

The Proportional Electoral System of Kyrgyzstan as a way to Avoid Violating the Citizens' Right to Proportional Party Representation

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Abstract

The article delves deep into Kyrgyzstan's proportional electoral system, placing an emphasis on its imperative role in ensuring citizens' rights to proportional party representation are not infringed upon. An authentic reflection of voters' intents in post-election party distribution is indicative of a proportional system working efficiently. Grounded in this principle, the study asserts that every voter in Kyrgyzstan warrants proper representation, and every political faction deserves accurate representation in the elected bodies. To further comprehend the intricacies, the study employs SWOT and SLEPT analyses to pinpoint strengths, weaknesses, opportunities, and threats intrinsic to Kyrgyzstan's electoral system, shedding light on the strategic outlook for the system's enhancement. The prosperity of the Kyrgyz Republic's proportional system, as a mechanism for establishing elected bodies through party representation, hinges on several factors: effective party institutionalisation, equitable inter-party competition, ideologically-rooted Kyrgyz parties, amplified voter engagement, heightened political awareness, and adherence to power distribution principles.

Keywords: Proportional Representation, Citizens' Rights, Electoral Justice, Criminology, Party Institutionalisation.

Introduction

Democracy, as a tool for the implementation of the sovereignty of the people, presupposes maximum representation of the population's interests in the authorities through elections. Electoral systems are generally divided into majoritarian, proportional, and mixed. Nevertheless, the proportional electoral system promotes citizens' political activity and forms ideological parties; this is especially important since most Kyrgyz parties are political projects. The proportional electoral system is aimed at the establishment of electoral bodies of state power through the universal distribution of public support for each political party. Proportional representation provides minority groups with a certain representation proportional to their support

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in elections. Proportional representation systems have been adopted in many countries, in particular in Belgium, Denmark, Finland, Greece, Hungary, Israel, Italy, Luxembourg, Norway, Spain, Sweden, and Switzerland (Proportional representation, 2022).

The polysegmentality and differentiation of the Kyrgyz society with different social strata having different political views and interests should be implemented in different programmes of political parties. As a rule, these political programmes have opposite views on the development of the state. In this regard, the need for maximum representation of the interests of citizens in the electoral bodies of state power through political parties is logical. For the first time, this idea was formulated by Honore Mirabeau, who compared the Parliament with a map of the state, where the interests and electoral priorities of citizens are reflected as contours of administrative units of the state (Bogdanor, 1987). In scientific discourse, the problems of electoral systems in general, and various aspects of the proportional electoral system as a way of forming elected public authorities through party representation, were analysed in studies by many researchers, namely: J. Carey and S. Hix (2009), M. Becher, I. Gonzalez, D. Stegmueller (2021), J.A. Cheibub, G. Sin (2020).

J. Carey and S. Hix (2009) analyse the problems associated with creating electoral rules that can achieve political ideals, such as a full representation of voter preferences and accountability of governments. Researchers argue that these trade-offs are better characterised as non-linear and that it is possible to obtain most of the advantages attributed to proportional representation while sacrificing the smaller advantages attributed to majority elections by maintaining the values of districts in the range from low to moderate. M. Becher, I. Gonzalez, D. Stegmueller (2021) investigated the importance of electoral institutions for the rise of populist parties. Researchers claim that the role of electoral rules is small, using both synthetic control and the difference-in-differences method, they calculated that electoral reform (transition to a proportional system) increased the share of votes of right-wing populists by an average of about 12-13.5 percentage points in the United Kingdom (UK). At a time when populism was growing across Europe (Pylypenko & Spahija, 2023), the reform dramatically shifted the voices of populists in the UK above the European trend and above similar cases of comparison (Stojarová & Felbermayr, 2022; Wolff & Liñeira, 2023).

According to J.A. Cheibub and G. Sin (2020), open-list proportional representation systems require candidates to seek personal votes to succeed. They indicate that this feature of the system leads to intense competition between party members and, ultimately, to the weakness of electoral and legislative parties, narrow national policy, localism, clientelism, and corruption. Researchers claim that the

number of viable candidates on party lists is limited, and their votes are distributed in such a way that it indicates pent-up competition between party members during the elections. With the existing variety of studies, the evaluation of increasing the effectiveness of the proportional electoral system as a way of forming elected public authorities through party representation in a certain state remains out of the attention of researchers. This issue is particularly interesting in the context of the Kyrgyz state, which will serve the purpose of the study.

Materials and Methods

The study involved the search for effective ways to use the proportional electoral system as a way of forming elected state authorities through party representation in Kyrgyzstan. It was conducted based on a pre-compiled theoretical foundation, which acts as a sufficient premise for further research. The basis of this study is the results of the analysis conducted by a number of researchers aimed at investigating issues related to the proportional electoral system. All the foreign materials presented in this study have been translated into English to facilitate the perception of the information provided. SLEPT (social, legal, economic, political, technological) and SWOT (strengths, weaknesses, opportunities, threats) analysis were chosen as the methodology of the study.

Through a SLEPT analysis, the benefits of the opportunities offered by the existing conditions in the proportional electoral system of Kyrgyzstan were analysed and recognised. The SLEPT analysis was used to identify current and potential future problems of the proportional electoral system of Kyrgyzstan, which allowed effectively developing the best way to cope with these problems. The SLEPT analysis allowed assessing the internal organisation of the proportional electoral system of Kyrgyzstan, covering its strengths and weaknesses in domestic and foreign policy, economic prospects, social climate, and legal and technological base. The results of this analysis allowed for the formulation of recommendations for changes and improvements in the proportional electoral system of Kyrgyzstan. The SLEPT analysis was used in combination with SWOT analysis (strengths and weaknesses, opportunities, and threats) to obtain valid results and formulate recommendations for optimising the proportional electoral system of Kyrgyzstan.

The SWOT analysis allowed analysing the strengths, weaknesses, opportunities, and threats of the proportional electoral system as a way of forming elected state authorities through the party representation of Kyrgyzstan. The algorithm of SWOT analysis was as follows: at the first stage, the "opportunities" quadrant was described, then "threats". In the second stage, the "strengths" quadrant was filled in, subsequently – "weaknesses". After the list of "strengths", "weaknesses", "opportunities", and "threats" of the proportional electoral system

was drawn up, links between them were established. Based on the results of the SLEPT and SWOT analysis, four areas were developed at the intersection of the blocks: strengths-opportunities, strengths-threats, weaknesses and opportunities, weaknesses, and threats.

Results

The SLEPT analysis allowed considering the political, economic, social, technological, and legal factors that affect the proportional electoral system of Kyrgyzstan. The analysis results contribute to obtaining information about the strategic planning for introducing a proportional electoral system. The factors were correlated with certain indices: political with the democracy index (Democracy countries, 2022), social factors with the social progress index (Social progress index, 2021), the education expenditure index (Ranking countries by index and education spending, 2020), institutional with the weakness index of states (Fragile states index: annual report, 2021), the corruption perception index (Corruption perceptions index, 2021), the characteristic index of elites (Global innovation index, 2021), technological with the global index innovation, legal with the rule of law index (2021), human freedom index (2021). Accordingly, the elements of the indices have become components of the following factors. Political factors: electoral process and pluralism, government activity, political involvement, political culture, civil liberties. Economic factors: GPD. Social factors: social progress, education expenses. Institutional factors: security, elite separateness, group protest, economy, economic inequality, emigration and brain drain, state legitimacy, public services, human rights, demographic pressure, refugees, external interference, corruption, elite political power, elite economic power, elite economic values, elite political values. Technological factors include technological aspects such as institutions, human capital and science, infrastructure, the level of market development, the level of business development, the development of technology and the knowledge economy, and the results of creative activity. Legal factors: limitations of government powers, absence of corruption, open government, basic rights, order and security, regulatory enforcement, civil justice, and criminal justice in Table 1.

Table 1. SLEPT-analysis of the proportional electoral system of Kyrgyzstan

Factor	Index and its components	Rating
Political	Democracy Index (maximum index 10)	Hybrid mode 4.21/Low
	Electoral process and pluralism	4/Low
	Government activities	2.93/Very low
	Political involvement	5/Medium
	Political culture	3/Very low
	Civil liberties	4.71/Below average
Economic	Gross Domestic Product index (200 countries)	152 place/Low level (%)
Social	Social Progress Index (maximum score 100)	68.78/Above average
	Ranking of countries by index and spending on education There are 128 countries in the ranking	Average level (%)/69th place
Institutional	Index of the weakness of states (evaluation of components from 10 to 0, where 0 – strong states, 10 – weak states) Total 179 countries	76.4/68th place
	Safety	6.2/Weak level
	The separation of the elite	8.3/Weak level
	Group protest	8.1/Weak level
	Economy	7.1/Weak level
	Economic inequality	4.9/Average level (%)
	Emigration and brain drain	6.7/Weak level
	The legitimacy of the State	8.0/Weak level
	Public services	5.3/Below average
	Human rights	6.3/Weak level
	Demographic pressure	5.5/Below average
	Refugees	4.1/Above average
	External intervention	5.9/Below average

	Corruption Perception Index 0 – 100: 0 – high corruption level; 100 – low level of corruption	27/High level (%)
	Elite Quality Index From 151 countries	Average quality/117
	Political power	98 41.9 Average quality
	Economic power	126 39.3 Low quality
	Political values	104 45.9 Average quality
	Economic values	114 43.4 Average quality
Technological	Global Innovation Index	24.5 98 low
	Institutes	55.7 95 low
	Human capital and science	30.6 70 low
	Infrastructure	35.3 87 low
	Development of market	49.2 52 average
	Development of business	17.9 107 very low
	Technology development and knowledge economy	12.1 102 very low
	Results of creative activity	10.2 120 is very low
	Legal	Ensuring the rule of law

(from 0 to 1, where 0 is the lowest and 1 is the highest level)	Low
Restrictions on the powers of the Government	0.45 100 Low
Absence of corruption	0.3 126 Low
Open Government	0.52 61 Medium
Basic rights	0.48 96 Low
Order and safety	0.76 55 Above average
Regulatory enforcement	0.43 109 Low
Civil justice	0.47 90 Medium
Criminal justice	0.32 118 Low
Human Freedom Index (10 max, 0 minimum)	7.17/High
Personal freedom	7.18/High
Economic freedom	7.17/High

The SLEPT analysis of the proportional system of Kyrgyzstan established in the spectrum of politics that the most unfavourable indicators are the activities of the government and political culture (Doszhan, 2023); moreover, the political regime of Kyrgyzstan can be called hybrid, while political involvement is at an average level. The Kyrgyz economy is vulnerable to external shocks due to its heavy dependence on remittances (30 per cent of gross domestic product – GDP) and gold production (about 10 per cent of GDP and 35 per cent of exports). The weakness of the economic system of Kyrgyzstan introduces a substantial aspect of

destabilisation into the functionality of the proportional system of Kyrgyzstan. Strong and sustained economic growth requires institutional strengthening and policies to develop the private sector, stimulate international trade, and promote financially sustainable energy production. According to official World Bank data, Kyrgyzstan's GDP in 2020 amounted to 7.74 billion United State dollars. The value of Kyrgyzstan's GDP is 0.01 per cent of the world economy. Indicators of social factors, social progress, and education expenses are at above average and average levels, respectively. In institutional factors, the indicators of elite separateness, group protest, state legitimacy, corruption, and economic power of the elite look critical; they cause restrained optimism in case of their increase – indicators of demography, public services, and refugees. The indicators for the technological factor are generally negative; the level of business development, the development of technology and the knowledge economy, and the results of creative activity seem especially unfavourable (Pasenko, 2022). On the one hand, legal factors include low indicators of corruption, restriction of government powers, and criminal justice. On the other hand, such indicators as order and security, personal freedom, and economic freedom inspire hope for the sufficient development of the legal sphere.

When comparing opportunities and threats, it becomes evident that through social progress, the execution of freedoms, openness of government, political power, political and economic values, and civil justice, it is possible to overcome threats, while public services, demographic pressure, and economic power are potential opportunities (Kosior, 2023; Otenko et al., 2023). An interesting fact is that economic values relate to opportunities and economic power, and in general, the economy refers to threats. It is also possible to note a certain contradiction since civil liberties relate to threats and opportunities. However, when the government somehow tries to rig elections, Kyrgyz citizens defend their freedoms through political involvement in rallies. This thesis partially confirms that freedoms relate to opportunities and rights to threats. The contradictory situation also concerns security, namely, security in the plane of law refers to opportunities, and security in the context of state security refers to threats in Table 2.

Table 2. Opportunities-threats quadrant of the proportional electoral system of Kyrgyzstan

Potential opportunities	Potential threats
High level (%) Social progress Order and safety Personal freedom Economic freedom	High level (%) Electoral process and pluralism Government activities Political culture Gross domestic product Safety The separation of the elite Group protest Emigration and brain drain The legitimacy of the State Human rights Corruption Development of business Technology development and knowledge economy Results of creative activity Restrictions on the powers of the Government Regulatory enforcement Criminal justice
Average level (%) Political involvement Education Expenses Refugees Political power Political values Economic values Open Government Civil justice	Average level (%) Civil liberties Economy Economic inequality External intervention Institutes Human capital and science Infrastructure
Low level (%) Development of market	Low level (%) Public services Demographic pressure Economic power

The strengths of Kyrgyzstan's proportional electoral system enable fairly converting electoral preferences into parliamentary mandates, minimising destabilising and "dishonest" election results, while "premium seats" for large parties are reduced, and small parties can have representation in the Parliament. The establishment of lists by parties or candidates opens the full spectrum of Kyrgyz society: political, ideological, and economic. The proportional electoral system motivates the population to actively take part in the electoral process since each vote affects the final result of the elections. The proportional electoral system of Kyrgyzstan supports party diversity, giving stability to a differentiated society. The balance between the majority and the minority in the proportional electoral system creates stability and stimulates getting more votes regardless of the place, territory, district, etc. The demonopolisation of votes received by a party in a certain district opens up opportunities for small parties and gives policy greater consistency, stability, and continuity in management decisions to coalition governments, contributing to strengthening economic indicators in Table 3.

Table 3. Strengths-weaknesses quadrant of the proportional electoral system of Kyrgyzstan (SWOT analysis)

Strengths	Weaknesses
<ol style="list-style-type: none"> 1. Promotes fair conversion of votes into parliamentary mandates. 2. Increases motivation for parties to compile their own lists. 3. Minimises the number of lost votes. 4. Contributes to the fact that any party, regardless of its size, can have representation in state authorities. 5. Stimulates parties to conduct campaigns in various districts. 6. Limits the growth of "regional patrimony". 7. Leads to greater consistency and stability in politics. 8. Promotes the appeal of the party to its main supporters. 	<ol style="list-style-type: none"> 1. Creates a situation where the interests of government members may be opposite, which in turn makes it difficult to find a compromise, increasing the time to make managerial decisions. 2. Loosening of the party system. 3. Hypothetically, blackmail by small parties of major coalition partners in negotiations is possible. 4. Can provide extremists with an opportunity to break into the political mainstream. 5. Government coalitions do not have much in common in terms of their policies. 6. Small parties gain disproportionately substantial power.

<p>9. Offers a broader and more representative choice for voters.</p> <p>10. Stimulates turnout and reduces apathy.</p> <p>11. Ensures greater continuity of government and requires greater consensus in policy-making.</p>	<p>7. The absence of a mechanism of accountability to the party's voter or dismissed official.</p> <p>8. Complex rules for understanding voters and implementation by government agencies.</p> <p>9. The system of proportional representation lists complicates the interaction between citizens and elected representatives.</p>
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The disadvantages of the proportional electoral system of Kyrgyzstan include the polarisation of the party system, which can cause inertia of the authorities and decrease the speed of decision-making. Small parties often use the blackmail of larger parties to obtain preferences, which in turn contributes to the establishment of a cult of personality in the parties, and ethnoreligious characteristics. Primarily, this state of affairs leads to the fact that small parties have the right to block the decisions of large parties, which in turn leads to curbing the development of the electoral system. Coalitions between large and small parties are often created on a compromise basis rather than on common goals. With a proportional electoral system, extremist parties may be represented in the governing bodies; the system is not always clear to voters and does not involve parties dismissed or representatives of the accountability mechanism. Based on SWOT and SLEPT analyses, recommendations were developed to optimise the proportional electoral system of Kyrgyzstan as a way of forming elected public authorities through party representation in Table 4.

Table 4. Integrative matrix of SWOT and SLEPT analyses

<p>Matrix of SWOT and SLEPT analyses</p>	<p>Opportunities</p> <p>High level (%)</p> <p>Social progress</p> <p>Order and safety</p> <p>Personal freedom</p> <p>Economic freedom</p> <p>Average level (%)</p> <p>Political involvement</p>	<p>Threats</p> <p>High level (%)</p> <p>Electoral process and pluralism</p> <p>Government activities</p> <p>Political culture</p> <p>Gross domestic product</p> <p>Safety</p>
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Education Expenses	The separation of the elite
Refugees	Group protest
Political power	Emigration and brain drain
Political values	The legitimacy of the State
Economic values	Human rights
Open Government	Corruption
Civil justice	Development of business
Low level (%)	Technology development and knowledge economy
Development of market	Results of creative activity
	Restrictions on the powers of the Government
	Regulatory enforcement
	Criminal justice
	Average level (%)
	Civil liberties
	Economy
	Economic inequality
	External intervention
	Institutes
	Human capital and science
	Infrastructure
	Low level (%)
	Public services
	Demographic pressure
	Economic power

<p>Strengths</p> <ol style="list-style-type: none"> 1. Promotes fair conversion of votes into parliamentary mandates. 2. Increases motivation for parties to compile their own lists. 3. Minimises the number of lost votes. 4. Promotes the representation of small parties in Parliament. 5. Stimulates parties to conduct campaigns in various districts. 6. Limits the growth of "regional patrimony". 7. Leads to greater consistency and stability in politics. 8. Promotes the appeal of the party to its main supporters. 9. Offers a broader and more representative choice for voters. 10. Stimulates turnout and reduces apathy. 11. Ensures greater continuity of government and requires greater consensus in policy-making. 	<p>Justice, as the basic principle of a proportional electoral system, can be executed through the possibilities of order, security, political involvement, and open government.</p> <p>The development of a proportional electoral system is possible through social progress, increasing the competence of voters, and the development of political and economic values.</p>	<p>Non-observance of human rights can lead to group conflicts and protests.</p> <p>The low level of technology development can contribute to the opacity of the electoral process and fraud.</p> <p>Corruption can lead to the sale of a place on the lists and the growth of "regional patrimony".</p> <p>The separation of the elite can contribute to the lack of consensus in government bodies and representative bodies.</p> <p>The low level of political culture makes it impossible to navigate the specific features of the electoral process.</p>
<p>Weaknesses</p> <ol style="list-style-type: none"> 1. Creates a situation where the interests of government members 	<p>A high level of political values will contribute to the fact that government coalitions can find</p>	<p>The presence of only weaknesses and threats in the proportional electoral system can</p>

<p>may be opposite, which in turn makes it difficult to find a compromise, increasing the time to make managerial decisions.</p> <p>2. Loosening of the party system.</p> <p>3. Hypothetically, blackmail by small parties of major coalition partners in negotiations is possible.</p> <p>4. Government coalitions do not have much in common in terms of their policies.</p> <p>5. Small parties gain disproportionately more power.</p> <p>6. The absence of a mechanism of accountability to the party's voter or the dismissed official.</p> <p>7. Complex rules for understanding voters and implementation by government agencies.</p> <p>8. The system of proportional representation lists complicates the interaction between citizens and elected representatives.</p>	<p>common ground, helping to overcome the destabilising fragmentation of the party system.</p> <p>Social progress and high education expenses will contribute to voters' understanding of the complex rules of the electoral process.</p> <p>The openness of parties and public authorities, including the government, will allow for the creation of a mechanism for accountability of the party or dismissed official to the voter.</p>	<p>lead to the fact that the functioning of the proportional electoral system will be possible at best in a hybrid or deep form when the declared goals do not correspond to the real actions of the elite or the fragmentary representation of individual working elements of the system.</p> <p>In the worst-case scenario, weaknesses and threats will either lead to destabilisation and ultimately to a change of the proportional electoral system to some other democratic electoral system or a regime change to an anti-democratic one.</p>
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Discussion

P. Buisseret and C. Prato (2020) showed how voters' expectations regarding the outcome of elections shape the relative importance of various candidates on the party ballot and, ultimately, determine their induced preferences on the party list. They analyse how voters allocate their attention to different ranks on the party ballot and how it depends on the relative popularity of each party.

P. Carolina, A. Blais, J. Högström (2020) argued that in assessing how fair the voting rules are, the fundamental criterion is the ability or inability to give proportional results, that is, the degree of distribution of spots between parties after the election. B. Crisp, S. Olivella, M. Malecki, M. Sher (2013) argue that, theoretically, flexible list systems represent a compromise between proportional representation with closed and open lists. In their opinion, the list of candidates of the party can be changed by voters if the number of votes cast for an individual candidate exceeds a certain quota. Data from Slovakia demonstrates that officials cultivate a personal reputation in voting.

J. Engvall (2022), analysing the electoral process of Kyrgyzstan, emphasised the complexity of democratisation in states suffering from the immaturity of state institutions and low level of economic development. The author also showed that in such conditions, increased political competition is unlikely to lead to improved governance in terms of the provision of public services and the transition to sustainable economic development. According to the researcher, this leads to a somewhat discouraging conclusion that the state must first ensure the fulfilment of its basic functions, such as ensuring elementary law and order and basic economic and social security, before a truly viable form of government characterised by substantial political competition appears. K.J. West and J.J. Spoon (2017) investigated how certain strategies in the presidential race affect the share of parties' votes in legislative bodies; they argue that the advantages of a party's strategy depend on its size. G. Lutz (2010) claims that the candidates listed first receive more votes and preferences from the voters of their and other parties. Being last on the ballot is penalised because voters cross out candidates at the bottom. The effect decreases but remains substantial if only alphabetically ordered ballots are included.

T. Mustillo, J. Polga-Hecimovich (2020) note that voting by preference requires great cognitive and informational efforts, while voters have incentives to use more optimal ways to select candidates from lists. T. Mustillo, Y.S. Jung (2016) used a linear mixed approach to modelling the electoral process to reduce the error of existing estimates. This approach also provides information about the sources of differences in the territorial support of parties (Gavkalova & Kyrychenko, 2023). R. Ragauskas (2021) explored voter bias in an open-list proportional representation system in which parties rank candidates, but voters can fully influence the ranking

order through preferential voting. The study examined average consequences and differences in gender bias among voters of different parties. Thus, there is no systematic approach to investigating the proportional electoral system of Kyrgyzstan as a way of forming elected state authorities through party representation. Further, the proportional electoral system is described in the context of political, economic, legal, and social factors, threats, opportunities, strengths and weaknesses. Despite repeated bouts of political instability and the perception of widespread interference in various state institutions by organised criminal groups, the state has maintained an inviolable monopoly on the use of force throughout the country. There are no overtly political, separatist, or other movements that would question the sovereignty of the state, and there is no known evidence of organised criminal groups seeking to use their power.

The problems associated with COVID-19 uncovered or exacerbated some of the key shortcomings of the state, from the provision of medical services and support for the most affected and economically disadvantaged citizens to effective governance. Citizens' political involvement in 2020-2021 was active when one major election took place and was cancelled as a result of protests. The general context, and the political and legal background of the elections after the October events, provided a distorted election result from the very beginning. Thus, these elections were largely free but systematically unfair, as a result of which there was a change of government and the holding of early presidential elections in January 2021. The problems of political and public administration in Kyrgyzstan do not consist in the unlimited powers of government representatives but in the fact that there is a right to block political decisions. In Kyrgyzstan, a binary system of power is implemented: presidential and parliamentary. The position of president in Kyrgyzstan is a key one, an election for this position is conducted, as a rule, in the process of competitive elections. The Parliament is a concentration of power, with representatives of a diverse political palette. The president and the Parliament influence the establishment of other power structures: the government, law enforcement agencies, the judicial system, and the prosecutor's office.

In 2019-2020, the freedom to hold assemblies in Kyrgyzstan was attacked while remaining protected by legal norms. The current legislation gives citizens the right to gather and protest without permission. However, in practice, there have been cases of ignoring the norms of the Constitution and even attacks on protesters. The second type of restriction took place in the conditions of COVID-19. Due to the imposed state of emergency and the associated curfew, the right of citizens to gather was temporarily suspended, and the rights of the movement were strictly restricted. Restrictions on freedom of expression were also recorded when citizens constructively criticised the activities of the Government. Identical trends also

affected freedom of expression in the period 2019-2020. The dysfunctionality of the state was manifested in the declaration of the protection of rights and freedoms, but there were attempts to restrict the latter. Such abuses gained particular strength on the eve of the early presidential elections, when Sadyr Japarov's online supporters acted like an organised army, quickly and aggressively attacking any prominent critic of Japarov, including sending them direct threats. No criminal cases were initiated against such violators.

The separation of powers in Kyrgyzstan remains legally established but weak in practice. The judiciary in Kyrgyzstan, declared *de jure* as an independent branch of government, has always been deprived of its independence *de facto*. In 2019-2020, the system continued to depend on the executive branch, especially law enforcement agencies and other law enforcement agencies. Such subordination included the authorisation of pre-trial detention and convictions in the trials of many figures associated with the ex-president. Thus, the independence of the judiciary has declined, and it has been on the verge of losing its presence. It has become a common occurrence in Kyrgyzstan that most cases of public officials being held accountable for abuse of power are politically motivated. This practice was particularly facilitated by the low level of independence of the judiciary. After the overthrow of the government in October 2020 – the third since the country gained independence in 1991 – and subsequent initiatives for constitutional reform, it could be assumed that the only democratic experiment in Central Asia seems to have ended. The democratic functioning of state institutions in Kyrgyzstan was problematic even until the end of 2020. The president resigned, and the Parliament remained in power beyond the statutory deadline, becoming the headquarters for the new leadership. In 2019-2020, the Parliament was viewed as a political negotiating club with no stable political orientation or principled positions on any public issue and ready to side with the strongest rival. Despite the evident openness to public consultations, the institution turned into a hotbed of inaction in the most acute spheres of public life while regularly engaging in politically motivated persecution of its critics.

The groups with the greatest involvement and interest in democratic institutions demonstrated only an instrumental attitude to democracy (Stoyan, 2023). While the procedures stipulated by the law were still being followed, the Parliament turned into an institution awaiting its dissolution. Despite this attitude towards the Parliament of the sixth convocation in 2015-2020, the elections in October 2020 seem to have returned the majority of former members for a new term, which caused serious mass demonstrations. The presidency, as an institution during this period, was recognised by both parties and civil society structures, and the legitimacy of the judiciary and law enforcement agencies was at a low level.

Political parties in Kyrgyzstan are unstable, weakly institutionalised, and generally devoid of social roots. Outside of election periods, the majority of parties are inactive most of the time. Kyrgyzstan's political parties are essentially private firms that care more about their financial interests than politics and government. The interests of elite groups are narrowly corporate, ignoring the general population's interests and the principle of social justice. The socio-economic conditions of Kyrgyzstan are deteriorating. Along with the declared liberal economy, market competition, and democratic legislation in Kyrgyzstan, there is an underdevelopment of state institutions, corruption, a high level of the shadow economy, and non-functional legislation.

Liberalisation, democratisation, institutional learning, and openness of the Kyrgyz society borders on the lack of consistency, the ineffectiveness of policies, and the deficient coherence of public administration, business, and non-governmental organisations. Corruption, as the main problem of public concern, continues to attract both attention and evident efforts on the part of the Government to overcome it. However, the tools and approaches have not changed compared to previous years, and often the Government simply does not take measures to fight corruption. The current anti-corruption mechanism consists of retroactive punitive tools of law enforcement agencies; the latter themselves have become sources of corruption. The fight against corruption is determined by political expediency. The areas of that are the introduction of e-governance and anti-corruption legislative expertise, but these measures are being implemented inconsistently and superficially.

There is a general but not fundamental agreement among all the main political figures in Kyrgyzstan that the country should remain committed to democracy. In part, this commitment is due to a publicly entrenched normative allegiance to democracy; in part, there is an understanding among political players that everyone needs democratic rules. However, the commitment to democracy remains superficial. There is also a widespread commitment to a market economy. Most main political players also have large business interests that determine the logic of supporting a market economy. Political populism in Kyrgyzstan speaks of the political immaturity of Kyrgyz society. The political elite of Kyrgyzstan is not focused on strategic partnerships outside the country but rather strives to satisfy vital needs, putting the principles of opacity and non-accountability at the forefront. The political system of Kyrgyzstan is on the path of evolutionary development, experiencing ups and downs, crises of legitimacy and democracy. However, the proportional electoral system at this stage of the republic's development is, perhaps, optimal since it promotes maximum pluralism in public authorities, which in turn removes a substantial part of internal political conflicts. Kyrgyzstan is also located

in an uncomfortable geopolitical space, where there are frankly poorly developed economically, aggressive, or terrorist countries among its neighbours. The above-described adverse factors can be overcome through civil society structures.

Conclusions

The proportional electoral system, particularly in Kyrgyzstan, serves as a vital framework for ensuring the citizens' right to proportional party representation. Its efficacy, especially in safeguarding against criminal or unjust practices, largely hinges on the maturity and vigilance of civil society. A thorough SLEPT and SWOT analysis of the system underscores potential threats stemming from diverse sectors like political culture, state legitimacy, human rights, corruption, and notably, criminal justice. The criminal dimension, inherent in issues like corruption and violation of civil liberties, resonates with the broader themes of criminology. It's pertinent to recognize that Kyrgyzstan's electoral processes, while competitive, have been tainted with undemocratic practices, leading to political unrest and crises. Such malpractices not only infringe on the fundamental principles of democracy but can also be seen as a criminal violation of citizens' political rights.

Parties, in this regard, are more than just political entities; they serve as a bridge between the state and its citizens. For Kyrgyzstan to evolve its proportional electoral system effectively, there's an urgent need for strong, transparent, and accountable political parties. The parties should not only represent public interests but also actively counteract any criminal tendencies within the system. Given Kyrgyzstan's history, the inability to foster a balanced party system has often been a result of factors such as non-democratic electoral technologies, like the misuse of administrative resources and bribery. In the broader discourse of criminology, these undemocratic methods can be seen as crimes against the political rights of the citizens. To truly realise the potential of the proportional electoral system in Kyrgyzstan, it's crucial to address these criminological aspects. Addressing the criminal justice implications within the electoral system will not only foster a healthier democracy but also ensure the citizens' right to proportional party representation is upheld. The elite and political leadership should rise above partisan politics, actively countering criminality and embracing a commitment to genuine democratic practices.

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