



CHAPTER 1

Introduction: Understanding Legal and Governance Reform in Central Asia

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The prevailing assumption that a centrally planned system is inherently prone to chronic shortages and systemic wastefulness, whereas a market-based system ensures a more efficient allocation of resources, underpinned post-Communist economies' strategic decisions to transition from central planning to market coordination (Kornai 2000; Rose 2001). The transformation process, which became popularly known as “transition,” attempted to build a modern society in which political decisions and social norms

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would be forged by democratic values, and economic relations would be determined by market forces. However, more than three decades of reform experience in Central Asian countries has shown that building an efficient market-based system—in which anonymous markets and impersonal bureaucratic organisations operate under the rule of law—was much more difficult than originally anticipated. Although the strength of market-based signalling and incentivising factors has intensified whilst bureaucratic organisations have become more established since the 1990s (Pomfret 2021), the latter still fail to operate impartially and according to the law.

In ideal type market-based economic models, prices signal profitable investment opportunities by reflecting the relative scarcities of goods and services. Competitive forces, governed by the laws of supply and demand, ensure the credibility of these signals, rewarding innovation and catalysing Schumpeterian “creative destruction” (Schumpeter 1994). However, while prices signal which skills and knowledge are perceived to maximise investment returns, they fail to secure intertemporal and interspatial claims to accumulated capital. Institutions address this gap by formalising rights to such claims, including intellectual property, thereby reducing uncertainty (North 1991).

Formal institutions, encompassing constitutions, laws, legislative acts, regulations, and property rights (North 1991, p. 97; Williamson 2000, p. 598), influence economic decision-making by protecting rights indiscriminately and constraining opportunistic behaviour. Created and enforced through official channels (Helmke and Levitsky 2004, p. 727), these “rules of the game” (North 1993) require impartial enforcement to function inclusively. However, securing credibility demands both social acknowledgement and effective enforcement mechanisms (Hodgson and Jiang 2007, p. 1048), incurring measurement costs to define rules and enforcement costs to implement them (North 1993; Fairfax 2022).

To mitigate these costs, formal rules are supplemented by “informal constraints”—social norms, conventions, and codes of conduct—which reduce enforcement costs and foster trust in formal institutions (North 1991, p. 97). This interdependence explains why modern economies, reliant on complex intertemporal and interspatial agreements and transactions, increasingly depend on credible, impartial enforcement of formal rules. Through robust contract enforcement and property rights protection (Acemoglu et al. 2005; Acemoglu and Johnson 2023), formal institutions enable market expansion beyond local, regional, and national

boundaries. However, while this conclusion seems logical and convincing, certain self-perpetuating forces within the political economy and informal network arrangements undermine market-enhancing reforms, weakening their intended outcomes.

First, when formal rules provide fair and meritocratic access to resources, this can lead to the emergence and the thriving of more competitive new economic actors. Although the positive societal benefit from this may seem obvious, it simultaneously enables new groups to build economic and, hence, political power to challenge the ruling actors who are in charge of reform design and implementation. Since this threatens the interests of the incumbent elites, while agreeing to the rules of the game, they may not credibly commit to their full and impartial enforcement (Acemoglu et al. 2005). The implication of this is that market-enhancing reforms, by changing the status quo, could also challenge the ability of the incumbent elite to extract rents, making it unlikely for such fundamental reforms to be implemented in the first place, or, if undertaken, to not be fully enforced. More specifically, the political elite with their vested interests affect economic outcomes formally through red tape and informally through informal networks. This can result in a culture of favouritism, corruption, and bribery, further suppressing market-based impersonal exchange and resource allocation.

In turn, this affects the credibility of formal rules and bureaucratic actors responsible for their impartial enforcement, weakening both rule-based and market-based incentivising and constraining pay-off mechanisms. Consequently, economic actors lose inducement to use them as signals in their decision-making. Instead, they rely on interpersonal networks with strategically positioned bureaucrats in matters relating to resource allocation (Dasgupta 2005; Ruziev and Webber 2019). This may lead to the emergence and flourishing of corruption and informal networks. Compared to rule-based and market-based systems, such informal arrangements and practices are inefficient, as the most competitive and talented candidates are not always members of these exclusive and extractive networks (Serageldin and Grootaert 2001; Acemoglu et al. 2014).

Second, while arguing for the crucial role of “informal constraints” in the success of market-enhancing formal rules, North (1991, 1993) also recognises that developing meritocratic social norms and conventions takes much longer than establishing formal rules. Furthermore, recent literature establishes the “bright and dark” sides of norms and conventions associated with informal institutional arrangements (Horak et al. 2020),

demonstrating the persistent complexity of institutional evolution. For example, complementary informal institutions rely on merit-based norms that enhance trust in inclusive formal institutions and rules (Hodgson and Jiang 2007, p. 1051). They foster cooperation by aligning incentives with formal frameworks, reducing enforcement costs and deterring opportunism (North 1991, p. 97; Helmke and Levitsky 2004). Competing informal institutions, in contrast, employ exclusive group norms to protect members' interests, creating parallel extractive systems that undermine formal rules (Ledeneva, 1998, 2018). Such institutions often manifest as corruption, rent-seeking networks, or informal mutual-aid practices that distort market-based signals and resource allocation (Ruziev and Midmore 2015, p. 589). Their exclusivity benefits insiders while exacerbating inequality, misallocating resources and talent, and suppressing fair competition (Serageldin and Grootaert 2001, p. 53).

The dark side of informal institutional arrangements persists across economic contexts, from emerging economies to advanced ones ((Bian 2018; Horak et al. 2020), prompting multidisciplinary study of their societal impacts (see Bidner and Francois 2011; Dixit 2016; Hodgson, 2019 for economics; Rose 2001; Helmke and Levitsky 2004 for political science; Ilkhamov 2007; Turaeva 2022; Urinboyev and Svensson 2025 for sociology; and Horak et al. 2020; and Minbaeva et al. 2023 for organisational studies). Consequently, policy efforts in emerging economies prioritise strengthening formal institutional credibility through governance reforms (Minbaeva et al. 2023)—particularly to escape middle-income traps by aligning with inclusive rule-based frameworks (World Bank 2024).

Emerging research confirms this pattern in Central Asian countries (Urinboyev and Svensson 2025; Urinboyev and Eraliev 2022; Urinboyev et al. 2018; Urinboyev and Svensson 2013; Ilkhamov 2007; Veldwisch and Bock 2011; Rasanayagam 2011; Oberkircher and Hornidge 2011; Ruziev and Midmore 2015). The top-down governance approach favoured by Central Asian authorities, with weak accountability and transparency, encourages the personalisation of public office and the arbitrary exercise of power. This blurring of boundaries between public and private interests serves as a mechanism for private rent-seeking (Ilkhamov 2007) and leads to the informalisation of both state and society (Rasanayagam 2011). Studies analysing the region's transformation from a sociology of law perspective also show widespread informal transactions, some of which are legally corrupt but morally accepted as gifts (Urinboyev and Svensson 2013; Urinboyev et al. 2018; Urinboyev and Eraliev 2022). These

informal practices often serve as “palliative” mechanisms, compensating for the state’s failure to support infrastructure and welfare systems (Urinboyev and Svensson 2013). Formal and informal institutions compete for power and resources, creating alternative “legal orders” and norms (Urinboyev et al. 2018).

Recent leadership changes in Central Asian countries have created a new impetus for reform and regional cooperation. In Kazakhstan, Uzbekistan, and Kyrgyzstan, a younger generation of rulers has emerged, bringing fresh perspectives on economic development and international engagement. The shift in leadership, combined with the changing geopolitical landscape due to the Russia-Ukraine conflict, presents a unique opportunity to enhance the credibility of reforms and move towards more inclusive and sustainable growth models in Central Asia.

The willingness of the current cohort of political leaders in Central Asia to actively engage with the global community, coupled with the region’s strategic position between East and West, offers significant opportunities for enhanced cooperation with the European Union, the United States, China and other global partners. Notably, the Russia–Ukraine conflict has drastically increased global interest in strengthening economic ties with Central Asia. However, the success of these potential partnerships will largely depend on the quality of economic institutions in the region. As Central Asia seeks to overcome its reputation as a “forgotten” part of the world, there is growing recognition of the benefits of deeper economic ties and integration into global value chains. While challenges remain, particularly in countries like Tajikistan and Turkmenistan (Pomfret 2021), these developments collectively suggest a more favourable environment for implementing market-enhancing reforms and fostering sustainable and inclusive economic growth across Central Asia.

These considerations have informed our approach in this volume, which aims to explore the root causes of ineffective market-enhancing and market-sustaining reforms in five Central Asian countries. To achieve this goal, we carefully analyse the intricate interactions among several important factors. These include the design of business-friendly formal rules, laws and regulations; social norms and informality; and how their complex interplay affects the credibility of formal rules, laws, regulations and bureaucratic actors responsible for their impartial enforcement. We also examine how these interactions can weaken both rule-based and market-based incentivising and constraining pay-off mechanisms, and hence the credibility of reforms. Hence, our analysis focuses on the interactions

between formal rules, the bright and dark sides of norms and conventions, and other informal arrangements and practices. By examining these factors, we aim to provide a comprehensive understanding of not only current business environments but also the challenges of improving the credibility of market-enhancing reforms in Central Asia.

The uniqueness of this volume also lies in its interdisciplinary approach to understanding the complex interplay between formal institutions, informal arrangements, and economic development in Central Asia. While these issues are often recognised and discussed in different fields of study, they are typically examined in isolation, leading to a fragmented understanding of the challenges facing the region. This volume breaks away from such siloed perspectives by actively integrating and synthesising knowledge from various disciplines, including business studies, sociology of law, economics, and political science.

By adopting an interdisciplinary lens, this edited volume offers a more holistic and nuanced understanding of the interdependent issues affecting Central Asian economies. It goes beyond simply drawing knowledge from different fields and instead collaboratively combines insights to create a comprehensive analysis of the region's institutional landscape. This approach enables a deeper exploration of how formal rules interact with informal constraints, how political economy forces influence reform implementation, and how social norms and conventions shape economic outcomes. As a result, the volume provides more sophisticated and context-specific policy recommendations that address the multifaceted nature of institutional development in Central Asia. This interdisciplinary synthesis not only contributes to academic discourse but also offers valuable insights for policymakers, international organisations, and stakeholders involved in the region's economic transformation.

The volume comprises eighteen chapters organised into four thematic parts.

The main theme of Part I, Corruption, Social Norms and Informality, is the complex interplay between cultural norms, informal practices, and the everyday moral logics that shape corruption across Central Asia. This part brings together four chapters that collectively examine the cultural, psychological, and socio-legal foundations of corruption and informality in the region. Yurtbakan and Aktaş adopt a socio-psychological lens to show how descriptive and injunctive norms, together with leadership dynamics, shape individual susceptibility to corruption and influence the normalisation of unethical behaviour within groups. Urinboyev and

colleagues extend the analysis by examining Uzbekistan's hybrid governance environment, demonstrating how formal rule-of-law reforms co-exist with deeply rooted informal normative orders grounded in legal pluralism, reciprocity, and everyday survival strategies, factors that collectively constrain the transformative potential of anti-corruption initiatives. Perglova's study of Russian minority youth in Kazakhstan complements this perspective by revealing how young people navigate the blurred moral boundary between legitimate reciprocity, everyday informal exchanges, and corrupt practices, highlighting the role of cultural expectations and the moral economy in shaping attitudes towards integrity. This part concludes with Kolenko and Karimova's socio-legal analysis of gift-giving in Uzbekistan, which exposes how culturally valued traditions of hospitality generate grey zones between lawful tokens of appreciation and illicit inducements, complicating enforcement and giving rise to "brifts," hybrid exchanges that fuse the symbolic language of gifts with the functional logic of bribes. Taken together, these four chapters illuminate how corruption emerges, persists, and acquires moral meaning within the interplay of culture, psychology, informal norms, and the plural legal landscapes that continue to shape governance across Central Asia.

The main theme of Part II, *Corruption and Informality in Higher Education*, is how integrity challenges within universities shape the quality of human capital, academic performance, and the broader institutional environment essential for economic development. Higher education plays a central role in fostering innovation, meritocratic norms, and pro-growth institutions, and corruption within this sector therefore carries long-term economic and societal costs. Chapters in Part II examine how informal practices in Central Asian higher education undermine educational quality, academic integrity, and the formation of trustworthy, productive institutions. Ovezmyradov and Shakirova analyse questionable publication strategies, showing how strict performance targets and limited research capacity push academics toward predatory journals, ghost-writing services and intermediaries. Their game-theoretical model demonstrates that, under prevailing incentives, rational researchers may prioritise quick, low-quality publication over genuine scientific contribution, resulting in wasted investment and weakened academic standards. Rabbimova and Ruziev explore doctoral education reform in Uzbekistan, revealing how process-heavy requirements, limited supervision, and resource constraints unintentionally reinforce long-standing informal behaviours. Their typology of resilient, opportunist, and accidental doctoral candidates illustrates

how informal networks become embedded even within modernised, formally meritocratic systems. Prabakaran, Pöder and Ashyrov assess public perceptions of access-based corruption in university admissions, finding that individuals with stronger democratic preferences are less likely to view personal connections as essential for entry. Their analysis highlights how civic values, perceptions of fairness, and tolerance of informality in higher education are closely intertwined. Ishkibayeva, Kaldiyarov, and Nurmukhankyzy complement the structural analyses in Part II by focusing on professional identity as a micro-level source of ethical resistance in Kazakhstan's higher education. Their mixed-method study shows that faculty exhibit stronger ethical awareness, transparency, and accountability than students, yet this does not translate into greater overt anti-corruption advocacy. The chapter explains this gap through the concept of "silent resistance," whereby academics uphold integrity through discreet, low-risk practices rather than open confrontation in hierarchical and insecure institutional settings. In doing so, it reframes silence as an adaptive ethical strategy and highlights structural rigidity itself as a form of institutional corruption that forces ethical compromise even in the absence of personal gain. Together, the chapters in Part II demonstrate that corruption in higher education is both a symptom and a driver of deeper institutional weaknesses. Structural incentives distort academic behaviour, informal networks substitute for weak formal rules, and identity-based ethical commitments are constrained by unsafe institutional environments. The combined evidence underscores that improving integrity in higher education requires more than formal reform: it demands institutional conditions that align incentives, governance structures, and professional identities. Without such alignment, universities risk continuing to produce graduates and knowledge under conditions that undermine trust, meritocracy, and long-term development across Central Asia.

The central theme of Part III, Corruption and Business Environment, is how corruption, informality, and weak institutional constraints shape business behaviour, market governance, and economic opportunity across Central Asia. Together, the five chapters show that in environments where formal rules are fragmented or inconsistently enforced, firms, migrants, and even global corporations adapt through practices that blur the boundaries between legality and informality, with far-reaching implications for development and state-society relations. Ashyrov and Nino-Fernandez analyse corruption's ambivalent role in entrepreneurship, showing that while informal payments may "grease the wheels" of business entry in

bureaucratically constrained environments, they do not support post-entry success and ultimately weaken institutional trust, innovation, and long-term growth. Kölük's study of Turkish restaurants in Uzbekistan reveals how entrepreneurs routinely navigate opaque inspections, rigid labour laws, and limited credit access through informal hiring, cash-based transactions, and intermediary networks, illustrating how informality becomes a functional response to structural uncertainty. Pulatov and Khashimkhodjaeva expose systemic corruption in Uzbekistan's pharmaceutical sector, documenting price manipulation, inducements to prescribers, and contraband supply chains that endanger public health and illustrate how regulatory gaps invite rent-seeking and market capture. Baigabatova's chapter shifts focus from firms to citizens, demonstrating how bureaucratic complexity, linguistic barriers, and discretionary street-level decision-making push ethnic Kazakh repatriates into informal networks and corrupt brokerage systems when attempting to secure citizenship, revealing the state itself as a site of everyday informality. Finally, Mäkinen, Ainamo, and Bakkar provide a conceptual critique of Western corporate social responsibility (CSR) assumptions in patrimonial settings, arguing that in Central Asia's shadow-economy environments, CSR may function not as a civilising force but as a laundering mechanism that legitimises illicit financial flows. Closing the section, Kudasheva and Rakhmatullayeva provide firm- and sector-level evidence from Kazakhstan, showing that corruption operates primarily as "sand in the wheels" of entrepreneurship—disproportionately burdening SMEs and heavily regulated sectors such as construction, energy, and logistics—and that any short-term coping benefits are outweighed by higher costs, distorted competition, and erosion of institutional trust. Collectively, Part III demonstrates that corruption in Central Asia's business environment is not incidental but structural, shaping incentives, behaviour, and outcomes across both domestic and transnational economic spheres.

Part IV, *Interplay between International Norms and National Anti-Corruption Frameworks*, examines the dynamic relationship between global anti-corruption norms and domestic governance reforms in Central Asia, analysing how international standards are received, adapted, and at times strategically reshaped by Kazakhstan and Uzbekistan. The four chapters highlight the tensions between external compliance and internal political incentives, showing that anti-corruption reforms often function as both governance tools and instruments of statecraft. Genç's analysis of Uzbekistan compares the norm-diffusion strategies of the World Bank and

UNODC. While the Bank embeds governance standards through policy-based lending and sectoral reforms, UNODC advances legal harmonisation via UNCAC. The chapter shows that Uzbekistan frequently engages in “instrumental localisation”: adopting global norms to enhance international legitimacy while constraining their transformative impact through selective implementation. Mayer’s chapter maps the emergence of a dense but fragmented anti-corruption regime complex in Central Asia, involving the UN, OECD, OSCE, World Bank, EAG/FATF, and others. Rather than a coherent hierarchy, the region exhibits a polycentric system in which overlapping mandates, competing standards, and resource exchanges produce uneven pressure on national governments, enabling selective appropriation of global norms. Jordanova’s contribution reframes high-level anti-corruption campaigns in Kazakhstan and Uzbekistan as political acts intertwined with regime consolidation. Using a triadic model of power, framing, and actorship, she demonstrates how presidents employ anti-corruption rhetoric to discipline elites, restructure rent distribution, and project reformist credentials to external partners, often without reducing systemic corruption. Nurmukhankyzy’s chapter turns to anti-corruption examination of normative legal acts, comparing Kazakhstan’s transparent but advisory “scientific expertise” model with Uzbekistan’s mandatory, centralised system. Despite institutional differences, both systems struggle to prevent legal loopholes, as draft legislation remains shaped by informal power relations, bureaucratic discretion, and limited enforcement of expert recommendations. Together, Part IV reveals that meaningful anti-corruption progress depends less on formal adoption of international norms than on their negotiation within domestic political economies.

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