

Women in Kyrgyzstan — Electorally Marginalized but Legislatively Influential: A Theory of Transactional Activism

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How can we understand the signing of legislation targeting violence against women in postcommunist countries where women are electorally marginalized? Although women are underrepresented in Kyrgyzstan, the country's parliament has passed bride theft and domestic violence legislation. This article proposes a theory of transactional activism: in postcommunist countries where women are electorally marginalized, nongovernmental organizations (NGOs) can instigate legislative change if the state satisfies three necessary conditions permitting lateral links between NGOs working on behalf of women and vertical links between these nonstate actors and critical actors in parliament. The state must (1) establish a regulatory framework for NGO activity permitting the articulation and representation of women's interests; (2) demonstrate a rhetorical commitment to improving women's lives; and (3) facilitate the election to parliament of critical actors sympathetic to women's interests. In other words, women's substantive representation can occur without strong descriptive representation in the formal legislative arena if the state satisfies these conditions.

Keywords: Central Asia, Kyrgyzstan, civil society, transactional activism, bride theft, domestic violence, gender quota, women and politics

Postcommunist countries with parliaments dominated by men, such as Russia, are not necessarily known for statutes that target violence against women. In fact, many have become increasingly less inclined to pass such legislation. Kyrgyzstan is an exception to this observation and thus a suitable case to explore an important research question: how can we understand the signing of legislation that tackles violence against women in postcommunist countries with parliaments characterized by

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the underrepresentation of women? During an interview I conducted in Bishkek, Kyrgyzstan's capital, a human rights organization representative summarized their view of "the woman question" in Kyrgyzstan as follows: "To be a woman in Kyrgyzstan is not simple."¹ This assessment is based on the fact that women in this Central Asian country may be subject to sex trafficking, early marriage, polygyny, bride theft, and/or domestic violence.

Women in Kyrgyzstan are also electorally marginalized, which makes it difficult for them to instigate legislation that addresses these issues. The complete absence of women in the national parliament, the Jogorku Kenesh, served as a catalyst for the adoption of a legislative gender quota in 2007. This institutional mechanism facilitated a dramatic increase in the percentage of women in parliament from zero to 26% following the first post-quota elections. However, since the Soviet Union's collapse, women — who make up half the population — have not constituted more than 26% of the Jogorku Kenesh. While this degree of representation is not a deviation from the global norm, [Table 1](#) shows a trend of declining representation in parliament since the gender quota was introduced.

Despite the underrepresentation of women in parliament, Kyrgyzstan has passed legislation targeting violence against women, including an amendment to the Criminal Code toughening the penalty for bride theft and two domestic violence laws.² In answering the research question posed here through analysis of the Kyrgyz case, this article contributes to the literature on two underresearched topics: women and politics in Central Asia and the conditions under which women's substantive representation can occur without strong descriptive representation in the formal legislative arena.

I argue that in postcommunist countries where women are electorally marginalized, nongovernmental organizations (NGOs) can shape the legislative agenda if the state satisfies three necessary conditions permitting "transactional activism," a concept developed by Petrova and Tarrow (2007). In the Kyrgyz context, transactional activism refers specifically to lateral links between NGOs working on behalf of women (hereafter referred to as women's NGOs) based on common interests, and vertical links between these nonstate actors and "critical actors" in

1. Interview, July 9, 2015, Bishkek.

2. Subsequent reforms, such as the criminalization of domestic violence in the Code of Misdemeanors, which went into effect in January 2019, are beyond the scope of this article.

Table 1. Number and percent (when available) of women deputies in the Jogorku Kenesh

	1990*	1995*	2000*	2005*	2007*	2010*	2015*	2016	2019
Number of women			1	0	23	28	23	19	
Percent of women	6	5	2	0	26	24	19	16	19
Number of deputies				70	90	117	120	120	120

*Years in which parliamentary elections were held.

Sources: Data for 1990–2000, 2019: Inter-Parliamentary Union, <http://www.ipu.org/english/home.htm>; for 2005–16 data: National Statistics Committee of the Kyrgyz Republic, <http://www.stat.kg/ru/statistics/gendernaya-statistika/>.

parliament based on a shared commitment to instigate legislation targeting violence against women. The Kyrgyz case suggests that the signing of legislation that tackles violence against women in postcommunist countries with parliaments characterized by the underrepresentation of women is possible if the state permits transactional activism by (1) establishing a regulatory framework for NGO activity permitting the articulation and representation of women's interests; (2) demonstrating at least a rhetorical commitment to improving women's lives; and (3) facilitating, through an institutional mechanism such as a legislative gender quota, the election to parliament of critical actors sympathetic to women's interests. While other factors may have contributed to this outcome, my research suggests that NGO activism geared toward establishing these lateral and vertical links mattered.

Scholars working on Kyrgyzstan have reached similar conclusions. For example, Soltoeva (2012) argues that women's movement leaders played a direct role in the adoption of the first domestic violence law. Similarly, Osmonova (2018) argues that measures taken to improve women's lives since independence were possible "owing to the development of effective cooperation between society [women's NGOs] and the state." I build on this work by developing a theory of transactional activism that is based on an analysis of two cases of legislative change: an NGO-initiated campaign to toughen the penalty for bride theft and an NGO-initiated campaign to introduce domestic violence laws. I evaluate the efficacy of one subsector of Kyrgyzstan's diverse civil society — women's NGOs — in terms of its ability to influence legislation. In other words, I assess whether key NGO demands were translated into law. The following sections of this article discuss research design and methods, the literatures mentioned earlier, the emergence of women's NGOs in Kyrgyzstan, the passage of bride theft and domestic violence legislation, and the generalizability of the Kyrgyz case.

RESEARCH DESIGN AND METHODS

This article utilizes a case study approach to analyze the research question posed in the previous section. The Kyrgyz case is puzzling when we consider the regional context. Russia, which is the most influential country in the region, has passed legislation to restrict women's rights. For example, Russia restricted abortion rights in 2011 and decriminalized domestic violence in 2017, when the Duma transferred

the statute on domestic violence from the Criminal Code to the Administrative Code. Russia does not have a domestic violence law or a legislative gender quota. Kyrgyzstan, which remains under Russia's influence despite American and Chinese attempts to alter the status quo, has passed legislation to protect women's rights. For example, Kyrgyzstan passed a domestic violence law in 2003, a legislative gender quota for parliament in 2007, and an amended domestic violence law in 2017. It also toughened the bride theft penalty in 2013.³ The share of women in each state's parliament is similar: 16% in the Duma and 19% in the Jogorku Kenesh.⁴ A key factor distinguishing these cases, which I discuss in the conclusion, is the extent to which civil society is able to instigate legislative change.

In the following pages, I process trace legislative change in the areas of bride theft and domestic violence. My analysis is based on in-depth personal interviews that I conducted in 2013, 2015, and 2018 in Bishkek and Osh, Kyrgyzstan's two largest cities. I chose these locales because members of parliament reside in Bishkek at least temporarily and because many women's and human rights organizations have offices in Bishkek and/or Osh. While representatives of these organizations — gender specialists with years of field experience who are well acquainted with the “women and politics” topic — were a critical resource for this project, I took steps to avoid overreliance on their views. First, I approached the interviews from an ethnographic perspective, which interprets responses as political actors' understanding of their own decisions, rather than as accurate information (Schatz 2009).⁵ Second, I pursued source triangulation by analyzing varied data points, including (1) personal interviews with former and current government officials as well as representatives of the country's best known women's NGOs, crisis centers, and human rights organizations; (2) Russian-language articles about women and politics in the region; (3) Kyrgyz legislation pertaining to bride theft, domestic violence, and the legislative gender quota; and (4) secondary English- and Russian-language sources addressing these

3. While space does not permit me to discuss it, Kyrgyzstan also passed a controversial law in 2019 reserving one-third of the mandates in local councils for women. For more on this controversy, see “Vyborny v Saruu. Kak Zhenshchiny sela uterli nos muzhchinam” [Elections in Saruu. How the women of a village wiped their noses on the men], 24kg, September 26, 2019, https://24.kg/vlast/130506_vyboryi_vsaruu_kak_jenschiny_sela_uterli_nos_myjchinam/ (accessed October 16, 2020).

4. The Inter-Parliamentary Union compiled these 2019 statistics, which can be found here: <https://data.ipu.org/> (accessed October 18, 2020).

5. My approach to interviewing respondents followed disciplinary practices for ethical research with human subjects.

topics. These measures helped me critically assess the interviewees' explanations for legislative change.

Over the course of several three-week trips into the field in 2013, 2015, and 2018, I conducted 61 semistructured interviews with individuals who worked in some capacity on women's issues to hear stories about political achievements and failures. Employing the snowball method of respondent recruitment, I began in 2013 to interview representatives of local organizations I had met with in 2007 and 2008 while conducting research in Kyrgyzstan on a different topic. These interviewees suggested others who might be willing to share their views and experiences. I thus expanded my network and conducted several interviews during each visit until I obtained information saturation in 2018.

My respondents are former or current government officials and representatives of the country's largest and/or well-known women's or human rights organizations. To protect their confidentiality, I describe rather than name the organization with which a respondent is affiliated if I consider the information conveyed to be sensitive. I was unaware of a respondent's position prior to the interview unless the individual in question had stated it publicly. While a few interviews were conducted in cafés or parks, most were held in offices. I asked every interviewee a series of open-ended questions concerning gender role stereotypes; women's issues; the passage of bride theft, domestic violence, and gender quota legislation; interactions between women's NGOs and members of parliament; and the challenges that women who want to become involved in politics confront. I asked follow-up questions based on the interviewee's response to learn more about these issues. The city and date of each interview that I reference in the text is given in a note.

TRANSACTIONAL ACTIVISM, CRITICAL ACTORS, AND ELECTORALLY MARGINALIZED GROUPS

Because women are electorally marginalized throughout the region, the small body of academic literature on women and politics in Central Asia addresses women's activism outside formal institutions of political power (Beyer and Kojoekova 2019; Borbieva 2012; Freizer 2005; Hoare 2016; Kim et al. 2018; Simpson 2006). Most scholars do not study women's activism inside national parliaments and local councils. Only a few, such as Satybaldieva (2018), have analyzed connections between nonstate actors and critical actors within formal political institutions. This article

accompanies Satybaldieva's study, which focuses on older women who act as informal leaders in urban neighborhoods, in addressing this gap in the literature.

Encompassing a wide variety of groups and relationships, civil society in Central Asia is an arena rather than a defined set of associations. Research suggests that civil society, which has existed for centuries, includes kinship networks, *aksakals* ("white beards" or male elders), *mahalla* (neighborhood) networks, religious fellowships, social organizations, OBON (Women Units for Special Purposes), labor unions, and NGOs (Anderson 2000; Beyer and Kojoekova 2019; Borbieva 2012; Freizer 2005; Simpson 2006; Ziegler 2016). Local NGOs are a critical component of civil society in postcommunist Central Asia (Buxton 2009). Following Taylor (1995, 208), I view women's NGOs in Kyrgyzstan as an "ensemble of associations [that] can significantly determine or deflect the course of state policy."

I join researchers who analyze the efficacy of civil society in terms of its ability to influence legislation, rather than organizational density or organizational membership (Bingham 2016; Cox and Gallai 2014; Cox, Ilonszki, and Vass 2007; Green 2002; Johnson and Saarinen 2011). Petrova and Tarrow have influenced my understanding of civil society in Kyrgyzstan. Skeptical of the claim that civil society in east-central Europe is weak, they rely on a case study and survey evidence to assess the strength of civil society in Hungary. In so doing, they find that transactional activism, or "the ties — enduring and temporary — among organized non-state actors and between them and political parties, power holders, and other institutions" (Petrova and Tarrow 2007, 79), is in fact robust. Their relational interpretation of civil society stresses lateral links between nonstate actors and vertical links between nonstate actors and public officials that can exist at local, national, and international levels. The literature on women's descriptive and substantive political representation bequeaths theoretical nuance to Petrova and Tarrow's argument.

The women and politics literature has demonstrated that the presence of women in parliament matters because it can shape the legislative agenda. Research shows that female legislators have different policy preferences than male legislators (Clayton 2015). Montgomery (2003, 4) suggests that although they have diverse views and agendas, female legislators tend to sponsor bills designed to improve the familial, social, economic, and political lives of women: "Women may differ widely among themselves about the desirability of particular policies, but they share a

common emphasis on family and child-related issues, and they tend to focus more on issues of gender equality than do men.” Likewise, Paxton and Hughes (2014) argue that female legislators in many countries prioritize and propose bills focused on women, children, family, health care, the elderly, and gender equality. A leading gender expert in Kyrgyzstan, Zulfiya Kocherbaeva, finds this to be the case in her country: “Women raise problems that they themselves experience. In the majority of cases, they would discuss children, education, housing, pensioners, domestic violence. Men never raise the issue of domestic violence. So these problems will not be addressed if there are few women in rural and city *keneshes* [councils] and in parliament” (Toktonazarova 2017).

Though there may be a link between descriptive representation — the share of women in politics — and substantive representation — the alignment of women’s interests and policy — research suggests that descriptive representation does not guarantee substantive representation. For example, Wängnerud (2009, 59) argues that “substantial change — whatever that means — cannot be taken for granted just because a group, such as women, is taking part in decision-making to a larger extent than before.” Johnson (2016) finds this to be the case in Russia, where women are represented but unable or unwilling to promote gender equality legislation because informal rules and parallel institutions discourage or prevent them from doing so. Moreover, substantive representation can exist without descriptive representation. As Dahlerup (2006, 520) explains, “Numbers and percentages are of only minor importance for the policy outcome. . . . Even a few women in politics, under the right circumstances, can make a big difference, while a large minority of women parliamentarians may not wish or be able to change the political agenda in a certain political system at a certain time.” The Kyrgyz case offers evidence in support of Dahlerup’s claim as it indicates that just one critical actor, aided by supportive women’s NGOs, can influence the passage of legislation tackling violence against women.

These theoretical issues have led scholars to research different variables that might contribute to legislative change. Some, such as Paxton and Hughes (2014), suggest an emphasis on the critical acts of women. Dahlerup (1988, 296) argues that critical acts, or “the willingness and ability of the minority to mobilize the resources of the organization or institution to improve the situation for themselves and the whole minority group,” have been more important than critical mass to the success of women in Scandinavian politics. Others, such as Childs and Krook (2006), propose a focus on critical actors, or individuals motivated

to initiate women-friendly bills. Sawyer (2012) found that in addition to critical mass and institutions inside and outside parliament, critical actors played a role in the passage of legislation facilitating access to an abortion drug in Australia. Others suggest a focus on women's movements. For example, Weldon calls for an emphasis on collectivity rather than individuality, arguing that social movements can be representative of marginalized groups. In an analysis of 36 democratic countries, she finds that "women's movements are more effective avenues of expression for women: in combination, they give women a stronger voice in the policy-making process than does the presence of women in the legislature" (2002, 1153–54).

The Kyrgyz case highlights the importance of a relationship between nonstate actors and critical actors in parliament and, in so doing, sheds light on an intriguing and less researched question: what conditions enable women's NGOs to make a difference outside the formal legislative arena? My analysis suggests that lateral links between women's NGOs and vertical links between these nonstate actors and critical actors in parliament can generate legislative change even if women are electorally marginalized. Next, I discuss the conditions required for the development of lateral and vertical links in post-Soviet Kyrgyzstan that have been leveraged during campaigns for legislative change.

THE EMERGENCE OF WOMEN'S NGOS IN POST-SOVIET KYRGYZSTAN

The Kyrgyz state took three steps that facilitated the development of lateral and vertical links imperative for transactional activism undertaken by women's NGOs: it established a regulatory framework for NGO activity; it signaled through the passage of national legislation and the signing of international agreements that it was at least rhetorically committed to improving women's lives; and it introduced a legislative gender quota enabling the election of women — potential critical actors — to parliament. Under President Askar Akaev's leadership during the 1990s, Kyrgyzstan became a magnet for aid organizations determined to build democracy by assisting in the development of local NGOs. The rapid development of such NGOs proceeded as international aid organizations began to operate in the country, and their potential grew with the help of the United Nations, Organization for Security and Co-operation in Europe, and Soros Foundation (Kaparova 2017). In 1991, Akaev signed

the Law on Public Associations,⁶ which established the regulatory framework for the registration of NGOs. This was followed by additional legislation regulating the milieu in which NGOs operate, including the Civil Code and the Law on Nonprofit Organizations.⁷

Within this permissive environment, NGOs “mushroomed in Kyrgyzstan to shepherd the country’s reforms based on the belief that the emergence of a civil society would guarantee the country’s democratization” (Petric 2005, 319). Emboldened by this atmosphere and influenced by the 1995 World Conference on Women in Beijing, women in Kyrgyzstan founded many local organizations to address issues they considered germane to their lives (Simpson 2006). This has led to a plethora of women’s NGOs dedicated to different issues, including but not limited to gender equality, political participation, bride theft, and domestic violence. The Women’s Support Center is one example. Established in 1996, it aims to change gender stereotypes and increase gender sensitivity through “gender schools,” monitor the observance of women’s rights, and participate in campaigns for legislative change.⁸

The women who run these NGOs are undoubtedly influenced by international constructions of women’s rights. But this does not preclude them from adapting these norms to local conditions to solve problems in ways that resonate with the Kyrgyzstani population. Paasiaro (2009, 63) aptly characterizes the women who run these NGOs as “individuals with their own ideas and aims, who craft strategies that enable them to use the available resources to fulfill what they see as their missions.” Although women’s NGOs compete for scarce resources and do not always collaborate, they create and leverage lateral links when shared interests arise. For example, the Forum of Women’s NGOs of Kyrgyzstan was established in 1994 as an umbrella association to unite approximately 85 NGOs committed to consolidating women’s activism, advancing gender equality and women’s rights, and monitoring the state’s commitment to those ideals.⁹

Legislative decisions taken by the Kyrgyz government, particularly during the 1990s when the country embarked on an economic and

6. Zakon Respubliki Kyrgyzstan ob obshchestvennykh ob’edineniiaikh [Law on Public Associations], 1991, <http://cbd.minjust.gov.kg/act/view/ru-ru/860?cl=ru-ru> (accessed October 18, 2020).

7. Grazhdanskii Kodeks Kyrgyzskoi Respubliki [Civil Code], May 8, 1996, <http://cbd.minjust.gov.kg/OpenData/GetEditionHtml?DocumentCode=4>; Zakon Kyrgyzskoi Respubliki o nekommercheskikh organizatsiiaikh [Law on Nonprofit Organizations], October 15, 1999, <http://cbd.minjust.gov.kg/act/view/ru-ru/274> (both accessed October 18, 2020).

8. Interview, Women’s Support Center representative, May 22, 2018, Bishkek.

9. Interview, Forum representative, October 17, 2013, Bishkek.

political transition, were based in part on the need for international aid. Regardless of its source, the state's rhetorical commitment to improving women's lives gave women's NGOs license to articulate their demands. In the aftermath of the Beijing Convention, the Kyrgyz government ratified five international conventions on women's rights; appointed a state commission for women, children, and families; declared 1996 the year of women; ratified the Convention on the Elimination of All Forms of Discrimination Against Women, and developed a four-year program called Aialzat to improve the lives of women.¹⁰ The 1996 decree establishing Aialzat acknowledged the need to overcome patriarchal attitudes to improve women's lives: "The inclusion of women in public-political positions is one of the important criteria for surmounting the patriarchal character of social relations and for ensuring their equal participation in all levels of political processes and social life." The decree argued for radical change in education, health, economic activity, poverty, political participation, and violence against women.¹¹ Aialzat was followed by a number of National Plans for Action dedicated to the formation of gender equality policies.

This constellation of measures created a receptive public discourse in which women's NGOs were able to articulate and represent women's interests. Though it has not yet resulted in gender equality, the combination of a regulatory framework for NGO activity and the state's rhetorical commitment to improving women's lives is the foundation of an arena in which women can work together to voice their concerns. Hoare (2016, 293–94) astutely describes this arena as follows: "A space has been created in Kyrgyzstan where groups of 'active citizens' *are* able to come together to help others and to hold institutions to account, in a way that does not exist in the other Central Asian republics; this is specifically the case in regard to gender equality and women's rights."

Though women's NGOs continue to fight for gender equality in the political arena, the Kyrgyz government has established an institutional mechanism to facilitate the presence of women in parliament. Elections to the Jogorku Kenesh in 2005 resulted in a parliament composed solely of men, rendering Kyrgyzstan one of 10 countries in the world with a

10. Women's Support Center: <http://wsc.kg/istoriya-zhenskogo-dvizheniya-v-kyrgyzst/> (accessed October 18, 2020).

11. The decree, "Osnovnye napravleniia natsional'noi programma 'Aialzat' na 1996–2000 gody" [The fundamental orders of the national program "Aialzat" 1996–2000], can be accessed at <http://cbd.minjust.gov.kg/act/preview/ky-kg/46430/10?mode=tekst> (accessed October 18, 2020).

parliament devoid of women.¹² Two years later, the government inserted a legislative gender quota into the Electoral Code: Article 72 states that no more than 70% of a party's list of candidates can be male or female, and the difference between male and female candidates on a list cannot exceed three positions.¹³ The Central Elections Commission cannot register a party that violates these regulations. Though imperfect, the new guidelines enabled the election of 23 women to parliament in the first post-quota elections: women made up 25% of the Jogorku Kenesh in 2007. In easing the election of women to parliament, the quota permits the possibility of critical actors in parliament and thus increases the likelihood of vertical links between women's NGOs and public officials.

WOMEN'S NGOS AND THE LEVERAGING OF LATERAL AND VERTICAL LINKS

Women's NGOs in Kyrgyzstan leverage lateral and vertical links during the course of their humanitarian and advocacy work. Some scholars, such as Fink-Hafner (1997, 116), have found that civil society organizations are driven to become active in policy making because they understand that they must intervene in this process if they want their demands to be translated into law. This happened in Kyrgyzstan soon after independence. For example, Open Line works to eradicate bride theft and thus provides legal services to victims, but it also lobbies for legislative change.¹⁴ Similarly, Mutakalim works to spread Islamic values and offers courses on Sharia, but it also protects the rights of Muslim women and therefore is active in the policy arena.¹⁵ One of Mutakalim's most notable legislative successes occurred after the organization collected 45,000 signatures in support of a controversial proposal: the government granted women the right to wear a hijab in passport photos.¹⁶

Women's NGOs in Kyrgyzstan — 80% of which are run by women — work with the government whenever possible (Soltoeva 2012). For

12. The others were Bahrain, Saudi Arabia, Iraq, United Arab Emirates, Micronesia, Nauru, Palau, Saint Kitts and Nevis, the Solomon Islands, and Tuvalu. See the Inter-Parliamentary Union database at <http://www.ipu.org/wmn-e/arc/classif311205.htm>.

13. Kodeks Kyrgyzskoi Respubliki o Vyborakh v Kyrgyzskoi Respublike [Code of the Kyrgyz Republic on Elections in the Kyrgyz Republic], October 23, 2007. <http://cbd.minjust.gov.kg/act/view/ru-ru/?cl=ru-ru> (accessed October 18, 2020).

14. Interview, Open Line representative, July 8, 2015, Bishkek.

15. Interview, Mutakalim representative, October 11, 2013, Bishkek.

16. "V Kirgizii musul'mankam razreshili fotografirovat' cia na passport v khidzhabakh" [In Kyrgyzstan, Muslims in hijab may be photographed for a passport], Deutsche Welle, August 20, 2007, <https://p.dw.com/p/BWGG> (accessed October 16, 2020).

example, the crisis center Sezim provides legal consultations and mental health counseling, maintains a 24-hour hotline, and runs a shelter and transition home.¹⁷ But it also advocated for establishing the legislative gender quota mentioned above, toughening the bride theft penalty, introducing domestic violence laws, and closing casinos. Leveraging lateral and vertical ties, Sezim worked with other women's NGOs and critical actors in parliament on all these issues; it also worked with the Muftiate, or Spiritual Administration of Muslims of Kyrgyzstan, on the closure of casinos.¹⁸

Vertical links between nonstate actors and public officials can aid the passage of legislation targeting violence against women when women are electorally marginalized. Some women's NGOs aim to launch women into political careers in order to generate a pool of potential critical actors in parliament. For example, the Women's Discussion Club for Democracy is devoted to "dragging women to the level of decision-making" in local and national government.¹⁹ My interviewee used the word "dragging" because in their estimation, women without political experience in patriarchal societies — democratic or not — often believe they are not suited for politics because they are weaker and less persistent than men. This sentiment stems from constructions of gender in the region that define men as breadwinners and women as "keepers of the hearth," or caretakers. Striving to combat these stereotypes, club representatives travel throughout Kyrgyzstan to tell women that they must work within the party system to reach the level of decision-making.²⁰

Several female Jogorku Kenesh deputies, including Ainura Altybaeva, emerged from the Women's Discussion Club for Democracy. Elected to parliament in 2010, Altybaeva has prioritized women's issues since she launched her political career. In 2005, she spearheaded the creation of a political party called Kyrgyzstan Aialdary, or Women of Kyrgyzstan. Altybaeva and her colleagues later changed the party's name to expand its horizontal and vertical links: "We wanted to participate in elections, and men didn't want to be near us. They said 'This party is named Women of Kyrgyzstan. We are Eastern men, we cannot join a women's

17. Interview, Sezim representative, July 13, 2015, Bishkek.

18. Interview, Sezim representative, October 17, 2013, Bishkek.

19. Interview, Women's Discussion Club for Democracy representative, October 7, 2013, Bishkek. The Women's Discussion Club for Democracy resembles the Soviet Zhenotdel, which recruited women to the Communist Party by having female peasants and workers intern with state, party, or trade union organizations. By participating in public organization activities and then connecting with their community, these women acquired the experience and self-confidence necessary for holding office *and* elevated the political consciousness of other women (Lapidus 1975, 94–95).

20. Interview, Women's Discussion Club for Democracy representative, July 11, 2015, Bishkek.

party!’ So we renamed it Birimdik, which means unity.”²¹ In broadening its appeal, Birimdik sought to establish links with male members of parliament whose votes, in an institution dominated by men, would determine the passage of legislation targeting violence against women. Altybaeva was the most important critical actor in parliament for women’s NGOs seeking bride theft and domestic violence legislation; she wrote, introduced, and lobbied for legislation in these areas. Though she now has allies in parliament, at the time, she was essentially a lone wolf who persistently fought for women’s rights. A representative of a women’s organization that lobbies for women’s rights identified Altybaeva and one other deputy as key allies in a parliament dominated by men: “Altybaeva, [Roza] Aknazarova — these are the women with whom we work. It’s possible to literally count them with your fingers. But a few are very active.”²²

Two local NGOs — the Agency of Social Technologies and the Alliance of Women’s Legislative Initiatives — seek to establish vertical links between women’s NGOs and public officials interested in advancing women’s rights. Both engage in advocacy work. Rooted in an informal network called Women Can Do Everything that emerged in the late 1990s, the Agency of Social Technologies was registered in 2001 following parliamentary elections that resulted in the appointment of one female deputy.²³ The agency promotes gender equality in the political arena by working with state organs — including parliament — to influence legislation. In addition to working with members of parliament on new legislation, amendments to existing legislation, and policy implementation, the agency lends gender expertise to the state and in this capacity conducts research, develops handbooks on gender aspects of policy, and leads trainings for state officials.²⁴

The agency’s interests were furthered in 2008, when the Alliance of Women’s Legislative Initiatives was established to introduce gender approaches into legislative processes, strengthen the political voice of women, increase interactions between the state and society regarding gender policies, and maintain dialogue between public organizations, political parties, and state organs.²⁵ A vehicle for political activism

21. Interview, Altybaeva, May 23, 2018, Bishkek.

22. Interview, July 16, 2015, Bishkek.

23. Interview, Agency of Social Technologies representative, October 23, 2013, Bishkek.

24. Interview, Agency of Social Technologies representative, July 14, 2015, Bishkek.

25. “V Kyrgyzstane sozdan Al’ians ‘Zhenskije zakonodatel’nye initsiativy’” [The Alliance of Women’s Legislative Initiatives is established in Kyrgyzstan], 24.kg, March 4, 2008, <https://24.kg/archive/ru/community/32374-2008/03/04/78397.html/> (accessed October 16, 2020).

promoting women's rights, the alliance has one coordinator from parliament (Altybaeva) and one coordinator from civil society (Kocherbaeva, who also directs the Agency of Social Technologies). Comprising 69 organizations and 66 individuals, the alliance is an informal association that connects women's NGOs to each other, thus establishing lateral links, and women's NGOs to critical actors in parliament, thus establishing vertical links.²⁶ These links facilitated the passage of bride theft and domestic violence legislation.

CASE I: BRIDE THEFT LEGISLATION

The Kyrgyz phrase *ala kachuu* means "getting married by abducting a young woman" (Kleinbach and Salimjanova 2007). Though the practice takes different forms, I refer in this article exclusively to what I see as a form of violence against women: nonconsensual bride kidnapping.²⁷ Some scholars argue that bride theft arose among nomads living on the territory of contemporary Kyrgyzstan because women were goods for trade between clans or kidnapped during tribal warfare (Abdukhamimov et al. 2014). Others claim that bride theft among Kyrgyz nomads was rare, and usually happened when an average family rejected a marriage proposed from a wealthy and powerful family (Kleinbach and Salimjanova 2007). Regardless of its origins, bride theft is practiced in Kyrgyzstan today: according to one estimate, 20% of all marriages are a result of violent bride theft²⁸; according to another, 30% are consecrated in this manner (Erkebaeva 2018).

While not everyone considers nonconsensual bride theft a crime or an act of violence against women, women's NGOs tend to see it this way. One crisis center representative characterized present-day bride theft in terms of violence and condescending attitudes toward women: "*Ala kachuu* is simply violence; they even shut her mouth . . . it's an attitude toward women. A woman is a thing. It's also a gender stereotype: 'I can do whatever I want.'"²⁹ Some cases of bride theft lend credence to this view. For example, 20-year-old Burulai Turdaaly was stolen for marriage

26. Interview, Agency of Social Technologies representative, May 24, 2018, Bishkek.

27. Nonconsensual bride theft refers to *all* cases of bride theft in which the woman opposes the marriage at any point in time, even if she eventually "consents."

28. "Bol' docherei Kyrgyzstana: 5 dysherazdurayshchikh istorii pokhishchennykh nevest" [The pain of the daughters of Kyrgyzstan: 5 heartrending histories of bride theft], Sputnik, November 11, 2018, <https://ru.sputnik.kg/incidents/20181111/1041942356/kyrgyzstan-pokhishchenie-nevesta-ala-kachuu.html> (accessed October 6, 2020).

29. Interview, October 17, 2013, Bishkek.

and then murdered by her kidnapper at a local police station in 2018 (Akylbekova 2018). Burulai's fate sparked a large public protest featuring a speech given by former President Roza Otunbaeva, who argued that both men and women were to blame for continued cases of bride theft (Erkebaeva 2018). Burulai's case speaks to the fact that bride theft happens, and that the authorities are unwilling and/or unable to protect its victims.

Scholars agree that bride theft is common in Kyrgyzstan (Handrahan 2004; Ibraeva, Moldosheva, and Niyazova 2012; Kirmse 2010; Kleinbach and Salimjanova 2007; Nantes 2005; Sadyrbek 2015; Werner 2009). Kozhomkulov (2016) argues that what he calls "vestiges of the past" such as bride theft have become widespread in post-Soviet Kyrgyzstan because the state and society no longer battle them: "They unsuccessfully fought such 'vestiges of the past' like bride theft, payment of *kalym* [bride price], and polygyny during the Soviet era. Unfortunately in conditions of sovereignty and the choice of a so-called democratic path of development these negative phenomena not only remain, but have developed. Now the state and society have practically stopped battling them."

Elites also acknowledge the practice. For example, former President Akaev's wife identified two factors that, in her view, speak to the degeneration of Kyrgyz society: polygyny's popularity and the acceptance of bride theft as a standard marriage practice (Mikhailov 2012). Similarly, former ombudsman Kubat Otorbaev states on the official ombudsman government website that *ala kachuu* is a shameful phenomenon for Kyrgyzstan.³⁰ Bride theft is also a topic of conversation in the mass media. For example, the news site 24.kg published an article outlining steps victims should take, including calling hotline 102, ignoring threats made during the ritual, employing self-defense techniques, reminding parents that they reject the practice, saying 'No!' during the *nikah* ceremony that consecrates a Muslim marriage, and submitting a complaint to the authorities (Masalieva 2018).

Kyrgyzstan's 1997 Criminal Code punished perpetrators for stealing livestock and kidnapping individuals more severely than it punished perpetrators for stealing brides. Maximum penalties were property confiscation and 11 years' incarceration for livestock theft (Article 165); 10 years' incarceration for kidnapping a person (Article 123); and a fine or five years' incarceration for kidnapping a woman for marriage (Article

30. See https://ombudsman.kg/index.php?option=com_content&view=article&id=538&lang=ru (accessed October 16, 2020).

155).³¹ Dissatisfaction with these stipulations led women's NGOs to launch a lobbying campaign for legislative change in 2010 when Altybaeva became a member of parliament. Her electoral victory was a historic opportunity because it allowed for the establishment of a vertical link between nonstate actors and public officials that created a path for the advancement of legislation targeting violence against women. Lateral links between nonstate actors were important as well.

The Alliance of Women's Legislative Initiatives, itself based on lateral links between NGOs and individuals dedicated to promoting women's rights, initiated the fight to toughen the bride theft penalty by submitting a formal proposal to Altybaeva. The alliance suggested the term "bride theft" to emphasize the criminal nature of the act. In one of many instances of cooperation between women's NGOs and critical actors in parliament during the campaign, Altybaeva agreed to call the practice "by its name — bride theft" to correct what in her view is the mistaken idea that "bride kidnapping" is a respected Kyrgyz tradition.³²

Parliament repeatedly rejected the proposal to toughen the bride theft penalty until a united civil society front based on lateral links between nonstate actors emerged. Open Line engineered an awareness campaign based on short films, animated cartoons, sketches, and comics portraying a typical bride theft scenario and its consequences for the victim.³³ Because the previous tactic — simply telling people that bride theft is wrong — had proven ineffective, Open Line began to model alternative behavior through visual creations, such as films, featuring supportive parents who welcome their stolen daughter home (Karimova 2012). In addition, women's NGOs collaborated with the United Nations on the organization of a mass bike ride through Bishkek to bring attention to the crime.³⁴

Lateral links between nonstate actors including NGOs, the Muftiate, and *aksakals* were extensive. Many women's NGOs contributed to the campaign to toughen the bride theft penalty, such as the Women's Support Center, which lobbied parliament for harsher sanctions.³⁵ Sezim assembled a petition, and Mutakalim gathered signatures to

31. Ugolovnyi Kodeks Kyrgyzskoi Respubliki, 1997 [Criminal Code of the Kyrgyz Republic, 1997], <http://cbd.minjust.gov.kg/act/view/ky-kg/205084> (accessed October 18, 2020).

32. Interview, October 8, 2013, Bishkek.

33. For examples of such artwork, see <http://www.openline.kg/>.

34. "V Bishkeke proidet veloprobeg protiv umykaniia nevest" [There will be a bike ride against bride theft in Bishkek], KNEWS, October 25, 2012, <https://knews.kg/2012/10/25/v-bishkeke-proydet-veloprobeg-protiv-umykaniya-nevest/> (accessed October 18, 2020).

35. Interview, Women's Support Center representative, May 22, 2018, Bishkek.

protest a crime that violates the central tenets of Islam.³⁶ On the basis of shared interests, Open Line and Mutakalim worked together to organize campaign events. Grim statistics — 16,000 girls were stolen between 2010 and 2011 — and requests from women in the regions to raise awareness of bride theft prompted the Women’s Discussion Club for Democracy to participate in the campaign as well.

The Muftiate was also involved. Hadith, an NGO that helps women cope with social, economic, and political instability, worked with the Muftiate to encourage a fatwa banning *ala kachuu* among Muslim worshippers.³⁷ Similarly, Open Line asked the Muftiate to give worshippers informational pamphlets it had prepared on bride theft, which the Muftiate took because it has a shared interest in preventing a practice that Islam does not condone. Altybaeva confirmed this instance of cooperation: “The Muftiate supported the law because as they themselves said, Islam asserts that every woman must enter marriage voluntarily; no one, not her father or brothers, can force her against her will.”³⁸ A Muftiate representative recently stated during an interview that it considers a *nikah* ceremony concluded through violence illegitimate: “during *nikah* the girl must give consent herself; no one else may answer” (Masalieva 2018).

Women’s NGOs also worked with *aksakals* to influence opinion at the community level. Described as “a customary rural institution” that survived the Soviet period, *aksakal* courts continue to resolve family disputes (Spector 2017, 140). This is particularly true in the regions.³⁹ As one crisis center representative explained,

Our association had many projects concerning bride theft.⁴⁰ We were one of the first to raise this issue in 2004 at a UN meeting, and from that moment it was heard; everything began to move . . . We try to take all of this to the lowest level; we want them to understand that they need to resolve these problems themselves and not wait for criminal punishment from above, that these things should be unacceptable in their community — bride theft, polygyny, early marriages, domestic violence. It’s necessary to catch it

36. Interview, Mutakalim representative, October 11, 2013, Bishkek.

37. Interview, Hadith representative, October 21, 2013, Bishkek.

38. Interview, October 8, 2013, Bishkek.

39. The role of *aksakal* courts in mediating disputes is enshrined in the 2002 Law on Aksakal Courts: <http://cbd.minjust.gov.kg/act/view/ru-ru/1070> (accessed October 18, 2020).

40. One research project conducted in three Osh villages reached the following conclusions: (1) despite the illegal status of the practice, bride theft continues; (2) law enforcement agencies responsible for dealing with bride theft cases must adopt more effective strategies. See Open Line (2010, 8).

from two sides. When we know that the authority of the old generation is respected, we work with *aksakals* because if an *aksakal* says it's bad, it's perceived differently than if someone else says the same thing.⁴¹

Cognizant of the fact that legislative change requires more than lateral links between nonstate actors, women's NGOs identified Altybaeva as the most committed critical actor in parliament. The vertical link between a united group of NGOs and Altybaeva contributed to the passage of legislation stipulating a more severe bride theft penalty. Representatives of women's NGOs have acknowledged this. During an interview that took place two years into the campaign, Open Line's director identified Altybaeva's presence in parliament and opposition to bride theft voiced by elites such as former president Otunbaeva and then president Almazbek Atambayev as *the* factors permitting a historic opportunity for legislative change: "First, parliament paid attention to this negative phenomenon and Altybaeva was of considerable value in this. She initiated the introduction of amendments to the law. . . It was also delightful that President Otunbaeva spoke about *ala kachuu* as a problem . . . and President Atambayev also stated that bride theft is a negative phenomenon that should not be ours" (Karimova 2012).

My interviewees underscored the consequential role Altybaeva played in campaign events that took place throughout the country and the connection between those events and the passage of the amendment to the Criminal Code. For example, an Open Line representative argued that despite resistance from men and women, Altybaeva won people over: "Altybaeva did not lose hope. She had a voice at these events, she was like a megaphone; eventually there was support for her argument. Male and female deputies said that if the law passed men would go to jail and there wouldn't be enough room in the prisons. And women said it was our tradition, that our families are built this way."⁴² Similarly, a Women's Discussion Club for Democracy representative highlighted the importance of vertical links between women's NGOs and a critical actor in parliament when she described Altybaeva's influence in an institution dominated by men: "We travelled everywhere and explained that men in parliament did not support the bill. We taught them, and they began to

41. Interview, July 16, 2015, Bishkek.

42. Interview, October 24, 2013, Bishkek. The latter argument proved difficult to refute because there is no consensus among the Kyrgyz on traditional roots of nonconsensual bride abduction. Kleinbach and Salimjanova (2007, 219) argue that if many Kyrgyz began to consider bride theft a tradition during the twentieth century, then during the twenty-first century, many Kyrgyz are either unaware that it breaches Kyrgyz and Sharia law and/or consider these legal systems subservient to tradition.

stand behind Altybaeva, who travelled with us to discuss the legislation. And they began to support it, they gave thousands of signatures. When Altybaeva presented the petition to parliament showing how many women were demanding the law, men adopted it.”⁴³

Working closely with NGOs committed to a more severe penalty, Altybaeva began in 2011 to persuade members of parliament that the Criminal Code violated the Kyrgyz constitution, which prohibits discrimination on the basis of gender.⁴⁴ She argued that gender discrimination underlay the harsher penalties stipulated in the Criminal Code for stealing livestock and kidnapping individuals than for stealing brides.⁴⁵ In an attempt to tackle gender discrimination, Altybaeva wrote a bill at the end of the year featuring a harsher penalty for bride theft. The bill, which went through four committees amid heated debate, did not pass easily. After the second reading, Altybaeva stood in front of the White House, which houses the parliament, and read a letter to her colleagues from a victim of bride theft describing how she had attempted suicide because she could not make peace with her forced marriage (Osmongazieva 2012). Her effort to break the resistance was successful. Though it took three readings, the bill ultimately was opposed by a minority of four (Kazybekov 2012).

The Criminal Code was amended in 2013 to reflect a tougher penalty: Article 155 stipulates that kidnapping a woman for the purpose of marriage garners a five- to seven-year incarceration term.⁴⁶ This law eliminates the fine stipulated in the 1997 Criminal Code and sets five years as the *minimum* incarceration term, rather than the maximum incarceration term stipulated in the 1997 Code. The 2013 Code also raises the age of a minor from 16 to 17 and toughens the penalty for stealing a minor for marriage: the 1997 Code stipulated a three- to seven-year incarceration term, while the 2013 Code stipulates a five- to 10-year incarceration term (Article 154 of both versions).

43. Interview, October 7, 2013, Bishkek.

44. Konstitutsiia Kyrgyzskoi Respubliki [Constitution of the Kyrgyz Republic], Article 16, January 27, 2017, <http://cdb.minjust.gov.kg/act/view/ru-ru/202913?cl=ru-ru> (accessed October 16, 2020).

45. Interview, Altybaeva, October 8, 2013, Bishkek.

46. *Ugolovnyi Kodeks Kyrgyzskoi Respubliki* [Criminal Code of the Kyrgyz Republic] (Bishkek: Академия, 2013), 77. Recent amendments to the Criminal Code (Article 175) subject a perpetrator who kidnaps a minor (under the age of 18) for the purpose of marriage to a longer incarceration period (seven to 10 years) as well as a fine. See *Ugolovnyi Kodeks Kyrgyzskoi Respubliki* [Criminal Code of the Kyrgyz Republic], 2019, <http://cbd.minjust.gov.kg/act/view/ru-ru/111527> (accessed October 16, 2020).

Transactional activism, or lateral links between nonstate actors *and* vertical links between nonstate actors and a critical actor in parliament, based on a commitment to instigate legislation targeting violence against women resulted in a tougher penalty for bride theft. During our conversation, Altybaeva highlighted the importance of political activism initiated by NGOs and individuals outside formal institutions of power to her legislative success: “A year and a half of discussion, for this time I was very grateful to friends, the women’s movement, journalists, the Muftiate, all of whom discussed this issue on television, radio. We discussed this issue everywhere. . . . we went to universities, there were discussions among the youth and they understood that this is not a tradition, that even if their papa stole their mama, this is not a tradition — it is a crime that went unpunished.”⁴⁷ Altybaeva has emphasized the importance of NGO activism during interviews with journalists as well. For example, when speaking with the news agency InoZpress in 2013 shortly after President Atambayev signed the new Criminal Code, she expressed gratitude for NGOs “that led the information campaign” (Myrzabekova 2013). The legislative change resulted, in part, from a conscious decision made by women’s NGOs to establish lateral links between themselves, the Muftiate, and *aksakals* that created a united front, and vertical links between themselves and a critical actor in parliament. A similar dynamic drove the passage of domestic violence legislation.

CASE II: DOMESTIC VIOLENCE LEGISLATION

The reported number of girls and women suffering from domestic violence in Kyrgyzstan more than doubled between 2014 (2,431) and 2018 (6,562).⁴⁸ The actual number is presumably higher because cultural, legal, and institutional barriers discourage victims from reporting domestic violence allegations to the authorities (Childress, Gioia, and Campbell 2018). Childress (2018) argues that several barriers deter abused women from seeking help, including the importance of marriage and stigmatization of divorce, hierarchical relations between mothers-in-law and daughters-in-law, attitudes legitimizing domestic violence, and a

47. Interview, October 8, 2013, Bishkek.

48. *Zhenshchiny i Muzhchiny Kyrgyzskoi Respubliki* [Women and men of the Kyrgyz Republic] (Bishkek: Natsional’ny Statisticheskii Komitet Kyrgyzskoi Respubliki, 2016, 2018, 2019), <http://www.stat.kg/ru/publications/sbomik-zhenshiny-i-muzhchiny-kyrgyzskoj-respubliki/> (accessed October 16, 2020).

lack of family support. These barriers stem from an attitude that women should just endure abuse. Though not held by everyone, this view is common enough that it perpetuates violence. A local sociologist explains the impact of this attitude on victims in stark terms: “It’s considered normal that you need to suffer violence. The Kyrgyz have an expression ‘sabyrduu bolush kerek,’ which means ‘just be patient.’ And so when a woman says ‘I’m experiencing abuse, my husband beats me,’ her circle gives her the following advice: ‘be patient, hold your tongue’” (Li 2017).

In Kyrgyzstan, domestic violence against women is most often committed by a woman’s husband and/or mother-in-law. Consequences of such abuse include loss of identity, powerlessness, fear, uncertainty, psychological distress, and physical health problems (Childress et al. 2018). Domestic violence is so problematic that Childress et al. (2018, 183) reach a dismal conclusion: “women are largely on their own in contemporary Kyrgyzstan. Women receive little or no help from families, health systems and law enforcement, and there are only a few civil society actors . . . that provide help.” The civil society actors whom the authors reference — NGOs offering services to victims of domestic violence — appeared after Kyrgyzstan became an independent state.

In light of the issues discussed above and the unwillingness and/or inability of the state to address them, women began to establish crisis centers in the 1990s. According to one crisis center representative, crisis centers are busy places: “I remember when we began to organize crisis centers people said ‘no one will go to them, no one will say that something happened in her family.’ But this turns out to be wrong — women began to come. In the past they didn’t have anywhere to go, but now there is a place where they can get legal services, they can call the hot line. People come. Tens of thousands of women come to us annually.”⁴⁹ The Association of Crisis Centers of Kyrgyzstan, an umbrella organization comprised of thirteen women’s NGOs including seven crisis centers, was founded in 2001 to coordinate nonstate actors serving victims of abuse.⁵⁰

Lateral links between nonstate actors enabled informational campaigns to raise awareness about domestic violence that led to the passage of two

49. Interview, July 16, 2015, Bishkek.

50. Kyrgyzstan does not have a single state crisis center. See “Ni odnogo gostsentra pomoshchi zhertvam semeinogo nasiliia v Kyrgyzstane net” [There is not a single state center providing assistance to victims of family violence in Kyrgyzstan], 24.kg, January 8, 2020, https://24.kg/obschestvo/139844_niodnogo_gostsentra_pomoschi_jertvam_semeynogo_nasiliya_vkyrgyzstane_net/ (accessed October 16, 2020).

domestic violence laws. The first campaign was organized in 1998 in accordance with the international 16-day campaign to end violence. The informational campaign has become an annual occurrence in Kyrgyzstan. Women's NGOs plan approximately 50 events that take place throughout the country at schools, universities, sports complexes, and state institutions to highlight early marriage, bride theft, and domestic violence (Dzhabrailova 2016). In her description of these campaigns, one crisis center representative highlighted the importance of fighting the attitude that women should just endure abuse: "Every year we launch a campaign. The problem of violence against women is acute in our county. . . We talk about it in schools, universities. We want to explain that violence is a serious problem. In our society there is a stereotype that women deserve whippings. But this is a mistaken view."⁵¹ Women's NGOs organize many events to bring attention to domestic violence. For example, the national movement "Together in Opposition to Violence against Women and Children" organizes an annual march on March 8, International Women's Day, to protest violence against women, early marriage, and bride theft (Malikova 2016). Similarly, a conference titled "Access to Justice for Women and Girls Suffering as a Result of Gender Violence" is held annually in a different region of the country (Nazarova 2017).

Once crisis centers and a calendar of events had been established, women's NGOs turned their attention toward legislative change. Representatives of some NGOs, including one from a crisis center in Bishkek, claimed during the lobbying campaign that the authorities refused to register cases of domestic violence in the absence of a law protecting victims.⁵² Lateral links between nonstate actors were vital to the passage of legislation protecting victims. According to Childress and Hanusa (2018, 147), women's NGOs "were instrumental" in this effort because they drafted a bill and then collected the 30,000 signatures required to submit a bill to parliament. A crisis center representative highlighted the importance of lateral and vertical links to legislative change: "We work with sources of violence and have had successful campaigns. First was our work with other women's NGOs — we gathered more than 30,000 signatures to support the first law on domestic violence that was adopted in 2003. Then we worked with

51. "V Kyrgyzstane proshla 16-dnevnaiia kampaniia protiv nasiliia zhenshchin" [In Kyrgyzstan a 16-day campaign protesting violence against women took place], FOR.kg, December 10, 2013, <http://www.for.kg/news-203977-ru.html> (accessed October 16, 2020).

52. Interview, May 18, 2018, Bishkek.

Jogorku Kenesh deputies to ban alcohol advertisements and close the casino because 80% of domestic violence cases are linked to alcohol, drugs, and gambling. We collected signatures and lobbied deputies.”⁵³

Kyrgyzstan’s first domestic violence law was signed in 2003.⁵⁴ Though the Law on Social-Legal Protection from Domestic Violence was a breakthrough in terms of stipulating the existence of physical, psychological, and sexual violence in the family; the right of victims to report allegations of violence to the authorities, including *aksakal* courts; and the need for restraining orders, it did not satisfy women’s NGOs. Weaknesses in the law drove many of these NGOs to launch a campaign based on lateral links between nonstate actors and vertical links between nonstate actors and critical actors in parliament for a second domestic violence law. For example, the Center for Research on Democratic Processes, which focuses on gender equality, began to work with state ministries on establishing a standard operational procedure for victims of domestic violence to appeal to the authorities as a result of perceived weaknesses in the law.⁵⁵

A window of opportunity opened in 2013, when parliament introduced more severe sanctions for bride theft and, in so doing, indicated support for legislation targeting violence against women. In addition, parliament had 27 women members; the Jogorku Kenesh has never had more than 28 female deputies.⁵⁶ Taking advantage of a large pool of potential critical actors, women’s NGOs launched a campaign for a second domestic violence law a decade after the first law was adopted. During our conversation, an Open Line representative emphasized cooperation between nonstate actors and the Ministry of Social Development in the push for a second law: “Open Line is part of a working group concerning the development of a [second] law on domestic violence. We work with the Minister of Social Development so that another law will be adopted.”⁵⁷ As in other legislative campaigns, the gathering of required signatures was a central pillar of this campaign. Women’s NGOs again led the effort, collecting more than 36,000 signatures in support of a second domestic violence law (Evastratov 2013). The

53. Interview, October 17, 2013, Bishkek.

54. *Zakon Kyrgyzskoi Respubliki O sotsialno-pravovoi zashchite ot nasiliya v sem'e* [Law on Social-Legal Protection from Domestic Violence], 2003, <http://cbd.minjust.gov.kg/act/view/ru-ru/1186?cl=ru-ru> (accessed October 16, 2020).

55. Interview, Center for Research on Democratic Processes representative, May 11, 2018, Bishkek.

56. National Statistics Committee of the Kyrgyz Republic, <http://www.stat.kg/ru/statistics/gendernaya-statistika/>.

57. Interview, July 8, 2015, Bishkek.

campaign was punctuated by meetings like the one held in 2014 that brought together the regional director of UN Women, representatives of women's NGOs, and a Ministry of Public Health representative. These meetings strengthened lateral links between nonstate actors, reinforced vertical links between nonstate actors and public officials, and enabled NGO representatives to voice their demands. For example, a Chance crisis center representative argued at the meeting that the first domestic violence law enabled the justice system to acquit perpetrators of violence and failed to serve victims of abuse (Moldalieva 2014).

Led by the Agency of Social Technologies, NGOs working on behalf of women launched a lobbying campaign that involved critical actors in parliament like Altybaeva, who introduced a bill in 2016. The campaign spanned four years and culminated in an appeal, issued by representatives of more than 37 organizations, requesting President Atambayev's approval (Abduvaitova 2017). Parliament adopted the legislation despite resistance from numerous deputies, and on April 27, 2017 Atambayev signed the Law on Protection from Domestic Violence.⁵⁸ This law, which in effect replaces the first law, reflects demands voiced by the NGO community, such as (1) the inclusion of the term "economic violence," (2) clearly defined responsibilities of state and local authorities, and (3) a statement regarding who may request a restraining order.⁵⁹

Having long emphasized the devastating consequences of economic violence, women's NGOs criticized the first law on domestic violence for only acknowledging physical, psychological, and sexual violence. My interviewees underscored the prevalence of familial dynamics that generate a situation in which a woman lacks the financial means to survive on her own, and thus cannot realistically leave an abusive relationship. For example, the League for the Protection of Children's Rights offers IT training programs for girls to reduce the rate of economic violence against women. Referring to program participants, a League representative emphasized the connection between economic dependence and domestic violence: "She will have critical thinking skills. She will earn money herself, independent of her husband. She will not tolerate violence; she will be able to leave at any point in time."⁶⁰ Not

58. Zakon Kyrgyzskoi Respubliki ob okhrane i zashchite ot semeinogo nasiliia [Law on Protection from Domestic Violence], 2017, <http://cbd.minjust.gov.kg/act/view/ru-ru/111570> (accessed October 16, 2020).

59. This is how the Jokorku Kenesh describes deputy Altybaeva's main legislative accomplishments: <http://www.kenesh.kg/ru/deputy-post/322/show> (accessed October 16, 2020).

60. Interview, League for the Protection of Children's Rights representative, May 25, 2018, Bishkek.

surprisingly, the NGO-led campaign lobbied for the inclusion of the term economic violence in the second law.⁶¹ Article 1 satisfies this demand.

Women's NGOs also lobbied for legislation that addresses the need for rehabilitation programs.⁶² Various parts of the second law require government agencies to organize and/or inform perpetrators of such programs, including Article 8, Article 11, and Article 27. In addition, the NGO-led campaign wanted the law to list services available to victims of domestic violence. Articles 34 and 35 are devoted to this issue and include, for example, legal, social, medical, and psychological assistance. Article 35 stipulates that a victim may seek these forms of assistance at state and local agencies, as well as institutions offering social services like crisis centers and shelters.

Women's NGOs also criticized the first law because it lacked a coordinating mechanism for all actors responsible for preventing and/or stopping domestic violence. In the midst of the campaign, an Agency of Social Technologies representative explained the need for such a mechanism to me: "We are lobbying, saying that we need to develop a new law in which the responsibilities of state organs are clearly established. We need a mechanism of coordination because when it comes to violence everyone must participate, not only the police but also public health institutes, social services institutes, local organs of authority. There is no mechanism of coordination in the existing law. So we're working on this now."⁶³ Article 7 of the second law requires the government to establish a "state authorized body" to coordinate activities of all actors potentially responsible for preventing and/or stopping domestic violence.

Women's NGOs also lobbied for mechanisms to facilitate the issuance of restraining orders. Although the first law provides for temporary orders issued by the police and permanent orders issued by the court, neither order was issued frequently. An Agency of Social Technologies representative suggested that a lack of training may have contributed to this: "The police don't want to issue restraining orders because they aren't trained for this; they don't know what they're for or how to issue them."⁶⁴ The second law addresses this critique. Article 10 requires the Ministry of Internal Affairs to include education programs and training courses on the prevention and cessation of domestic violence for law

61. Interview, Chance representative, May 18, 2018, Bishkek.

62. Interview, Chance representative, May 18, 2018, Bishkek.

63. Interview, October 23, 2013, Bishkek.

64. Interview, October 23, 2013, Bishkek.

enforcement personnel. Article 25 requires organs of internal affairs, including the police, to register reports of domestic violence from anyone, issue and ensure proper execution of restraining orders, and tell recipients of restraining orders about rehabilitation programs. The law thus holds the police accountable: they are obligated to react to every report of domestic violence regardless of the source and to issue a restraining order preventing the aggressor from approaching the victim.⁶⁵

A lawyer who participated in the lobbying campaign praised the fact that the second law identifies people responsible for preventing domestic violence (Dzhemasheva 2014). That list is more detailed than the one in the first law, which was limited to the courts, the prosecutor general, the ombudsman, organs of internal affairs, relevant state institutions, and *aksakal* courts. The list in the second law includes the mass media, health organizations, and education institutes but also identifies specific state institutions such as those related to the protection of children and local administrations (Article 6). *Aksakal* courts are also on the list because although staffed by elderly men, women do bring allegations of abuse to them.⁶⁶

Women's NGOs also lobbied for legislation that enumerates responsibilities of local government in preventing domestic violence (Dzhemasheva 2014). The second law satisfies this demand. Article 18 calls on local state administrations to implement the law, organize programs to strengthen the quality of employees in terms of their ability to handle cases of domestic violence, and attract financial assistance to implement domestic violence programs. Article 19 calls on local councils to provide the means for the implementation of domestic violence programs in their local budgets, which entails attracting investments and grants for this purpose.

Lateral links between women's NGOs and vertical links between these nonstate actors and the Ministry of Social Development and critical actors in parliament spawned the second domestic violence law. Though "women's movement" may or may not be an appropriate characterization, Altybaeva recently commented on the power of NGO activism in terms of its ability to influence legislation targeting violence against women: "The

65. "Novyi zakon protiv domashnego nasiliia — chto iamenilos' spustia god pocli ego priiniatii?" [New law against domestic violence — What has changed during the year since its adoption?], *Kloop*, June 3, 2018, <https://kloop.kg/blog2018/06.03/novji-zakon-protiv-domashnego-nasiliya-cto-izmenilos-spustya-god-posli-ego-prinyatiya/> (accessed October 16, 2020).

66. In 2011, 533 did so, 358 in 2012, 441 in 2013, 465 on 2014, 528 in 2015, 677 in 2016, 1,048 in 2017, and 939 in 2018 (*Zhenshchiny i Muzhchiny*, 2016, 97; *Zhenshchiny i Muzhchiny*, 2019, 133).

women's movement of Kyrgyzstan is very strong. Precisely owing to the women's movement there are now female deputies in parliament, city councils, and local councils. Thanks to the women's movement, many laws have been passed that support the institute of the family — mothers, fathers, and children.”⁶⁷ In referencing NGOs dedicated to launching women into the political arena and instigating legislation designed to support the family, Altybaeva acknowledged the importance of transactional activism for an electorally marginalized group in Kyrgyzstan.

CONCLUSION

This article has proposed a theory of transactional activism, a concept developed by Petrova and Tarrow, that posits the following: in postcommunist countries where women are electorally marginalized, NGOs can instigate legislative change if the state satisfies three necessary conditions permitting lateral links between NGOs working on behalf of women based on common interests, and vertical links between these nonstate actors and critical actors in parliament based on a shared commitment to instigate legislation targeting violence against women. The state must (1) establish a regulatory framework for NGO activity that permits the articulation and/or representation of women's interests; (2) demonstrate at least a rhetorical commitment to improving women's lives; and (3) facilitate through an institutional mechanism, such as a legislative gender quota, the election to parliament of critical actors sympathetic to women's interests. In other words, women's substantive representation can occur without strong descriptive representation in the formal legislative arena if the state satisfies these three conditions.

Electoral marginalization does not preclude women in Kyrgyzstan from instigating legislation targeting violence against women. I have argued that lateral links between women's NGOs and vertical links between nonstate actors and critical actors in parliament explain this surprising finding. My analysis of NGO-initiated lobbying campaigns to toughen the penalty for bride theft and introduce domestic violence laws demonstrates that the demands articulated by these organizations were met by bills initiated by critical actors in parliament motivated to initiate

67. “Deputat: Blagodaria zhenskomy dvizheniiu prinimali zakony v podderzhku sem'i i detei” [Deputy: Thanks to the women's movement they adopted a law in support of families and children], Kaktus Media, March 13, 2019, https://kaktus.media/doc/388155_depytat_blagodaria_jenskomy_dvijeni_u_prinimali_zakony_v_podderjky_semi_i_detey.html (accessed October 6, 2020).

legislation tackling violence against women. In analyzing the efficacy of one subsector of Kyrgyzstan's diverse civil society — women's NGOs — this article reveals the critical importance of transactional activism for electorally marginalized groups.

The Kyrgyz government has established a regulatory framework for the existence and operation of NGOs. The registration process is straightforward and, generally speaking, the state does not interfere with the activities of what it deems benign associations. This allows women's NGOs to address issues they care about. Moreover, the united front of allied NGOs, itself a consequence of lateral links, enables the passage of legislation that reflects the front's interests. Women's NGOs disagree with each other and compete for scarce resources, but lateral links between some of them during campaigns to advance bride theft and domestic violence legislation mattered. By putting up a united front based on shared interests, women's NGOs were able to influence legislative change in the Jogorku Kenesh.

Although gender equality remains a goal that women's NGOs continue to strive for, the Kyrgyz government is at least rhetorically committed to improving women's lives. For example, in 2019, the prime minister participated in a conference titled "Women Businesses in Kyrgyzstan: New Impulse," at which he stated the following: "Businesses managed by women entrepreneurs must become a powerful economic force. Together with this, we must not forget that a woman is a mother, the keeper of the hearth, and an example for her children. We must help women entrepreneurs become more successful."⁶⁸ Although this statement embodies typical constructions of gender that define women as keepers of the hearth, it simultaneously suggests an expanded role for women in the business sector. The state's rhetorical commitment to improving women's lives permits a public discourse that offers flexible views of gender roles in society. In other words, it acknowledges the need for change and allows for a space in which dialogue and awareness campaigns can occur.

Despite the fact that Kyrgyzstan is less than fully democratic and public offices are bought and sold (Engvall 2014), the Organization for Security and Co-operation in Europe regularly characterizes elections as competitive. Electoral competition, though imperfect, aids the election

68. "Abylgaziev: Uspeshnye zhenshchiny-predpreimnateli-ushpeshnaia ekonomika i blagopoluchnaia strana" [Abylgaziev: Successful women entrepreneurs — A successful economy and a prosperous country], *KyrgyzKabar*, July 5, 2019. <http://kabar.kg/news/abylgaziev-ushpeshnye-zhenshchiny-predpreimnateli-ushpeshnaia-ekonomika-i-blagopoluchnaia-strana/> (accessed October 6, 2020).

of women to parliament. As Grimes (2013, 397) points out, political competition “creates an auspicious climate in that it increases the likelihood that civil society activists find allies in positions of power.” In Kyrgyzstan, vertical links between women’s NGOs and a critical actor in parliament with shared interests were critical to the passage of bride theft and domestic violence legislation. The Kyrgyz case indicates that we need to look beyond critical mass to understand how women can instigate legislative change when they are underrepresented in the political arena. To be more precise, the Kyrgyz case lends credence to Dahlerup’s (2006, 520) claim that “even a few women in politics, under the right circumstances, can make a big difference.” Indeed, the presence of just one critical actor in parliament, aided by supportive women’s NGOs, can matter.

A brief look at Russia, which has passed legislation to restrict women’s rights, suggests that women’s substantive representation may be absent in postcommunist countries with parliaments dominated by men if the state hinders transactional activism by failing to satisfy the three necessary conditions stipulated above. First, the Russian state has not established a regulatory framework that enables free NGO activity. President Vladimir Putin’s management of independent civil society hinges on the establishment of the Public Chamber to monitor civil society, the creation of government-organized NGOs, and the integration of NGOs into the state. The result has been “a strengthening of groups with a non-political or pro-state orientation and the isolation of more adversarial groups or organizations” (Robertson 2009, 531). In addition, the Duma has passed legislation that restricts NGO activity, including the 2006 NGO law, which, according to Gilbert (2016, 1555), “has had the effect of ‘crowding out’ the civic sphere organizations that are critical of the authorities.” Taken together, these measures prevent civil society from instigating legislative change.

Second, the Russian state is not rhetorically committed to improving women’s lives unless the pledge is geared toward ensuring that women act as tools of the state in the resolution of problems such as Russia’s demographic crisis. The maternal capital policy is one example of this: the state makes payments to women who have given birth to more than one child that can be used to supplement a mother’s pension, assist with a mortgage, or finance a child’s education (Johnson and Saarinen 2013, 547). Putin’s rhetoric also emphasizes masculinity and traditional gender roles. Scholars such as Johnson (2014, 587–88) who study Russia’s gender politics highlight the importance of biopolitics and “the

misogyny of Russia's regime," which can be seen in homophobic and sexist policies, the state's ideology, and the state's crackdown on NGOs.

Third, the Russian state has not introduced an institutional mechanism, such as a legislative gender quota, to facilitate the election of women to parliament. While United Russia did launch a selective recruitment of women project in 2007 that has propelled women into positions of power, scholars see this as a political strategy rather than an effort to promote women's interests. Moreover, once elected women in parliament are "showgirls," a feminized version of 'locomotives,' a widespread informal practice of nominating big names . . . to attract voters, some of whom then decline to serve" (Johnson 2014, 588).

The Kyrgyz case suggests that women's substantive representation can occur in postcommunist countries with parliaments dominated by men. In the unlikely event that the Russian state were to satisfy the three necessary conditions discussed above, thus permitting transactional activism, legislative change in the area of women's rights might become possible. In other words, the hegemon of the region might become known for statutes that target violence against women.

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