

## NATION-BUILDING

**THE POLITICAL REGIME  
IN KAZAKHSTAN:  
ITS CURRENT STATE AND  
POSSIBLE FUTURE**

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Political science defines “political regime” in a variety of ways, yet only two of the definitions are commonly accepted. One of them relies on the political and legal, or institutional, approach, while the other is based on sociology. However they agree when it comes to an understanding of the diverse relations between the government and society.

Those wishing to define any specific political regime should proceed from its institutional design and corresponding political practice (observance of constitutional norms, freedoms and rights); the degree of public involvement in decision-making at the state level; the degree and possibility of competition between the government and the opposition; and the role of open coercion and enforcement in state governance.<sup>1</sup>

The majority of Russian political scientists, studying the transformations in the post-Soviet expanse, concentrate on political *actors* and *institutions* and the mode of their interaction responsible for the structure of power relations.

V. Ghelman, for example, who identifies actors, institutions, resources, and strategies as the main independent variables, has described a political regime as the “sum-total of actors involved in a polit-

<sup>1</sup> For a more detailed analysis of all interpretations of the “political regime” concept in contemporary political science, see: A.P. Tsygankov, *Sovremennyye politicheskie rezhimy: struktura, tipologiya, dinamika*, Interpraks, Moscow, 1995.

ical process, institutions of political power, and the resources and strategies used to gain and retain power.”<sup>2</sup>

R. Turovskiy seems to agree with the above. He describes a political regime as the “sum-total of political actors (including their methods of governance, resources, aims and strategies) and institutions (interpreted both as organizations and the norms and rules of the game) operating on a certain territory.”<sup>3</sup>

The subjects of social action—various elite groups with resources and strategies of their own—can be described as actors. *Resources* are an attribute (a circumstance or a boon), the possession of which makes it easier to influence society. *Strategies* are the nature of actions some actors undertake in relation to others (force, compromise, or a combination of the two).<sup>4</sup> *Institutions* are the sum-total of formal and informal “rules of the game” which impose limitations on the political actors or create incentives to political action.<sup>5</sup>

This definition contains the concept of *dominating actor* used to describe a subject (a strong leader, a ruling party, or the ruling clan, etc.) able to rule beyond any meaningful cooperation with others.<sup>6</sup>

The concepts of formal and informal “actor” and “institution” suffice to describe any political regime as a functional sphere of a political system which, in turn, can be described as a method of cooperation within the formal and informal institutions of the sum-total of actors in the political process who rely on various resources and strategies to gain and retain power.

V. Ghelman has pointed out that the formal description of the political regime created for the purposes of analysis of regime changes allows one to draw a line between competitive and uncompetitive regimes. In the latter case, the dominating actor is all-important, while the others have no significant roles to play.<sup>7</sup>

Before analyzing the political regime in Kazakhstan, it should be noted that by 1995 the country acquired objective conditions conducive to stronger presidential power. This power was represented by Nazarbaev, who had acquired far greater political resources than his opponents.

Electoral support, which the president used to strengthen his legitimacy and improve the referendum strategy, can be described as one such resource. His unrivalled authority, likewise, was another important factor. It had been earned much earlier, during the last years of Soviet power when Nursultan Nazarbaev, a flexible politician, demonstrated his no mean talent for compromises with various social groups and his ability to formulate balanced centrist positions and earn popular support. According to the all-Union poll the *Dialog* journal conducted in 1991, 40 percent of the respondents pointed to Nazarbaev as the “politician of the year” (36 percent selected Boris Yeltsin as the “man of the year”). In May 1991, the Obshchestvennoe mnenie Foundation obtained similar results.<sup>8</sup>

Presidentship completed Nazarbaev’s symbolic resources with institutional resources that expanded his influence not only in the political but also in the wider (social) sphere, which translated into curbing the political parties’ and media’s freedom of action.

The president showed a lot of skill when handling the results of economic restructuring to obtain, apart from the symbolic and institutional recourses, the most important, economic, resource.

This cemented his dominance to the extent that neither the differentiated interests of the elite and the rest of society caused by the economic reforms, nor the exacerbated contradictions created by

<sup>2</sup> *Rossia regionov: transformatsia politicheskikh rezhimov*, ed. by V. Ghelman, S. Ryzhenkov, and M. Bri, Moscow, 2000, pp. 19-20.

<sup>3</sup> R.F. Turovskiy, “Regional’nye politicheskie rezhimy v Rossii: k metodologii analiza,” *Polis*, No. 2, 2009, p. 78.

<sup>4</sup> See: *Rossia regionov: transformatsia politicheskikh rezhimov*, pp. 19-20.

<sup>5</sup> See: V.Ia. Ghelman, “Iz ognia da v polymia? (Dinamika postsovetkikh rezhimov v sravnitel’noy perspektive),” *Polis*, No. 2, 2007, p. 82.

<sup>6</sup> See: *Ibid.*, p. 86.

<sup>7</sup> See: *Ibidem*.

<sup>8</sup> See: *Kazakhstanskaia pravda*, 17 August, 1991, p. 1.

the clan nature of the Kazakh ethnos (the division into *zhuzes*) undermined President Nazarbaev's influence.

The regime, which survived the challenge of the young national bourgeoisie led by former Prime Minister Kazhegeldin during the 1999 presidential campaign and the so-called elite riot of 2001-2002, demonstrated its sustainability.<sup>9</sup>

An analysis of post-Soviet (after 2003) political developments in Kazakhstan leads to the conclusion that new influential political actors are unlikely to come to the fore in the near future.

We can say that in 2003 the post-Soviet regime entered a stage of consolidation.

The electoral cycles of 2004-2005 and 2007 confirmed that the government's domination was absolute and that society was withdrawing its support of the opposition.

The 2004 parliamentary elections brought victory to the pro-presidential parties, which retained their grip on the legislature. The latest presidential elections, which took place in 2005, were fairly peaceful for the powers that be and could be described as the incumbent's triumph: he gained 91.1 percent of the votes, leaving barely 10 percent for Zh. Tuyakbay, the presidential candidate for the For a Fair Kazakhstan opposition movement.<sup>10</sup> This means that President Nazarbaev will remain at the helm till at least 2012.

In 2003 the political regime in Kazakhstan obviously achieved its stability and acquired distinctive features and specifics.

Within V. Ghelman's classification, the post-Soviet regime in Kazakhstan can be described as *monocentric* with one dominating actor who relies on formal and informal institutions.<sup>11</sup>

Within R. Dahl's model,<sup>12</sup> which defines regimes according to two criteria—the competitive power struggle and the degree of public involvement in governance—the regime in Kazakhstan can be defined as a *competitive oligarchy*.

To clarify the essence of the political regime that has taken shape in Kazakhstan and reveal its specific features, we should identify its social basis and the methods of its functioning.

The regime can be described as *authoritarian* since the range of the president's power and domination of the executive branch registered in the 1995 Constitution narrow down, to the greatest degree possible, the polycentric nature of the political system. There is no democracy to speak of; this much is confirmed by the public structures engaged in monitoring democratic developments across the world.

Freedom House, one of the international NGOs, calculated the general index of democratic development in Kazakhstan in 2008 as 6.39, which can be described as essentially the absolute minimum.<sup>13</sup>

Since it boasts several parties and formal pluralism, the republic cannot be described as a totalitarian state either, yet the president has monopolized decision-making on all important issues, while the power elites function outside public control.

Power and property in Kazakhstan have merged to the extent that they cannot be separated from each other. This is the main feature of the country's political regime, which rests on the personal cap-

<sup>9</sup> For more detail, see: S. Markelov, O. Petrovskiy, *Kazakhstan 2001-2002gg.: politicheskiy krizis*, Kania, Novosibirsk, 2002.

<sup>10</sup> See: A. Terentiev, "Vybory v Kazakhstane: ukroshchenie 'oranzhevoy' volny," *Mirovaia ekonomika i mezhdunarodnye otnoshenia*, No. 5, 2006, p. 33.

<sup>11</sup> See: V. Ghelman, "Transformatsii i rezhimy: neopredelennost' i ee posledstvia," in: *Rossia regionov: transformatsia politicheskikh rezhimov*, ed. by S. Ryzhenkov, G. Liukhterkhandt-Mikhaleva (with participation of A. Kuzmin), Moscow, St. Petersburg, 2000, p. 34.

<sup>12</sup> See: R. Dahl, "Polyarchal Democracy," in: R.A. Dahl, I. Shapiro, J.A. Cheibub, *The Democracy Sourcebook*, The MIT Press, Cambridge, Massachusetts, 2003.

<sup>13</sup> See: Nations in Transit — Kazakhstan (2008), available at [<http://www.freedomhouse.org/template.cfm?page=47&nit=477&year=2008>]. The Freedom House rating is scaled from 1 to 7 where 1 stands for maximum development of democracy, 7 for minimum.

ital accumulated by Nazarbaev's clan ("the family") and on the money donated by big business, which depends on the government.

- Thus, first, this ensures political control over the most important resources.
- Second, big business is used to liquidate or neutralize disloyal subjects, manipulate public opinion, and accumulate symbolic resources by putting pressure on the media.

The *bureaucratic machine* alone (the power-wielding and civilian departments and ministries) is capable of preserving political power merged with property. The presidential administration, the core of the republic's bureaucratic structure, transfers political aims and tasks to the lower levels. The system will survive and will remain efficient as long as the president retains his legitimacy and wide popular support.

Contradictions and squabbles at the top are not excluded, however the dominating actor has enough resources to restore consolidation through "imposed consensus."

In Kazakhstan, bureaucracy is based on the *clan system*, a throwback to the clan and tribal past. The slowly changing structural limitations cannot be lifted all at once, which inevitably affects political transformations. In a loosely consolidated society living under the spell of its patriarchal past, any reform affects the clans and their interests; the clans, which ensure support of the president, should be rewarded with privileges.

Once consolidated, the regime did nothing to wipe out the clan system; it became even more widespread, with relatives and supporters replacing the rivals removed from official posts. The "family" enhanced the regime's stability and made the president its hostage of sorts: if other clans start pressing for power his position will be questioned.

This means that the regime in Kazakhstan can be tagged as *clan-bureaucratic authoritarianism* under which the interests of the head of state and clan bureaucracy balance each other out and are legitimized through the formal institutions of imitation democracy.

Formally Kazakhstan is a state ruled by law, while in actual fact the functioning of the formal democratic procedures and institutions is grossly distorted, and the law serves as an instrument of power. This is amply confirmed by the use of court procedures to isolate the most prominent opposition members (such as A. Kazhegeldin) during the election campaign; the media were functioning under administrative pressure; and criminal proceedings were instituted against disloyal politicians (G. Zhakiianov and M. Abliazov). Laws and even the Constitution are frequently changed.

The above suggests that the political regime in Kazakhstan can be described as *clan-bureaucratic authoritarianism with elements of imitation democracy*.

An analysis of empirical data shows that with no political forces able to launch a regime change in sight the regime will retain its sustainability in the near future.

At the same time, power transfer is the headache of all patrimonial regimes of the monocentric type (in which decision-making belongs to one person while his power rests on patron-client relations with the elites).

In 2005, when Nursultan Nazarbaev was reelected president, the final decision on a successor was postponed until 2012; his age, however (he will be 72 in 2012), does not permit procrastination.

This means that the political regime's possible development trends have become especially important. There are three options: first, preservation of the status quo; second, moving back to traditions and limited democratic developments; third, the regime's limited modernization. The third option is the most desirable and the most probable.

Let us discuss the above in greater detail.

1. *Preservation of the status quo*. This is possible if the president is reelected for another term or if Operation Successor follows the Russian pattern. To preserve the status quo, the new

president should follow the old “imposed consensus” strategy to keep the elites consolidated and to retain his dominance.

This looks possible, however the choice of successor might prove a problem. In contrast to Russia, in Kazakhstan, where the clans enjoy power, political problems might be aggravated by psychological difficulties. Nursultan Nazarbaev has no sons, which means that his elder daughter Dariga or his second daughter’s husband Timur Kulibaev might claim presidency (the chances of the latter are more likely).

2. *Moving back to traditions.* The least plausible variant, but still a possibility. Formulated in 2006 by one of the most influential presidential claimants—Rakhat Aliev, ex-husband of Nazarbaev’s elder daughter—it is still popular among certain elite groups.

In 2006, Aliev published an article “Respublikostan ili Kazakhskiy Sultanat. Kakoy vybor my sdelaem?” (Republic-stan or a Kazakh Sultanate: Which is Better for Us?) in which he wrote: “The republic is an alien form of government that reached the Kazakh steppes straight from the head of fiery revolutionary Vladimir Ilyich Lenin. The monarchy, on the other hand, goes well with the Kazakh clan traditions and world experience, especially with the British experience. Indeed, Britain does not hesitate to accept that the nation is divided into commoners and lords and that this is reflected in its parliament.

“The Kazakh parliament, on the other hand, is a sad sight. Since we have no lords, who occupies the seats in the upper chamber? Are they respected people? Let us imagine for a moment that the seats are filled with members of real, clan and national, social groups. The monarchy is in general a reliable, convenient, and democratic form of government as distinct from the republic, which breeds corruption and dictators. By the logic of the nature of his power, the monarch is able to guarantee social stability for a long stretch of history—a luxury the president does not enjoy.”<sup>14</sup>

In 2007, the president decided to neutralize his too active son-in-law: criminal charges were instituted against him on 23 May. He was accused of hostage-taking,<sup>15</sup> in 2008 he was sentenced in absentia to twenty years in prison;<sup>16</sup> he absconded abroad; his wife had no choice but to divorce him.<sup>17</sup>

Still, continued public legitimization of clan nobility can be described as an objective prerequisite for a Sultanate in Kazakhstan.

On the other hand, fairly large groups of the republic’s population are modernized enough to make a monarchy unacceptable. The foreign factor is no less important: the Western countries with strong lobby groups in the republic will never permit a totalitarian form of government as hazardous for the money they invested in the power complex. The second variant depends on the successor’s personal preferences and political convictions. In other words, this variant, to a great extent, depends on a procedure.

This makes the third variant the most probable of the three.

3. *Modernization of the political regime.* No democratic regime will appear in the country in the near future, however it may acquire conditions conducive to democracy in the more distant future. I have in mind the greater political role of formal institutions and the much lesser impact of informal traditional relations.

<sup>14</sup> R. Aliev, “Respublikostan ili Kazakhskiy Sultanat. Kakoy vybor my sdelaem?” *Karavan*, 25 August, 2006, p. 1.

<sup>15</sup> See: N. Tishchenko, “Vysokie otnoshenia,” Internet-gazeta “Lenta.ru,” available at [<http://lenta.ru/articles/2007/05/25/case/>], 25 May, 2007.

<sup>16</sup> See: “Rakhata Alieva prigovorili k 20 godam za popytku sverzhenia Nazarbaeva,” Internet-gazeta “Lenta.ru,” available at [<http://lenta.ru/news/2008/03/26/aliev/>], 26 March, 2008.

<sup>17</sup> See: N. Tishchenko, “Byvshiy ziat’,” Internet-gazeta “Lenta.ru,” available at [<http://lenta.ru/articles/2007/06/13/divorce/>], 13 June, 2007.

This may take the form of more rational policies (according to M. Weber), that is, a competent bureaucracy playing a greater role and clan and tribal relations having less influence.

Modernization spells a divorce with monocentrism, which means redistribution of power in favor of the legislature. This will boost the role of the political parties and of the nation's political involvement.

Nursultan Nazarbaev's recent decisions suggest that Kazakhstan will follow the third road: in 2002 the government began reforming the party system and raising the status of the political parties, in particular through the Law on Political Parties adopted in the summer of 2002, which envisaged reregistering all the political parties of Kazakhstan.

It was not a democratic law: members of the public and international organizations never hesitated to criticize it in the most vehement way. The new registration order drew a lot of critical comments: the law envisaged that parties should have at least 50 thousand members in all the regions and no fewer than 700 members in Astana and Almaty.

This provision can hardly be described as democratic since it infringes on the right of citizens to form alliances; the new law merely copied the RF Law on Political Parties adopted a year earlier. In fact, in view of the different population size of the two republics (140 million in Russia and 15.2 million in Kazakhstan), the number of party members looks grossly inflated. Nevertheless, the very fact that the status of political parties in Kazakhstan was raised means that the political process is moving in the direction of a greater role for the formal institutions, which is a sign of political modernization.

The president introduced a few more recent political novelties.

In 2003, the nature of interaction between the state and the public structures began to gradually shift toward an institutionalized dialog on a national scale in the form of a permanent conference between the political forces and the government which brought together members of political parties, parliamentarians, and other public and political figures. The opposition parties chose to ignore the new structure because at the initial stage the president was not personally involved.

In 2006, the forum was transformed into the State Commission on Drawing Up and Specifying the Program of Democratic Reforms under the Kazakhstan president—GKVD; President Nazarbaev's personal participation in the work of the GKVD raised the dialog platform to the highest level of national debate, giving it a status of state importance.<sup>18</sup>

In 2006-2007, the Commission met six times; it elaborated practical steps in all fields of political modernization.

Speaking at its closing session, President Nazarbaev said: "The time has come to discuss the possibility of the prime minister being supported by the parliamentary majority party. This is done all over the world and we should follow world practices."<sup>19</sup>

Early in 2007, the president first discussed the candidate for prime minister of a new Cabinet with Nur Otan, the parliamentary majority party.<sup>20</sup> This launched a new political practice.

The initiative suggested by the incumbent ready to quit can be described as a trend toward depersonalization of power: the greater role of the parliament and political parties in appointing the prime minister is an important factor in redistributing powers from the presidential administration to the legislature. Personal monopoly on decision-making is gradually being replaced with collective decision-making, an obviously progressive practice.

<sup>18</sup> L. Karmazina, "Institutionalization of the Party System in the Republic of Kazakhstan: Past and Present," *Central Asia and the Caucasus*, No. 5 (53), p. 49.

<sup>19</sup> Vystuplenie N.A. Nazarbaeva na VI zasedanii Gosudarstvennoy komissii po razrabotke i konkretizatsii programmy demokraticeskikh reform 19 fevralia 2007 g. Official site of the President of the Republic of Kazakhstan [www.akorda.kz], 20 February, 2007.

<sup>20</sup> See: A. Shomanov, S. Konovalov, "Republic of Kazakhstan. Politics," in: *Central Eurasia 2007, Analytical Annual*, CA&CC Press<sup>®</sup>, Sweden, 2008, p. 150.

These initiatives, however, did not infringe on the monopoly of the ruling elites: the pro-presidential parties gradually merged into a single party of power, Nur Otan. In 2006, the newly united party boasted nearly one million members, an unprecedented situation in independent Kazakhstan.<sup>21</sup>

It should be said that in Russia the 2003 parliamentary elections brought the government absolute domination in the State Duma for the first time; very soon in Kazakhstan people started talking about “the revived C.P.S.U.” and the advent of a “one-party epoch.” The 2007 parliamentary elections in Kazakhstan produced a one-party parliament, which, however, had certain positive results.

The emergence of a dominant party of power increased the role of the formal institutions and contracted the field of informal practices. The party of power could create a new system for balancing the interests of the elite groups. In the past, it was the president who was the key factor in this balance—today it is determined by the degree of the “group’s” loyalty to the party and its integration into the party’s structure. The elites have to act together; their relations must become institutionalized, more formal and less dependent on the clans.

In 2007, the president’s ideas about the political reforms were supported by the parliament and implemented in one more constitutional reform.<sup>22</sup> The parliament adopted over 60 constitutional amendments, the most important of them were considered those which widened the powers of the legislature and raised the status of the political parties. Some experts described this as a step toward a presidential-parliamentary republic.<sup>23</sup>

While the parliament strengthened its position, the president lost some of his prerogatives; his term was reduced from 7 to 5 years (Art 41.1), the amendment being applied to the president elected after 4 December, 2005 (Art 94.1).

Nazarbaev was immune to the ban on more than two successive terms as president, the amendment being initiated by parliamentarians who stressed “the first president’s historic role.”<sup>24</sup> This means that the president preserved his special powers while cutting back the prerogatives of his successor.

An analysis of President Nazarbaev’s latest initiatives and the constitutional reform of 2007 suggests that the country will opt for modernization even if democracy is still far away.

So far, the role of the formal institutions, the political parties in particular, will be enhanced; monopoly on decision-making will be reduced while the political course will be implemented through the parliament and its greater powers.

By moving in this direction the president is trying to resolve the power continuity problem. He knows that the legitimacy of his successor might be much weaker than his own, which means that, deprived of this symbolic resource, the monocentric regime might lose some of its stability and consolidation.

He opted for depersonalization of power; split the decision-making function between the president and the parliament; used his personal authority to boost the legitimacy of the party of power in the hope of reducing the elite and clan squabbles that might flare up once he leaves his post to inner party rivalries.

By limiting the clan struggle to formal institutions, Nazarbaev hoped to prevent a “riot of elites” (similar to that of 2001-2002). He is convinced that these conflicts should be resolved not by the new president (whose powers will be fairly limited anyway), but by the parliament and the ruling party on the basis of relative polycentrism and consensus.

No additional institutional measures designed to suppress possible flare-ups of non-formal clan and tribal relations have been introduced so far, but gradual movement in this direction suggests

<sup>21</sup> See: L. Karmazina, *op. cit.*, p. 47.

<sup>22</sup> See: V. Vorobiev, “Glava Kazakhstana podelilsia vlastiu,” *Rossiiskaia gazeta*, 17 May, 2007, p. 2.

<sup>23</sup> See: A. Shomanov, S. Kononov, *op. cit.*, p. 151.

<sup>24</sup> S. Maslov, “Nazarbaev podpisal sebe tretiy srok,” *Rossiiskaia gazeta*, 23 May, 2007, p. 3.

that the political relations in the country might become more rational and better suited to the modern times. The same is true of an even more important goal: a democratic society in the true sense of the word.

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