

## Stages of the formation of the democratic processes in Kazakhstan

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**Abstract.** The article is dealing with the main objectives and characteristics of the favorable and unfavorable factors of democratization processes in the context of political modernization of Kazakhstan. The author tends an issue on a comparative analysis of democratic reforms in Kazakhstan in up-to-date stage of development.

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### Introduction

Kazakhstan began its transition to democratization being part of the USSR. However, this process in the republic has specific features. Proclamation of Independence on December 16, 1991 was the beginning of the first crucial phase of radical changes in the economy and politics.

A new political system was established at this phase. The first and the second Constitutions were adopted, the new election system was introduced, presidential and parliamentary elections were held, democratic and political institutions began functioning, and new political elite emerged. All this contributed to the penetration of democratic processes into the society, as well as the institutionalization of democracy.

Country has chosen a clear vector of development stated in the Constitution: "The Republic of Kazakhstan is a democratic, secular, legal and social state, whose highest values is a human, his life, rights and freedoms" [1].

Assessing the years of independence, President N.A. Nazarbayev in his message to nation "New Kazakhstan in the new world" said: "Today that we have ensured a solid foundation for our economy and sovereignty, we are confidently entering a fundamentally new stage" [2].

Europe serves as a jumping-off place for the further promotion of democracy into Eurasia. Broadening of Europe to the east may strengthen democratic victory of 90s [3, p.39]. Recent decades are characterized by fall of authoritarian and totalitarian regimes, attempt to promote democratic institutions in many countries of the world.

Samuel Huntington, the renowned American scholar, describes this process as the third wave of democratization sweeping the large group of countries. He notes that by the early 90s "democracy was considered as the only legitimate and viable alternative to the authoritarian regime of any kind". According to him, the beginning of the first wave is associated with the spread of democratic principles in

the USA in XIX century. This wave lasted until the First World War. The rise of democratization, as a rule, is followed by its recession. The first political recession dates from 1922 to 1942. The second wave of democratization comes with a victory over a national socialism and the emergence of democracy, first of all, in West Germany, Italy and Japan. This wave continues until mid-60s. Second recession covers the time interval between 1958 and 1975. The year of 1974 becomes the beginning of a new democratic wave since the fall of Salazar's dictatorship. It emerged in the countries such as Spain and Greece, and then extended to a number of countries in Asia, Central and Eastern Europe, and the Soviet Union [4, p. 49].

Some researchers consider democratization as a transition from authoritarian to democratic forms of government. Others believe that modern democracy by its very nature is always an unaccomplished process. Therefore, these researchers perceive democratization only as the emergence of democratic institutions and values. At that, they represent the process of transition or transit to democracy as the development of three stages: liberalization, democratization and consolidation.

Liberalization, in their opinion, is the process of fixing certain civil liberties without conversion of judicial and legislative establishment. Authoritarian regime weakens its control, reduces repressions, allows self-organization of the opposition and becomes more tolerant to dissidence. Liberalization leads to emergence of divergent views on the further development of the state and society, resulting in colliding of different interests. This is the beginning of democratization stage, whose main core is institutionalization, i.e. introduction of new political institutions. At that, the main purpose is to conduct prevailing elections: competitive and representative. After that we can talk about the final phase of democratization, namely consolidation, which involves the convergence of moderate and conservative reforms supporters.

Two scientific approaches are considered, namely structural and procedural, when determining the causes and conditions of democratization. Rustow D., S. Lipset, G. Almond, S. Verba, R. Inghart, and L. Pay are representatives of the structural approach. They are trying to identify the relationship between socio-economic and cultural factors. Three main structural preconditions of democracy are usually distinguished:

- attainment of national unity and the corresponding identity;
- achievement of a sufficiently high level of economic development;
- mass distribution of cultural norms and values that involve recognition of democratic principles.

According to D. Rustow, the first precondition of transition to democracy includes the existence of national unity, which means that "a vast majority of citizens of the potential democracy should not have any doubts or do mental reservations as to which political community to belong" [5, p. 659].

According to S. Lipset, the economic preconditions of democratization include the following:

- advanced industrialization;
- widespread urbanization;
- high literacy;
- certain welfare.

The more prosperous is the state, the more chances it has to preserve democracy, argues S. Lipset. Economic development leads to social differentiation, and this leads to a pluralistic competition, which is the basis for the creation of a civil society [6, p. 13].

Characterizing the availability of the necessary cultural values as a condition for the emergence of democracy, it is important to emphasize that they are likely to create a favorable climate for the formation of a stable democracy. Thus, F.A. Hayek noted at his time that "if collectivist sentiments prevail in society, democracy inevitably comes to an end, or it will never occur". According to F.A. Hayek, the main preconditions include primarily prevalence of values and attitudes that are pulling through collectivist and patriarchal types of political thinking, focused on individualism, rationalism and deconstructed worldview [7, p. 421].

Modern researchers have no doubt concerning just one condition out of several conditions mentioned above. This is the national unity and identity that precede democratization. For other conditions there are certain pointed comments. Strict relationship between socio-economic development of society and democracy today is refuted by extensive factual material. It is known that at the present time

there are countries with high levels of economic development, while having a non-democratic political regime (Singapore).

Democratization issues of the Kazakh society are relevant today and will not lose their relevance in the foreseeable future.

First, the transition from totalitarianism to democracy in Kazakhstan in fact is carried out within the new state formation, which had no parallel in the past. At that, the reforming affects all spheres of society life.

Secondly, in the modern world most countries on the planet are moving towards democracy and in fact this is a global trend [8, 9, 10, 11]. Experience of the transit states, successfully performing democratization of the society, involving also Kazakhstan, is part of a positive contribution to the development of the world community. However, this experience should take into account contemporary realities.

Third, the relevance of the issue is explained by the necessity of studying the process of civil society formation in the Republic of Kazakhstan at the present stage.

Democratic reforms in Kazakhstan, due to a number of reasons, are carried out "from above". And this experience of "bloodless" smooth transition from totalitarianism to democracy is invaluable for countries making the promotion of a society to a new qualitative state.

Fourth, democratization has become one of the basic conditions of Kazakhstan's integration into the world community on equal terms. The democratization of society contributes to the country's international prestige. The fact of giving Kazakhstan a chair in one of the most authoritative international organizations, the Organization for Security and Cooperation in Europe (OSCE), in 2010 is the recognition of the democratization process in country.

Fifth, people change as well as their views relating to the development of publicity that makes them an active participants in the political process.

President N.A. Nazarbayev, speaking about the complexity and multi-vector development path of Kazakhstan, writes: "This path is not limited to the choice of the ethno-political model. This is both political model, which includes not only the general constitutional provisions, but also the political regime, infrastructure and confessional relations. And in these respects, Kazakhstan has acted as a model state in the modern world" [12, p. 3].

Transition to a new political system was held under the complex conditions caused by collapse of the USSR. However, we cannot exclude some positive factors that contributed to the success of modernization of Kazakhstan. At the start of entering

the political transit, Kazakhstan had positive factors that were created by the Soviet system: Kazakhstan is predominantly an urbanized society with a well-developed industrial complex, the availability of machine-based forms of labor on a massive scale, high literacy of the population, as well as progressive secular system of education, science and healthcare.

Mental advantages of Kazakh society include first of all, the national and regional tolerance, and sensitivity to the demands of time. Our past has predetermined development potential as well. In the first place, as opposed to those countries that implement "catch up" modernization, all the post-Soviet countries including Kazakhstan had the highest level of literacy and education of the population at the beginning of transition process.

Second, the availability of high economic potential.

Third, the absence of a strong ethical and ideological influence of religion.

These circumstances have predetermined our advantage of greater openness and adaptability to reforms. Our past is largely determined by the fact that the modernization of the country occurs under the leadership of the state. Phasing-in implementation of reforms was indicative for political modernization of Kazakhstan.

As noted by A.A. Matyukhin, Doctor of Juridical Sciences, "Under the current situation in Kazakhstan, a special responsibility lies on the state and its branches of government, expressly as concerned to balance within the justice, as well as current social, economic and socio-political processes" [13, p.525].

Democratization of the XX and the beginning of the XXI centuries has shown the need to strengthen the political and social functions of the state structures. Only a strong power of the state is able to provide all the necessary parameters for the society development. We have chosen a strategy for strengthening and modernizing the government machine, while promoting the formation of civil society institutions and strengthening human rights. At that, the complexity of the transition period and the severity of social contradictions, on the one hand, and the weakness of social control of the society over the power and parliamentary institutions, on the other hand, objectively contribute to the growth of President's power.

The complexity of the processes occurring in the country determined the differences in defining the stages of transformations. With an overall chronological framework, evaluation of development stages is ambiguous. Below is one of them:

The period from 1990 to 1993 is reflective of introduction of liberal democratic traditions into public life.

The period from 1993 to 1995 is reflective of "adaptation" to the liberal-democratic traditions established at the constitutional level.

The period from 1995 to 1998 is reflective of "conservation" of the liberal-democratic reforms.

The period from 1998 to present time is reflective of the processes of "understanding the preliminary results of political reforms and testing" country's new ideas on further development of democracy [14, p. 11-15].

At the first stage, the main changes were directed not so much to create a new system, but to destruct the existing one. The destruction process has far outstripped the process of creating new political and economic structures.

The second step was characterized by the process of searching the model for Kazakhstan's political system, taking into account the political, economic, socio-cultural, psychological, geopolitical, elite and national peculiarities of the country.

The third stage is characterized by the process of creating the core of political system.

New modern stage of development (starting from September 1998) is characterized by accumulation of variety of democratic elements in the political system [15, p.20-21].

The first phase, which conditionally can be called "systemic liberalization period" was marked by the transition from reconstruction to a sovereign state, formation in Kazakhstan sovereign power-political system. In 1990 the "Declaration of State Sovereignty of the Kazakh SSR" was adopted, which marked the beginning of the independent and the actual implementation by the Kazakh society of its systemic transformation.

The second stage can be called "the period of contradictory liberalization". During this period there were changes in the political system in connection with the adoption of the first Constitution of independent Kazakhstan in 1993. Besides, there have been two parliamentary crises. This period is characterized by sharpened contradictions between the branches of government.

The third phase, which can be called "the period of one-sided liberalization", covers the timeframe from 1995 to 2001, which was characterized by the process of creating the core of today's political system. Its development was determined by the provisions of the Constitution of 1995, adopted by nation-wide referendum. This Constitution regularized the transition to expanded presidential form of government.

The fourth stage, which can be called "the period of varieties of liberalization and potential democratization", began in the fall of 2001 and is currently ongoing. This stage is characterized by an increase in the society needs towards the democratic transformations. The specific of this stage is caused by the appearance of movements such as the Democratic Choice of Kazakhstan and "Ak Jol" Democratic Party, which included representatives of the business and administrative elite.

It seems rightful to highlight the fifth phase as well, which is associated with the introduction of changes and amendments to the Constitution of the Republic of Kazakhstan. This is the stage of deepening the political reforms and the implementation of the Kazakh model of transformations.

Within the framework of political modernization one can distinguish three main stages of democratic reforms.

The period from 1990 to 1995 was reflective of searching for the Kazakh model of democratic changes within a framework of the Western bourgeois democracy. However, many of the parameters of western democracy did not meet the realities of Kazakhstan verity.

The period from 1995 to 2007 was reflective of creation of Kazakh own model of democratic reforms, taking into account the objective and subjective factors in the country's development. The country's leadership defined evolutionary consistent transformations closely associated with the transformation process of social relations and ways of life, the strengthening of democratic values in the minds of people. These democratic values, which formed the basis of transition period policy, were enshrined in the five basic principles of the reform program, taking into account the experience of other countries, specific features of the republic, and the mentality of the people.

A period of profound qualitative transformations, based on previously accumulated experience, started since 2007.

Implementation of political reforms in Kazakhstan originally had certain peculiarities. A national idea dominated at the first stage. According to K.L. Syroezhkin, Doctor of Political Sciences "... in the context of collapse of red ideas and the emergence of a kind of ideological vacuum, there was a natural return to national values and ideas as the most sensitive values that resulted in increased ethnic aspect in public life and a marked decline in the differential incorporation coefficient. This strengthened the basis of latent ethnic conflicts and hindered the development of the state ideology

concept as a fundamental element of nationhood" [16, p.144].

There were periods of suspension and sometimes setbacks in the process of political change observed. Division into periods, offered by Kazakh scientists, just emphasizes unevenness in reforming process during the transition period.

Determining the development vector of Kazakhstan's political system is another important issue together with the definition of stages. Therefore, we believe it is possible to consider the transformation of some political institutions during the years of independent development.

President N.A. Nazarbayev in his writing "Kazakhstan's way" quite succinctly summed up the essence of changes in the country: "Kazakhstan's leadership is based on the successfully chosen model of political and economic development during the transition period: a strong presidential power plus fast and vigorous economic reforms" [3].

Successes are not the result of blind copying someone else's experience. Undoubtedly, the experience of other countries, in particular, France and Singapore has been deeply studied and analyzed. We took from this experience the concepts, which were applicable in our country. Consequently, Kazakh model of political transition was determined, taking into account both global experience and peculiarities of Kazakhstan.

Giving a speech at the concluding meeting of the State Commission on development and substantiation of democratic reforms in Kazakhstan, the head of state N.A. Nazarbayev said: "We should not copy someone else's models, but find our own path of reforms, taking into account the interests of our state and our people" [17]. Following the acquisition of independence, Kazakhstan began to implement the reforms in all spheres of Kazakh society, including the political one. The main efforts were focused on its democratization. The choice was made in favor of a presidential republic.

Selecting presidential government was due to several factors. First of all, this was done by the need to stabilize the situation in the country and bring Kazakhstan out of crisis. At the turn of the 80-90s, the situation in the USSR as a whole, including Kazakhstan, was quite complicated and unstable. In the Presidential message to the people of Kazakhstan, "To the free, efficient and safe society" this situation was characterized quite vividly: "The money turned in a well-cut paper. Thousands of enterprises stopped operating and hundreds of thousands of people uprooted from their homes. In October 1990, the problem of survival was the only major problem" [18]. Undoubtedly, the subjective factor played here a



certain role, namely the availability in the country of a political leader with considerable political experience.

Stating its commitment to a democratic state, Kazakhstan has been consistently implementing it into practice. Peculiarities and specific features of the "Kazakhstan's way" are stated in the message of the President of Kazakhstan N.A. Nazarbaev to Kazakh nation "New Kazakhstan in the new world". These include "keeping the presidential government, phasing the reforms, balanced decision making, national-wide dialogue and consolidation of major political forces [2].

Powers of the President and his status in the state are defined by the Constitution. It stipulates that "the President of the Republic of Kazakhstan is the head of state, its highest official, determining the main directions of internal and foreign policy". The amendments made by Law of the Republic of Kazakhstan on May 21, 2007 slightly redistributed powers of the President and Parliament, strengthening the latter's position. However, the role of the President is still quite strong. The President, after consultations with the political parties, represented in the Majilis of the Parliament, introduces to Majilis the candidature of the Prime Minister of the Republic, dismisses him, determines the structure of the Republic Government by the presentment of the Prime Minister. Upon the consent of the Senate of the Parliament, the President appoints the Chairman of the National Bank, the Attorney General, the Chairman of the National Security Committee of the Republic of Kazakhstan, a Chairman and two members of the Central Election Commission, and the Chairman and two members of the of Accounts Chamber.

Besides the significant powers of the President, the Constitution of the Republic of Kazakhstan contains and defines the moral and civic obligations of the President to the people of Kazakhstan.

The Constitution of the Republic of Kazakhstan has not only created a strong presidential government, but also enshrined the concept of separation of powers: "State power in the Republic is sole; it is based on the Constitution and the laws, in accordance with the concept of the separation of legislative, executive and judicial branches" [2].

Presidential system of government in the Republic of Kazakhstan is characterized by several features.

First, the President is elected by nation-wide voting. This gives him legitimacy, he is mandated the authority by the whole nation, and this circumstance does not give Parliament the right to express a vote of no confidence to the President and to dismiss him. The President may be "prematurely dismissed if he is

unable to perform his duties due to illness" or is relieved from office "in the case of high treason".

Secondly, with the consent of Parliament or one of its chambers, President appoints the heads of the key posts.

Third, Parliament of Kazakhstan is the authority of the legislative branch. However, at the initiative of the President, Parliament may delegate him legislative powers. In addition, the President has the right to determine priority for consideration of draft laws, as well as the right to issue decrees having the force of law.

Fourth, the President forms not only the upper structures of power, but also local authorities.

Thus, we can conclude that the President of the Republic of Kazakhstan has endowed with wide and varied powers, but by virtue of the concept of separation of powers, he cannot single-handedly control the entire state apparatus.

The President's authority acts as a priority power. The President has a pretty strong leverage over the other branches of government. These levers are: the threat of dissolution of Parliament, the enactment of laws, holding his line through individually appointed members of the Senate and the Constitutional Council, the appointment of local administration heads and the judges of various ranks.

The "Kazakhstan-2030" development strategy, elaborated and supported by the people of Kazakhstan, has great political value. The annual President's messages to the people of Kazakhstan contain analysis of achievements and determine the tasks for further development. The message of the President of the Republic of Kazakhstan Nursultan Nazarbayev to Kazakh nation "New Kazakhstan in the new world" summarizes the overall results of ten-year period of the implementation of the "Kazakhstan-2030" strategy, adopted in 1997. The head of state noted: "Since that time, Kazakhstan has been consistently moving forward, mastering one by one theorem of market economy and axioms of democratic development. We have created the foundation of an entirely new economic system and the economic state" [2].

Experience of Kazakhstan's sovereign development showed that the presidential republic meets the interests of "transit society" best of all.

First of all, it should be noted that the President of the state was able to rally a vigorous, workable ruling elite, which initiates and implements a course held in the country. The President himself plays a significant role. He enjoys the support of the majority of people. He has vast experience in the management of the country, is respected in the world, and conducts an elaborate balanced policy.

Specificity of transit countries, including Kazakhstan, lies in the fact that its citizens, being for many years in a totalitarian regime, have no proper political culture and the experience of political activities. Because of this, they do not always take the political initiative that largely determines the implementation of the democratic reforms "from above".

### Conclusion

Thus, we can say that during a few years of independence, the country has made significant progress in the development of such an important institution of democracy as elections. Progress in the field of election legislation in Kazakhstan is obvious and unique to the state, which had no tradition of democratic electoral system. Historical experience of Kazakhstan, accumulated for centuries, as well as generally accepted international principles of democratic electorship were taken into account when developing new political system.

Moreover, life forges ahead, and each new stage of society reforming requires in general improvement of the electoral system and legislative framework.

Kazakh election law is in its infancy and life constantly requires making changes. The main focus of all the innovations introduced into the Constitution and electoral laws should be their democratization. This can be achieved by greater involvement of political parties and public associations, the expansion of political rights and freedoms, the engaging of independent national and international experts, the increasing role of the mass media, as well as greater attention to compliance with all prescribed procedures.

However, the development of the electoral system in the Republic of Kazakhstan towards the democratization requires adequate legislative support.

To summarize, we can say that the people of the Republic of Kazakhstan have chosen the right vector of development, namely democratization. All the country's political institutions have been involved in this process. As a result of this development, every element of the political system was improved and certain successes have been achieved in each of these elements.

However, the improvement process yet is not completed. Analysis of the current situation allows one to be optimistic about the future. The country has all the necessary backgrounds for the successful development, and these backgrounds are strengthening. The Republic of Kazakhstan

established a stable political situation and formed the main political institutions. Citizens show their growing political activity. These and other prerequisites guarantee successful advance of the nation.

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