

Polity IV Country Report 2010: Kazakhstan

<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">Score:</td> <td style="width: 15%;">2009</td> <td style="width: 15%;">2010</td> <td style="width: 15%;">Change</td> </tr> <tr> <td>Polity:</td> <td>-6</td> <td>-6</td> <td>0</td> </tr> <tr> <td>Democ:</td> <td>0</td> <td>0</td> <td>0</td> </tr> <tr> <td>Autoc:</td> <td>6</td> <td>6</td> <td>0</td> </tr> <tr> <td>Durable:</td> <td colspan="3">19</td> </tr> <tr> <td>Tentative:</td> <td colspan="3">No</td> </tr> </table>	Score:	2009	2010	Change	Polity:	-6	-6	0	Democ:	0	0	0	Autoc:	6	6	0	Durable:	19			Tentative:	No			<p style="text-align: center;">Authority Trends, 1991-2010: Kazakhstan</p>
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Polity:	-6	-6	0																						
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Tentative:	No																								
SCODE	KZK	CCODE	705	Date of Report	1 June 2011																				
Polity IV Component Variables																									
XRREG	XRCOMP	XROPEN	XCONST	PARREG	PARCOMP																				
2	1	4	2	3	2																				
Date of Most Recent Polity Transition (3 or more point change)																									
End Date			Begin Date																						
			16 December 1991																						
Polity Fragmentation: No																									
Constitution																									
30 August 1995																									
Executive(s)																									
President Nursultan Nazarbayev (Otan); Chairman of the Supreme Soviet since 20 February 1990; first elected 1 December 1991; most recently reelected, 3 April 2011; 95.6%																									
Legislature																									
Bicameral: Assembly (107 seats; 9 indirectly elected from the Assembly of the People of Kazakhstan which represents the country's ethnic minorities, remainder directly elected; most recent elections, 18 August 2007) Light of the Fatherland (Nur-Otan): 98 (note: the Agrarian, Asar, and Civic parties merged with Otan) Senate (47 seats; 7 appointed by president; others indirectly elected by local assemblies, 2 from each of the 14 oblasts, the capital of Astana, and the city of Almaty; non-partisan candidates; most recent elections, December 2005)																									
Judiciary																									
Supreme Court; Constitutional Council																									

Narrative Description:¹

Executive Recruitment: Designation (3)

The incumbent president, Nursultan Nazarbayev, first gained power as the designated Soviet-era executive administrator. His victory in the elections of 1991 and 1999, as well as the extension of his powers by the referendum of 1995, were largely due to the hegemonic role of the country's ex-communist bureaucracy that Nazarbayev leads. According to international monitors, the 1999 elections were particularly marred by

¹ The research described in this report was sponsored by the Political Instability Task Force (PITF). The PITF is funded by the Central Intelligence Agency. The views expressed herein are the authors' alone and do not represent the views of the US Government.

irregularities and fell far short of international electoral standards. Both the balloting and the process leading up to the elections predetermined the outcome of the executive recruitment process in favor of President Nazarbayev. By pushing forward the election timetable, manipulating electoral laws to his advantage, barring numerous opposition candidates from competing, and using fear and intimidation to maintain his hold on power, these early elections in Kazakhstan did not meet the minimum criteria for a procedural democracy. The most recent presidential election, held 4 December 2005, suffered from similar irregularities, although many international observers noted some improvements from the 1999 elections. Amid charges of media bias and opposition candidate harassment, incumbent President Nazarbayev was re-elected with over ninety percent of the vote.

In June 2010 President Nazarbayev became “Leader of the Nation,” and was granted permanent immunity from prosecution by parliament. Under this new title, even if he were to step down from the office of the presidency, he would remain the country’s de facto leader. Even with this guarantee, in January 2011 parliament passed a bill that would extend President Nazarbayev’s tenure in office until 2020. Parliament, which is made up entirely of members of the President’s party, passed the bill after supporters garnered over five million signatures (1/3 of the total population) to place the amendment before a national referendum. The bill effectively bypasses the need to hold the next two presidential elections – the first scheduled for 2012. This amendment to the constitution comes in the wake of a 2010 law that allows President Nazarbayev to run for re-election as many times as he wants. In order to distance himself from international and domestic criticism over this amendment, President Nazarbayev passed it on to the Constitutional Court for further review while simultaneously declaring that he would be willing to continue his rule for as long as his health and his people would allow.

Executive Constraints: Slight Limitations (2)

Members of the legislative Assembly (Mejilis) have the right to introduce legislation, and some bills initiated by legislators become laws. However, the National Assembly in Kazakhstan is dominated by supporters of Nazarbayev. While showing some autonomy from the executive branch by initiating minor legislation, nevertheless, the National Assembly largely serves as a rubber-stamp body (as does the judiciary). To overcome a presidential veto the National Assembly must obtain a two-thirds vote in each Chamber, which, under current conditions of widespread party fragmentation and representative absenteeism, is virtually impossible. Thus, the power of President Nazarbayev goes largely unchecked. The powers of President Nazarbayev were further institutionalized in July 2000 when the National Assembly approved a law giving him special powers when he decides to leave office. This law enables him to advise his successor on such matters as the introduction of martial law and the use of the military. In addition to allowing him to address both the nation and the National Assembly, it provides him with a permanent seat on the Security Council and a leadership role in the National Assembly. Limitations on the president’s power have not changed substantially in recent years.

Political Participation: Deepening Hegemonic Control (3)

Kazakhstan is split between two dominant ethnic communities: Kazakh (40%) and Russian (38%). This ethnic divide coincides to a large degree with a north/south geographic divide. President Nazarbayev represents the Kazakh community and uses his government’s hold on power to favor Kazakh group interests and restrict political access to other, excluded groups. The ethnic split in Kazakhstan largely defined the political gridlock that consumed politics during the first years of independence. Since that time the Nazarbayev regime has moved decidedly to restrict the political influence of the sizeable ethnic-Russian constituency.

Democratic institutions are weak and there are severe limitations to the people’s right to change their government. Using a decision by the Constitutional Court that held that the 1994 parliamentary elections were invalid, President Nazarbayev dissolved the parliament on 11 March 1995, abolished the Constitutional Court, and began to rule by decree. A new constitution was promulgated in 1995 that allows the President to rule by decree and to dissolve the legislature if it holds a no-confidence vote or twice rejects his nominee for Prime Minister. Two opposition politicians were barred from competing in the presidential elections on administrative grounds in 1999 and authorities have harassed opposition candidates in more recent elections as well.

Instead of ruling primarily through force, President Nazarbayev effectively manipulates the political system through electoral fraud, the distribution of state patronage, control of the media and appeals to Kazakh and clan loyalties. The general trend toward dismantling democracy continued in 2002 as the

government instituted a new law that fundamentally jeopardized the existence of most opposition parties in the country. Under the new law, promulgated in July 2002, parties need to meet the following conditions to be registered: have 50,000 signatories (up from 3,000), have at least 700 members in each of the 14 provinces and to have contested in two successive legislative elections. This act further consolidates political authority in Kazakhstan and significantly undermines the voice of this country's democratic opposition.

In May 2004 a new opposition party, Democratic Choice of Kazakhstan (DCK), received official recognition. There are twelve active political parties in Kazakhstan, nine of which actively support the President. The two dominant parties are the President's Otan party and Asar, a pro-government party run by Nazarbayev's daughter, Darigha. The DCK seeks to alter the political landscape in this country by curtailing the powers of the President and by establishing a parliamentary political system.

Parliamentary elections were held on 19 September 2004 to fill seventy-seven seats in the lower house (sixty-seven single member and ten party list seats). International monitors declared that these elections fell far short of meeting international democratic standards. The end result of this flawed electoral campaign was the creation of the most obedient parliament that Kazakhstan had had since its days as a Soviet republic. The most recent elections, held in August 2007, further consolidated the president's control over parliament. In 2006 and 2007 Otan merged with several smaller parties, forming Nur Otan, a massive pro-Nazarbayev party that won eighty-eight percent of the vote on 18 August 2007. No other party garnered seven percent of the vote, the threshold needed to secure a seat in parliament. As a result, there are no opposition seats in Kazakhstan's parliament today. Needless to say, the democratic culture in Kazakhstan remains largely undeveloped.