴⁶OLIMOVA, S., Tolipov, F. 2011. **Islamic Revival in Central Asia**: The Cases of Uzbekistan and Tajikistan. Documentos CIDOB Asia, article number: 26. Available in: https://www.cidob.org/en/layout/set/print/publications/past_series/documents/asia/islamic_revival_in_central_asia_the_cases_of_uzbekistan_and_tajikistan. Accessed on: 18 September. 2023.

could be a leader. As an example, in countries such as Kazakhstan and Uzbekistan, there is no dynastic transit of power due to the lack of sons for the heads of state to transfer presidential powers. Therefore, they had to choose another way of transferring presidential powers⁴⁷.

However, it is worth highlighting the fact that a dynastic type of power transit is currently being planned in Tajikistan and Turkmenistan according to several indirect signs. This is evidenced by the fact that, for example, in Tajikistan, the current head of state Emomali Rahmon is training his son Rustam Rahmon as a successor. In 2020, Rustam Rahmon was elected as the Speaker of the Senate of the Republic and is also the mayor of Dushanbe⁴⁸. Referring to the political experience of Turkmenistan, former President Gurbanguly Berdimuhamedov implemented the process of preparing his son Serdar for the presidency. Serdar worked for a long time in the Ministry of Foreign Affairs of the Republic of Turkmenistan and the Parliament. On March 19, 2022, Serdar Berdimuhamedov took over the presidency from his father⁴⁹.

Authoritarian regimes can potentially be changed to another form of government, but such transitions are challenging and require various factors to align for successful change. Transitioning from an authoritarian regime to a different system of governance is possible if certain conditions are present:

Firstly, internal pressure from civil society groups, human rights activists, and citizens demanding change can create momentum for political transformation⁵⁰. Widespread discontent and protests against authoritarian rule can significantly influence the prospects of change. Secondly, external pressure and support from the international community, including diplomatic efforts, economic incentives, and sanctions, can play a role in facilitating democratic

⁴⁷PRITCHIN, S. 2021. Uzbekistan and Kazakhstan: features of the transit of power. *World Economy and International Relations*, 2, 89-99.

⁴⁸RYSKULOVA, N. 2020. "Pattern of nepotism". The son of the president of Tajikistan has been elected speaker of the Senate. Available in: <https://www.bbc.com/russian/news-52336816>. Accessed on: 18 September. 2023.

⁴⁹Serdar Berdimuhamedov has been elected the new President of Turkmenistan. 2022. Available in: <https://cutt.ly/I1IPtXB>. Accessed on: 18 September. 2023.

⁵⁰CHOCHIA, A., Troitiño, D.R., Kerikmäe, T., Shumilo, O. 2018. Enlargement to the UK, the referendum of 1975 and position of margaret thatcher. **Brexit: History, Reasoning and Perspectives**, 115-139.

transitions. International organizations and neighboring countries may actively encourage a shift towards democracy and provide assistance during the transition.

Thirdly, a shift in the perspectives and interests of the political elite is often crucial for a successful transition. If key figures within the authoritarian regime or influential individuals in the military, business, or political spheres become supportive of democratic reforms, it can enhance the likelihood of change. In addition, transitioning requires the creation or reform of institutions that safeguard democratic principles, such as an independent judiciary, free and fair elections, and a free press⁵¹. Building these institutions is a complex process that requires careful planning and implementation.

Active citizen engagement, including the formation of political parties, civil society organizations, and grassroots movements, can be instrumental in shaping a new political landscape. Broad public participation in decision-making processes and establishing mechanisms for citizen oversight are vital for sustainable change. Addressing past human rights abuses and ensuring accountability for the actions of the previous regime through transitional justice measures can contribute to a successful transition. Establishing truth and reconciliation commissions or holding fair trials can help heal societal divisions and build trust in the new system⁵².

Overall, the possibility of transitioning from authoritarianism to another form of government depends on the specific circumstances of each country. Successful transitions often require a combination of internal and external forces working together, along with careful planning, negotiation, and commitment to democratic principles.

When analyzing the two models of presidential power transition in post-Soviet Central Asian countries, it becomes evident that the dynastic scenario is

⁵¹LYSA, M. 2022. The Fourth Universal of the Ukrainian Central Council of the Ukrainian People's Republic as a result of one of the stages of the Ukrainian revolution. *Social and Legal Studies*, 5(1), 9-14. Available in: <https://doi.org/10.32518/2617-4162-2022-5-9-14>. Accessed on: 18 September. 2023.

⁵²HRUBINKO, A., Fedoriv, I. 2023. **China policy on Taiwan against the backdrop of the Russian-Ukraine War**. *Foreign Affairs*, 33(1), 24-31. Available in: [https://doi.org/10.46493/2663-2675.33\(1\).2023.24-31](https://doi.org/10.46493/2663-2675.33(1).2023.24-31). Accessed on: 18 September. 2023.

more prevalent. While the dynastic model offers certain advantages in terms of maintaining stability and preserving the institution of succession, it also exhibits an archaic nature that hinders the development and improvement of political institutions. The problem lies in the fact that reserving power for a single family creates a dominant political institution centered around the family of the head of state, resembling a modern interpretation of monarchy⁵³. This phenomenon sets the stage for the formation of a recurring power transfer pattern that restricts the state's ability to modernize political and social institutions and mechanisms of interaction.

By relying on a succession model that primarily involves passing power to a successor or family member, the state foregoes opportunities for modernizing its political and social structures. The perpetuation of this pattern limits the state's capacity to adapt to changing societal needs and stifles the potential for meaningful reforms. As a result, political and social institutions remain stagnant, impeding the state's progress and hindering the advancement of democratic governance and effective mechanisms of interaction. Breaking away from the dynastic power succession model would allow for greater dynamism, fostering the modernization and improvement of political institutions and societal mechanisms.

Conclusions

The findings indicate that despite Central Asian societies' exposure to Western-style democratization, they are inclined to revert to their historical, clan-centric power structures. This is predominantly due to the prevailing geopolitical landscape and the domestic societal structures that have endured since the dissolution of the SU. The aspiration to incorporate democratic procedures, like elections and power-sharing mechanisms, usually culminates in only a superficial execution given these societies' lack of familiarity with such concepts. Consequently, these practices are more commonly utilized for political

⁵³BARABASH, I.H., Serdiuk, O.V., Steshenko, V.M. 2020. **Ukraine in European human rights regime: Breaking path dependence from Russia.** The EU in the 21st Century: Challenges and Opportunities for the European Integration Process, 247-270.

mobilization rather than forming the foundation of genuine democratic governance.

In addition, the study highlights the unpredictability and potential instability that defines the power transition process in these nations. Despite the proclivity to employ authoritarian measures to quell opposition and sustain political stability, the potential for a power void or an inadequately prepared successor presents considerable risks to the socio-political balance. As demonstrated by Kazakhstan, such transitions may incite a scramble for influence, intensifying political discord. Conversely, Azerbaijan's successful dynastic power transfer exemplifies how these transitions can be seamless and free of conflict under certain conditions, such as robust leadership, effective administration, and substantial public confidence in the predecessor.

However, it's important to mention that a dynastic model of power transition, while it may guarantee stability and uphold existing structures, tends to constrain the opportunities for political and societal modernization. This system, bearing similarities to a modern monarchy, hinders the evolution of political institutions and societal interaction mechanisms.

Given these discoveries, it's vital for post-Soviet Central Asian nations to scrutinize their power transition systems carefully. While stability is undeniably crucial, these states should also ponder the enduring implications of their decisions on societal growth and their ability to democratize their political systems. There's a clear need for additional research to explore alternate power transition models that can strike a balance between stability, political continuity, and societal modernization.

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