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Post-Soviet Democratization: A Study on Kazakhstan's Political Transitions and Authoritarian Resilience

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Abstract

Kazakhstan's path to democracy since its independence in 1991 has been marked by a blend of authoritarian control and democratic reforms. This study examines Kazakhstan's democratic evolution from 1991 to 2023, focusing on separation of powers, political participation, rule of law, and fundamental rights. Using secondary data, the research explores constitutional reforms and electoral processes. While recent amendments have aimed to decentralize power and increase participation, the country's democracy remains limited by a dominant central authority, restricted civil liberties, and manipulated elections. The study emphasizes the need for greater transparency, inclusiveness, and electoral integrity to foster meaningful democratic reform.

Keywords: Authoritarianism, Democracy, Free and fair election, Fundamental rights, Kazakhstan, Political participation, Rule of law, Separation of powers

Introduction

Kazakhstan is the biggest nation in Central Asia by the size of area. Once ruled by Russia and then the Soviet Union, in 1991, it gained its independence after the Soviet Union collapsed. Its first president Nursultan Nazarbayev ruled over in Kazakhstan more than two decades (1991-2019).

Nazarbayev was criticized for his autocratic governance while preserving stability and economic expansion. He continued to enjoy widespread popularity at home in spite of human rights issues (Annette Bohr et al 2019). Notwithstanding economic advancements, Kazakhstan had not attained full democracy almost more than one decade after gaining independence (Rothacher 2005). Although Nursultan Nazarbayev's government developed the energy sector and enacted market reforms, political changes had not kept pace. The overall political situation led to a limited political plurality and a concentration of power (Blackwood 2024). Kazakhstan's journey to democracy has been unstable, influenced by political resistance, elite disputes, and economic changes. The 2001 rise of the Democratic Choice of Kazakhstan (DCK) briefly opened the political space, but the Nazarbayev government swiftly closed it down. Progress towards actual democracy has been elusive due to this cycle of change and repression (Junisbai and Junisbai 2005). Western nations have funded education and awareness-raising NGOs in favour of Kazakhstan's political and legal changes. These organizations advocate social, political, and economic reforms. The object behind this was to help citizens understand the transition from totalitarianism to democracy (Carothers 1997). Though Kazakhstan has adopted some western democratic features such as elections and political institutions but remained under strong central control. It combined democracy with authoritarian rule, keeping power in the hands of elites. Western efforts to promote democracy had some influence, but local leaders adjusted them to maintain it in elite control. Most reforms are symbolic, aimed at meeting international expectations rather than real change of liberal democracy (Roberts 2012).

Kazakhstan's democracy is crucial to understand because of its distinct post-Soviet Central Asian trajectory. Despite early hopes for a democratic future, Kazakhstan has had difficulty establishing true democratic institutions (Kusainova and Gleason 1998). Several studies have been conducted on democracy of Kazakhstan, Baghat and Firdous (2024) viewed that Kazakhstan's transition towards democracy was significantly influenced by democratic frameworks and strategic institutional reforms, also helped to foster a democratic political culture in the post-communist period. But, Kazakhstan's democracy is limited as the ruling Amanat Party controls the country and suppresses dissent. Despite advancing democratic ideals, Aq Jol and Adal parties have limited influence in a society that moves towards authoritarians (Omarov 2021).

A study for understanding of democracy on elite students in Kazakhstan by Primiano and Kudebayeva (2020) found that A large majority of students about 87% understand democracy as

being about civil and political rights, much like the typical Western view. But when it comes down to making a real-world choice, most say they would rather have strong economic growth than political freedoms. This suggests that, for many, democracy is valuable mainly for what it can provide in practical terms, not necessarily for its ideals.

Zadayeb (2024) also supported Omarov (2021) that Kazakhstan's democratization progress has been severely hampered by President Nursultan Nazarbayev's administration of a strictly regulated political environment and shift towards authoritarian leadership, which has been marked by centralised power and the repression of dissent.

Czachor (2024) viewed Kazakhstan's amendments to the constitution follow a pattern of authoritarian constitutionalism. Although these reforms include aspects of democratic systems, including rights affirmations and changes to governance structures, their main purpose is to make the current authoritarian rule more responsive to modern issues without starting a real democratic transition.

As previous studies solely focused on present democratic situation of Kazakhstan, but limited studies have been conducted on the evolution of democracy in Kazakhstan. Therefore, the main purpose of this study is to provide a more balanced perspective on democracy of Kazakhstan from 1991 to 2023, considering both its strengths and weakness. This study also will evaluate Kazakhstan's democratic evolution throughout time using both quantitative and qualitative data. The quantitative analysis will monitor democratic trajectory of Kazakhstan through statistical patterns and visualizations, while the conceptual framework will draw on prominent scholars to expand our understanding of Kazakhstan's political evolution.

Conceptual framework

The concept of democracy varies across individuals and has been understood in several ways (Canache et al, 2001; Seligson et al, 2001). The term "Democracy" originates from ancient Greece, combining "demos" (meaning "the people") and "kratos" (meaning "power" or "rule"). In its easiest form, democracy means "rule by the people" (Ober 2007). The historical phase of democracy can be divided into three main periods. The first period of ancient Greek democracy emerged around 508–507 BCE and allowed citizens to participate in decision-making. This system continued until 322 BCE, when Macedonian rule ended Athenian democracy. During this period, Athens witnessed the rise and fall of direct citizen governance (Fleck and Hanssen 2006). After

this era, democracy remained unstable throughout the medieval period (5th–15th century). Although not fully democratic, medieval societies placed important foundations for future democratic systems. The signing of the Magna Carta in 1215 was an incredible milestone in limiting government power and promoting legal safeguards for individual rights (Møller 2015). The third phase, modern democracy, developed after the medieval era and continues to present date.

Modern democracy has been conceptualized by several renowned scholars in several ways. Jean-Jacques Rousseau in his book “The Social Contract (1762)”, introduced the concept of the "general will". He argued that democracy is achieved when people follow laws and they create collectively balancing individual liberty with the rule of law (Rousseau 2024). A.V. Dicey later entitled the rule of law as essential to constitutional democracy, ensuring that laws apply equally to all including government officials (Weill 2003). John Stuart Mill, in during the 1848 revolutions, viewed democracy as a means for individual and collective growth. He believed political participation fosters responsibility, self-awareness, critical thinking and, make citizens more informed (Grollios 2011). Similarly, Mouffe (2005) argued that democracy evolves through political participation, civil liberties, and open contestation.

Another key thinker Montesquieu posited the necessity of separating government powers to protect individual freedoms and prevent any branch from becoming too powerful (Pangle and Burns 2014). Meanwhile, John Locke asserted the foundation for liberal democracy of emphasizing property rights and the consent of the governed. Although he did not give elaboration on election mechanisms, his notions about representation and consent influenced modern democratic procedures (Marini 1969). Additionally, Tocqueville also agreed with Montesquieu about the protection of fundamental rights. He acknowledged democracy as a system that encourages equality of conditions and participation, but that, if unchecked, may pose risk to individual liberty. In order to strike a balance between democratic equality and the defence of individual rights, he underlined the significance of decentralised governance and civic groupings (Tocqueville 2019). Later, Robert A. Dahl expanded his ideas in *On Democracy* (1998), the importance of free and fair elections as the backbone of democracy. He claimed that political equality requires every citizen has an equal opportunity to vote and all votes are counted fairly. According to Dahl, frequent elections are essential to ensure government accountability (Dahl, 1989). To construct our theoretical framework of democracy, we looked at the conditions of

democracy proposed by eminent academics and then selected five key elements, as shown in figure 1¹.

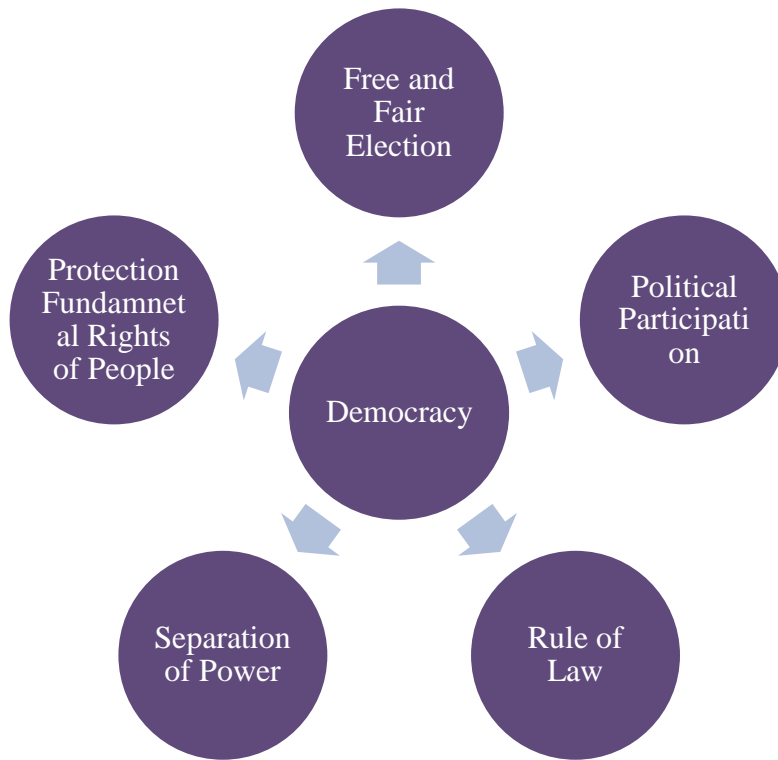


Figure 1: Conceptual Framework of the study

Source: Prepared by authors

Separation of powers ensures that government functions are divided among the executive, legislative and judicial branches. This structure prevents any one branch from becoming too powerful and maintains balanced governance (Waldron 2020) Closely related to this is the rule of law, which secures that all individuals and institutions, including government authorities, are subject to fair and transparent laws (Stein 2009). According to the World Justice Project (2024), the rule of law provides a persistent framework for justice, accountability, and governance.

¹ The conceptual framework used in this study was constructed by synthesizing key elements from classical and modern democratic theory. Thinkers such as Jean-Jacques Rousseau, Montesquieu, John Locke, and Robert Dahl provided foundational perspectives that helped define the five pillars of democracy used here: separation of powers, rule of law, political participation, free and fair elections, and protection of fundamental rights. These elements reflect both historical evolution and contemporary international standards of democratic governance.

Political participation allows citizens to influence government decisions via voting, campaigning, and other activities. It legitimizes government authority by safeguarding individual freedoms (Salisbury 1975; Teorell 2006). However, Van Deth (2016) argued that modern political participation goes beyond traditional voting and party membership. New forms, such as protests and political consumerism, have become crucial ways for people to reveal their political views. A free and fair election means that voters can elect their representatives without fear. Elections must proceed with fair rules, provide equal opportunities for all candidates, and meet international standards of transparency and fairness (Regalia and Rombi 2023). Another fundamental pillar of democracy is the protection of fundamental rights. These rights includes freedom of speech, religion, and access to justice to ensure individual liberties and uphold constitutional principles (Study Smarter 2024). Ribeiro (2024) emphasized that protecting these rights possesses both state action and safeguards against state encroachment.

Methodology

This study adopts a mixed-method approach, utilizing both qualitative and quantitative data to assess the democratic situation in Kazakhstan. The methodological framework is depicted in **Figure 2**², which outlines the stages of data collection, analysis, and interpretation. Qualitative methods provide in-depth insights into complex political processes that quantitative data alone cannot capture (Pickering 2022). Meanwhile, quantitative analysis helps measure democratic expansion in Kazakhstan, providing tangible indicators of political behavior and governance.

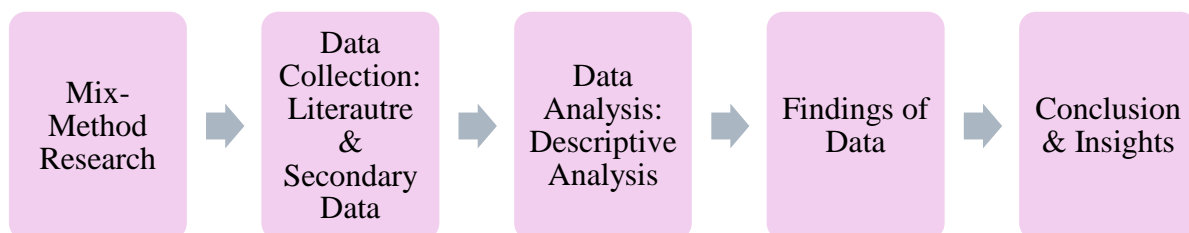


Figure 2: Flow chart of the methodology

Source: Prepared by authors

² This study adopts a mixed-methods approach, but with an emphasis on descriptive analysis. Qualitative review helps trace constitutional and legal reforms, while quantitative indicators map broader trends. Descriptive methods were chosen to simplify complex data for clearer visual interpretation. Causal analysis was beyond the scope, given the reliance on secondary datasets.

The research relies exclusively on secondary data analysis, using books, journal articles, and reports. This approach is efficient and cost-effective (Kara 2022), allowing for the use of longitudinal data from sources like Freedom House , World Development Indicators and the Varieties of Democracy (V-Dem) project, which offer comprehensive frameworks to assess democracy³. V-Dem measures democracy using five key concepts: voting, liberal, participatory, deliberative, and egalitarian (V-Dem 2024). Freedom House evaluates political rights, civil liberties, and press freedom globally, with its "Freedom in the World" report serving as a vital tool for understanding Kazakhstan's political rights and civil liberties (Freedom House 2024). The study also uses descriptive analysis to summarize and interpret the data, identifying trends and patterns that provide a solid foundation for understanding Kazakhstan's democratic development. This approach is crucial for conceptualizing political phenomena and offering policy relevance (Loeb et al. 2017). It provides a substantial foundation for understanding political phenomena, which is vital for making informed democratic decisions (Holmes et al. 2024). The research integrates qualitative insights and quantitative measurements to provide a comprehensive evaluation of Kazakhstan's democracy.

Democracy in Kazakhstan

1. Separation of power

Since gaining independence in 1991, Kazakhstan has strived for global recognition and influence (O'Neill and Primiano 2024). In 1993, the country's first constitution, adopted which aimed to establish a democratic state with a system of checks and balances and a clear separation of powers. However, it lacked a well-defined government structure and impactful procedures for implementation. This had created obstacles in managing relations between different branches, specifically during political deadlocks. Scholars argued that the 1993 constitution introduced a parliamentary system heavily influenced by the Soviet legal framework (Amrebaev et al. 2013). The 1993 constitution notably outlined the roles of each branch of government. Article 72 designated the President as the head of state and executive authority, while Article 62 made the Supreme Soviet as sole legislative body. Judicial power was distributed among the Constitutional

³ This research relies exclusively on secondary data, including reports and datasets from globally recognized institutions such as Freedom House, the Varieties of Democracy (V-Dem) Project, and the World Bank. These sources offer extensive longitudinal data, allowing for the measurement of democratic progress over time. However, due to their external nature, they may not fully reflect the lived experiences or informal power dynamics within Kazakhstan.

Court, Supreme Court, High Arbitration Court, and lower courts, as describes in Article 75 (Ludwikowski 1993). However, the Supreme Soviet held excessive authority, through creating an imbalance in the government system. This obtained from Kazakhstan's Soviet legacy, where the Supreme Soviet operated under Communist Party control despite its broad formal powers. Attempts to give the Supreme Soviet real authority hindered the balance between branches (Amandykova 2014)

In 1995, Kazakhstan adopted a new Constitution which introduced a bicameral Parliament and rebuilt the relationship between government branches (Sapargaliyev 2006) The revision was necessary due to conflicts among political elites and the 1993 Constitution's inability to meet the demands of a transitioning society. The new Constitution proclaimed Kazakhstan is a unitary state with a presidential system, as stated in Article 3. It founded a bicameral Parliament (Senate and Majilis) for the legislative branch, while the government and local authorities managed over executive functions. The judiciary was executed by the Supreme Court and lower courts. However, Article 40 granted the President significant power over all branches, ensuring their accountability and coordination. The President retained power by appointing and dismissing the government at his discretion (Kanapyanov 2018).

By the 2000s, Kazakhstan's political system was entirely dominated by President Nursultan Nazarbayev and effectively weakened the separation of powers. The executive branch oversight both the legislature and judiciary, leaving Parliament and the courts with minimal influence in decision-making. Rather than acting as independent bodies that could check executive power, these branch functioned as formalities (Busygina et al. 2018). Constitutional reforms in 2007 further strengthened presidential authority under the appearance of democratic progress. While these amendments aimed to increase parliamentary oversight through proportional representation, they also ensured the continued dominance of the ruling Nur Otan party and restricted judicial independence. Despite aligning with international norms, these changes had little effectiveness on the actual balance of power (Cohen 2008).

In 2017, Kazakhstan introduced subsequently new constitutional reforms designed to reduce presidential power and increase parliamentary oversight. These changes allowed Parliament to perform a greater role in government appointments. However, the President retained control over key areas such as foreign policy and national security, ensuring the system remained

largely authoritarian. With the ruling party still dominating the political landscape, political pluralism remained limited (Pistan 2017).

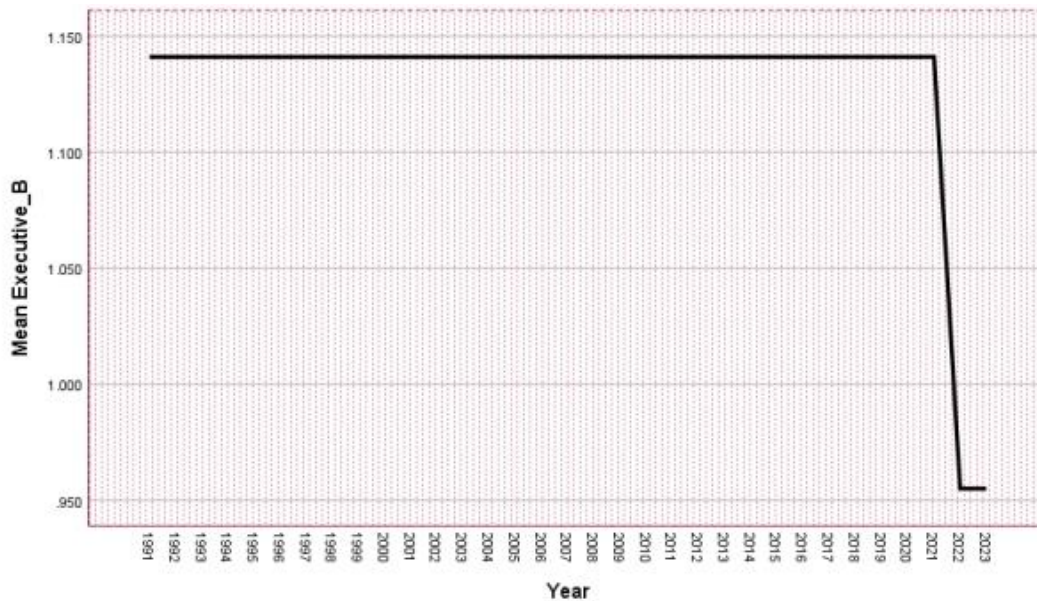


Figure 3: Executive Oversight in Kazakhstan from 1991 to 2023

Source: V- Dem (2024) *Country Graph – V-Dem*. Available at: https://v-dem.net/data_analysis/CountryGraph/.

As seen in **Figure 3**, executive oversight in Kazakhstan was traditionally very strong, meaning that before 2021, the President had significant power and controlled major government sectors. However, the 2022 constitutional amendments intended to reduce this dominance and encourage decentralization. These reforms limited the President’s influence over regional governors and political party membership through granting local governments more autonomy. Parliament achieved greater oversight powers, including the ability to approve appointments and dismiss officials. Judicial independence was also reinforced , helping to create a more balanced system of governance (Proroković 2023)

2. Rule of law

Kazakhstan's journey toward constructing the rule of law and judicial independence began with its 1993 Constitution, following independence in 1991. However, weak institutions and government intervention made enforcement difficult. The 1995 Constitution further consolidated power in the executive branch, weakening judicial independence. Despite efforts to improve accountability and transparency, challenges such as executive influence, corruption, and political restrictions continued to hinder progress. Global indexes show some improvement but also showcases ongoing difficulties in limiting government power and protecting fundamental rights (Baymoldina and INan 2024).

During the early 2000s, Kazakhstan's centralized political system, headed by President Nursultan Nazarbayev, consolidated power in the executive branch, further threatening judicial independence. Though the country witnessed rapid economic growth due to its natural resources, this did not lead to robust legal institutions. Political considerations often overshadowed legal reforms, leading to contradictory progress (Sullivan 2018). The 2007 constitutional amendments diminished multi-party representation, allowing the ruling Nur Otan party to dominate parliament. This lack of political competition weakened accountability mechanisms, making it harder to uphold the rule of law (Kanapyanov 2018).

To enhanced democratic governance, Kazakhstan incorporated constitutional reforms in 2017 to redistribute power among government branches. These changes reduced the President's executive powers, allowing the Government to execute policies more independently and granting Parliament greater oversight authority⁴. The Constitutional Council was also empowered to review amendments and ensure legal and human rights compliance. The Venice Commission recognized these initiatives as positive steps toward stronger checks and balances (Venice Commission 2017).

⁴While the study reviews Kazakhstan's formal constitutional reforms, it recognizes the ongoing influence of centralized political authority and authoritarian legacy. These contextual factors are important for interpreting why formal reforms may not always translate into democratic outcomes



Figure 4: Rule of law in Kazakhstan from 1996 to 2023

Source: V- Dem (2024) *Country Graph* – *V-Dem*. Available at: https://v-dem.net/data_analysis/CountryGraph/.



Figure 5⁵: Rule of law in Kazakhstan from 1996 to 2023

Source: World Bank (2024) *Interactive Data Access | Worldwide Governance Indicators*. Available at: <https://www.worldbank.org/en/publication/worldwide-governance-indicators/interactive-data-access> (Accessed: February 14, 2025).

From **Figure 4 and 5**, the evidence suggests that Kazakhstan has made tremendous progress in strengthening the rule of law since gaining independence in 1991. The country has pursued democratic path by focusing on legal improvements and governance reforms. However, some challenges continue to exist, particularly in criminal justice and corruption. Kazakhstan's criminal justice system has retained authoritarian characteristics from the Soviet era, including judicial dependence on the state and coercive legal practices. Despite legal initiatives and institutional restructuring, the system remains biased toward prosecution, resulting in very low acquittal rates. These flaws have eroded public trust and slowed effective reform implementation (Trochev and Slade 2019).

Corruption is another main challenge. Despite Kazakhstan's anti-corruption attempts, political corruption and nepotism remain widespread, obstructing governance reforms. In 2022, authorities registered 1,500 corruption-related crimes, including high-profile detained in January turmoil. Former National Security Committee chairman Karim Massimov and relatives of ex-President Nazarbayev were among those implicated. Kairat Satybaldy, Nazarbayev's nephew, was sentenced to six years in prison after returning \$60 million in illegal profits. However, many of these legal actions target officials who fall out of favor with the ruling elite, highlighting the judiciary's persisted vulnerability to political influence (BTI 2024).

3. Political participation

Kazakhstan's political landscape, especially after its independence, has been incorporated by a highly centralized system of governance. Initially, the 1993 Constitution permitted significant

⁵Note: Percentile Rank (0-100) indicate rank of country among all of countries in the world. 0 corresponds to lowest rank and 100 corresponds to highest rank.

power to the president, limiting democratic checks and balances. This structure intended to control turbulence but also suppressed public participation. While multiple political parties existed, authentic political rivalry was absent, and the ruling party dominated, making it difficult for opposition parties to gain foundation (Mishra 2009). In 1995, Kazakhstan's constitution further consolidated power in the grips of the president, reducing the influence of the legislature and limiting public political engagement. Legal and structural impediments marginalized opposition parties, and the state-dominated party system, headed by the ruling Nur Otan party which remained in control. Even with the initial overview of proportional representation in 2007, parliament's role in policymaking remained largely ceremonial, and elections lacked competition and transparency, allowing the ruling class to uphold its legitimacy (Bowyer 2008).

Efforts to upgrade political participation, came in 2007 with constitutional amendments that added more seats to the Mazhilis and disclosed proportional representation. However, opposition parties were still neglected as Nur Otan captured all 98 available seats, further restricting voter influence. Stringent registration requirements, limited media access, and government interference amplified this dominance. The absence of competition and public participation proceeded to international criticism, particularly from the OSCE (Organization for Security and Co-operation in Europe), for holding elections that lacked transparency (Abisheva and Shaimergerenov 2007)

Following the 2017 amendments, political participation remained limited. Despite initiatives to decentralize power, opposition parties yet faced challenges in gaining autonomy, and broader political engagement continued to be suppressed due to the public's distrust in the system. Civil society organizations played a minimalistic role, often restricted and influenced by state interests (Bohr et al. 2019).

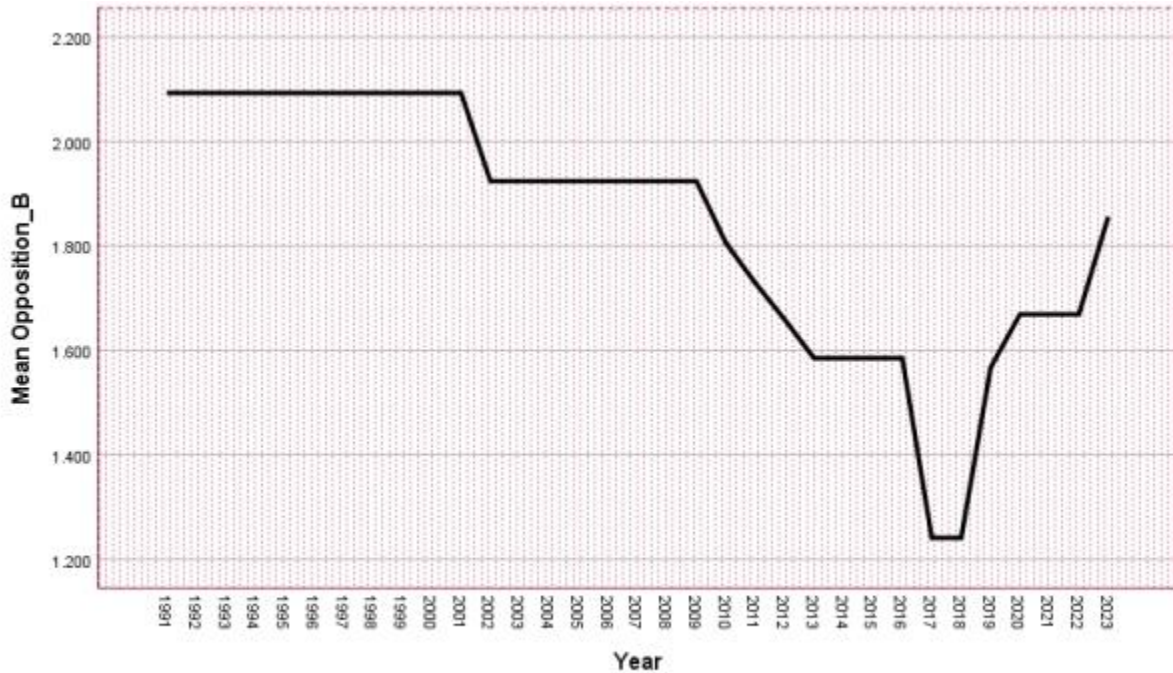


Figure 6: Opposition parties' autonomy in Kazakhstan from 1991 to 2023

Source: V- Dem (2024) *Country Graph – V-Dem*. Available at: https://v-dem.net/data_analysis/CountryGraph/.

Figure 6 illustrates the inadequacy of autonomy for opposition parties in Kazakhstan from 1991 to 2023. Before the 2017 amendments, the Nur Otan party maintained complete control. However, after the reforms, the political scene transformed, allowing more opposition parties to participate. Despite the 2022 constitutional amendments aiming to decentralize power, they failed to create credible space for opposition or civil society. The ruling party continued to hold significant power, and a lack of competitive political actors and civil society restrictions prolonged public skepticism. These reforms are widely seen as maintaining the status quo rather than stimulating real democratic engagement (Czachor 2024).

4. Free and Fair Election

Presidential Election

Kazakhstan's electoral system is directed by the Constitution, the Constitutional Law on Elections, and other related laws. The country holds elections for the presidency, parliament, and local representative bodies. However, the governing body Amanat party benefits from a strictly regulated electoral system, limiting the opposition's representation and restricting media coverage. As a result, elections are often seen as official formalities with minimal public participation, lacking fairness and transparency (BTI 2024).

Since Kazakhstan gained independence, multiple presidential elections have been conducted, including in 1991, 1999, 2005, 2011, 2019, and 2022. In the first election of 1991, Nursultan Nazarbayev faced no opposition in the election and won 98% of the vote, solidifying his leadership during a transitional period. The overwhelming victory and absence of opposition helped him establish a administered centrally power structure. Instead of holding the planned election in 1996, he expanded his rule through a referendum, arguing that stability was essential during unpredictable times. Critics, including Cummings, approached this move as a way to bypass democratic principles and consolidate power (Sally 2002).

Nazarbayev was re-elected in 1999 with 81.75% of the vote, but the election process was widely criticized for its absence of competition and media restraints. The OSCE and the U.S. Government concluded that the election did not meet democratic standards (UNHCR 1999). In 2005, once more he secured another period with 91% of the vote. Observers reported ballot stuffing, deficiency of transparency in vote counting, and media bias in favor of Nazarbayev. The OSCE identified that the election did not meet international democratic standards (OSCE 2006).

During the 2011, Nazarbayev was re-chosen with 95.55% of the vote and an 89.98% turnout. While the voting process was technically smooth, there were no major opposing candidates, and restrictions on press, assembly, and expression remained extreme. Reports of ballot-box stuffing and inflated turnout additionally undermined credibility (OSCE 2011). Similarly, in 2015, he triumphed with 97.7% of the vote and a 95.22% turnout, but the inadequacy of real competition and state-controlled media biasness made the election as a causality (OSCE 2015).

Following Nazarbayev's resignation in 2019, an early election was arranged on June 9, where Kassym-Jomart Tokayev won with 70.96% of the vote. The OSCE recognized the election's technical efficiency but stated serious irregularities, including ballot stuffing, restricted media, and lack of competition, concluding that it did not meet international democratic criteria's (OSCE 2019). In 2022, Tokayev called for an early election after civil instability, winning re-election with 81.31% of the vote. The OSCE completed the election's organization but rebuked the absence of real competition and transparency, finding that it did not meet democratic norms (OSCE 2022)..

Parliamentary Election

Kazakhstan's legal system is devoid of sufficient safeguards for free and fair elections, and existing protections are poorly enforced. Opposition parties face challenges such as the prohibition on forming electoral blocs and a 5% vote threshold for parliamentary representation. Strict presidential candidate obligations including medical certification, five years of public service, and a Kazakh language test further limit political contest. Independent candidates are not allowed to run, violating OSCE (Freedom House 2024)

Following the 1994 election, Kazakhstan's new Constitution breached a bicameral parliament. However, political competition persisted weak regarding to restrictive party laws and state-controlled media bias. The government influenced voter registration and polling oversight, and exaggerated turnout figures elicited concerns about fairness (OSCE 1995). In the 1999 elections, the 77-member Majilis was elected through a mixed system, while the 39-member Senate was occupied through presidential appointments and indirect voting. Pro-government candidates dominated the elections due to administrative interventions and biased media. The reported 62% voter turnout was met with skepticism (OSCE 1999) .

A correspondent improvement was observed in the 2004 election, as the opposition party Democratic Choice of Kazakhstan (DCK) participated for the first time. Although televised debates were allowed, media coverage remained skewed in favor of government aligned parties. Opposition leaders were prevented from running due to politically motivated charges, and electronic voting lacked transparency, eroding electoral trust (OSCE PA 2004). The 2007 elections resulted in a landslide victory for Nazarbayev's Nur Otan party, which acquired all 98 Majilis seats

due to a 7% threshold that omitted opposition parties. Observers reported media bias, inaccurate vote counting, and suppression of political diversity (Isaacs 2008).

In the 2012 election, Nur Otan received 83 out of 98 seats, with little legitimated opposition. Strict legal and procedural obstacles, restrictions on media freedom, and irregularities such as ballot stuffing directed international observers to deem the election undemocratic (Bureau of Democracy 2007). The 2016 election encountered a 77.2% turnout, but the inadequacy of political debate and diverse opinions weakened its credibility. The ruling party had better resources and media access, while independent observers were constrained (OSCE 2016). Independent international assessors have consistently found that Kazakhstan's elections are neither free nor fair, and all elections have been executed earlier than scheduled (IPHR 2016).

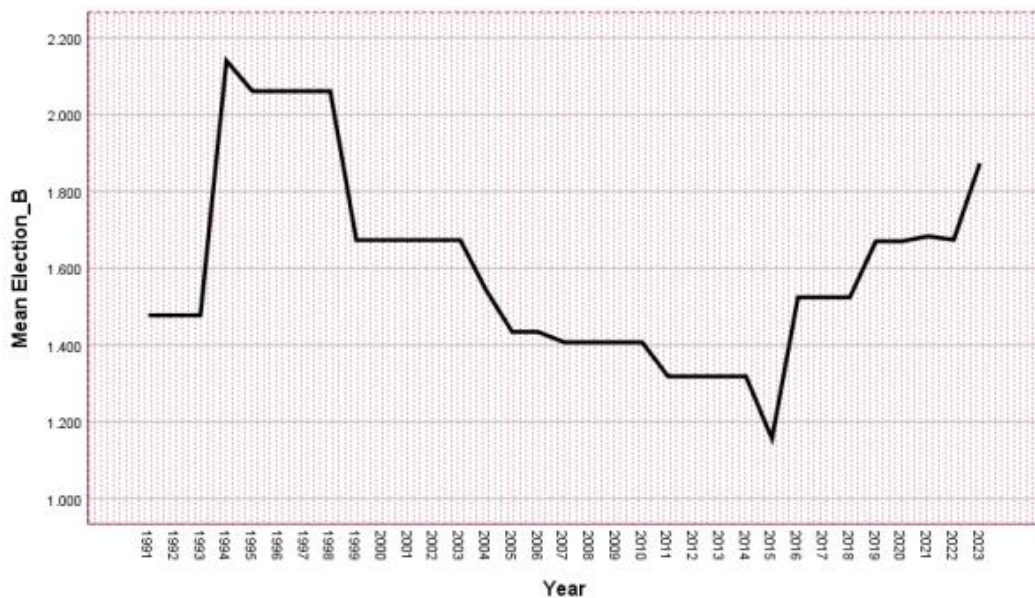


Figure 7: Election Free and Fair in Kazakhstan from 1991 to 2023

Source: V- Dem (2024) *Country Graph* – *V-Dem*. Available at: https://v-dem.net/data_analysis/CountryGraph/.

Figure 7, based on V-Dem (2024) data, showcases that since gaining independence, Kazakhstan has never held a truly free and fair election. Nazarbayev resided in power for decades through elections that international observers deemed uncompetitive. Furthermore, the 2021

elections witnessed low voter turnout due to public disillusionment and mistrust in the system. Despite the legal ability to campaign, opposition voices were suppressed, allowing the ruling Nur Otan party to win over 70% of the seats. While rest of parties like the People's Party and Ak Zhol secured some positions, the elections were ineffective in bringing significant political change, strengthening the dominance of the same ruling elite (Beimenbetov 2021).

5. Protection of Fundamental Rights

Kazakhstan's 1993 Constitution remarked a significant phase after the Soviet era, establishing the country's adherence to democracy and sovereignty. It affirmed fundamental human rights such as freedom, security, and life, while also supporting equality and outlawing discrimination on various grounds. The Constitution granted citizens with freedoms such as assembly, religion, and expression, as well as the right to pursue a career, work in a safe environment, and access free education. These provisions proclaimed to align with international human rights standards (Official Website 2024).

Moreover, human rights issues remained persistent, despite legal progression. A 1995 Human Rights Watch report presented serious problems, including restrictions on free speech and media repression. Prominent publications like "Karavan" were shut down, and peaceful gatherings were strictly prohibited due to ethnic tensions. Anti-crime campaigns induced to arbitrary detentions, while conscientious objectors were imprisoned because alternative service regulations were inexistent. This failure to identify human rights issues did not hinder the U.S. from continuing its global security cooperation with Kazakhstan (UNHCR 1995).

By 2000, Kazakhstan's human rights record had deteriorated further. The government involved in political persecution and electoral manipulation to restrain opposition. Independent media outlets faced legal challenges, censorship was rampant, and restrictive legislation, restricted political rights and civil liberties, **see table 1**, including freedom of expression, association, and religion. Reports of abuse, harsh prison conditions, and unlawful detentions painted a dire picture of the human rights situation (UNHCR 1999).

Table 1⁶.: Status of Political Rights and Civil Liberties in Kazakhstan from 2017 to 2024.

Year	Political Rights Score	Civil Rights Score	Total Score	Status
2017	5	17	22	Not Free
2018	5	17	22	Not Free
2019	5	17	23	Not Free
2020	5	18	23	Not Free
2021	5	18	23	Not Free
2022	5	18	23	Not Free
2023	5	18	23	Not Free
2024	5	18	23	Not Free

Source: Freedom House (2024) Freedom in the World, Available at: <https://freedomhouse.org/country/kazakhstan/freedom-world/2024>.

Under President Nursultan Nazarbayev’s ruling period, Kazakhstan continued to face serious human rights violations such as military hazing, illegal killings, and restrictions on political freedom. Despite some legal reforms, including the removal of certain restrictions on election-related protests and efforts to combat human trafficking, issues like torture, arbitrary deaths, and overcrowded, abusive prisons persisted for long term (Bureau of Democracy 2007). In 2007, international considerations about Kazakhstan’s human rights record were growing, yet the

⁶ Freedom House evaluates countries based on 10 political rights and 15 civil liberties indicators, scored from 0 to 4. Political rights include electoral processes, participation, and government functioning, while civil liberties cover expression, organization, rule of law, and personal rights. The maximum score is 40 for political rights and 60 for civil liberties. A combined score below 30 out of 100 indicates serious democratic deficits. Kazakhstan has consistently received this score from 2017 to 2024, reflecting significant challenges “Not free” in electoral integrity, political participation, and personal freedoms.

government continued to oppress opposition, restricted free speech, and control the media. There were also pursuits to extend Nazarbayev's presidential term through unconstitutional changes (World Report 2008).

Although parliamentary elections were held in 2012, the ruling party still maintained a strong grip on power, and opposition parties were excluded. Media censorship intensified, especially against voices of critics. Following protests by oil workers in 2011, the government dealt with violent crackdowns, politically motivated trials, and media harassment. A restrictive 2011 Religion Law further worsened the situation of fundamental rights in the country (Human Rights 2012).

In recent years, Kazakhstan has intensified its crackdown brutally on civil society. Authorities jailed and punished to journalists and protestors who participated in nonviolent demonstrations related to economic difficulties, such as evictions, layoffs, and currency devaluation. Civil society activists were arrested in advance of protests, reducing public dissent significantly (IPHR 2016).

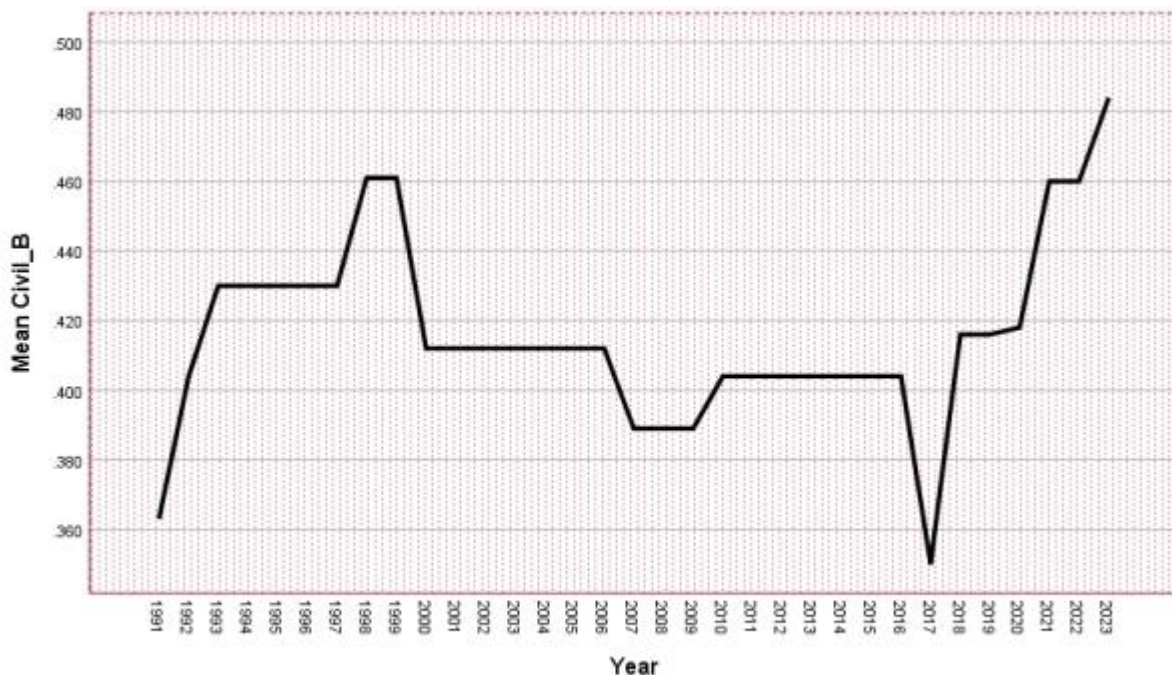


Figure 8: Civil Society Participation in Kazakhstan from 1991 to 2023

Source: V-Dem (2024) *Country Graph* – *V-Dem*. Available at: https://v-dem.net/data_analysis/CountryGraph/.

In **Figure 8** it is assumable that before 2017 constitutional amendments Civil Society Participation ups and downs many times, but later civil society participation changed in a voluminous way. Moreover, Kazakhstan has accepted several important human rights accords since attaining independence in 1991, such as the 2020 Second Optional Protocol to the ICCPR, which abolishes the death sentence. A dedication to international human rights norms has been shown by the country's implementation of political, institutional, and legislative changes under President Tokayev's leadership since 2019. Kazakhstan participates in international and EU human rights discussions, and UN and other body reviews to show progress. However, problems persist, such as judicial independence, torture prevention, impunity, and the continued restriction of civil society rights (ACQUIS 2021).

Conclusion

Kazakhstan's journey toward democracy has been driven by its historical background, political structures, and economic factors. Since gaining independence in 1991, the country has breached multiple constitutional reforms to promote democratic governance. However, despite these efforts, Kazakhstan still faces numerous challenges due to its deeply rooted authoritarian tendencies, which continue to limit true democratic progress.

One of the main constraints has been the concentration of power in the executive branch. Before the 2022 constitutional amendments, the president had overwhelming control over the several branched of government, limiting the role of other branches. However, recent reforms have reduced executive dominance, strengthened the separation of powers, reinforced judicial independence, and increased parliamentary autonomy. Similarly, the rule of law has witnessed notable improvements since independence, despite having long term influence of authoritarian rule. Corruption, political interference, and absence of transparency still affect the legal system, but reforms continue to facilitate greater judicial independence.

Political participation has also been a key issue in Kazakhstan's democratic development. During its authoritarian period, opposition parties were suppressed, and transparent political competition was almost non-existent. Although political pluralism remained constrained, the 2017 constitutional amendment encouraged greater political engagement. Since then, participation has been increasing, signalling a slow but notable shift toward a more democratic system. However, Kazakhstan has yet to hold fully free and fair elections. Most elections have been held under authoritarian rule, preventing opposition parties from competing fairly. International observers have consistently marked Kazakhstan's elections as uncompetitive.

The best way to describe Kazakhstan's political structure is as a hybrid one⁷. It incorporates some democratic components while keeping centralized control. Progress has been made in areas like human rights and governance, especially under President Tokayev's leadership. However, fundamental democratic structures, such as free elections, separation of powers, and civil liberties, remain restricted. International organizations still identify Kazakhstan as "Not Free," reflecting the perpetual struggles in political rights and freedoms.

Despite these challenges, Kazakhstan's democracy is not entirely stagnant. Political competition is increasing, and central authority is gradually weakening, expanding opportunities for democratic progress. If the country continues to improve electoral transparency, strengthen institutions, and exacerbate political inclusion, it has the potential to transition toward a more open and representative government. With sustained efforts and meaningful reforms, Kazakhstan can move imminent to a true democracy in the future.

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⁷ Terms such as "hybrid regime," "not free," or "authoritarian" are used according to definitions from V-Dem, Freedom House, and related literature. These terms describe governance models that blend democratic features with authoritarian controls and are not intended as normative judgments.

For this study, we used publicly available data from the Varieties of Democracy (V-Dem) project, which offers open-access, high-quality information on democracy and governance for academic and non-commercial use: <https://www.v-dem.net>.

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