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Elections in Kazakhstan: the transformation of the electoral process

Abstract. *The article presents a comparative analysis of evolutionary features of the formation and development of representative bodies through the election institute, which is one of the important and topical issues in the context of the democratization of modern Kazakhstan.*

The main purpose of the scientific paper is a detailed analysis of elections in the formation of representative power in the Republic of Kazakhstan from the point of view of political science. This is due to the fact that the electoral process in the country develops in accordance with the democratic regime and undergoes legislative reforms, as well as related difficulties.

The peculiarity of the article is the detailed analysis of the evolutionary development of the electoral process through such valid methods as comparative analysis and cross-temporal comparisons.

The characteristics of the evolution of elections in the Republic of Kazakhstan are defined based on a careful examination. The election system and stages of the electoral process that influence political party ratings have been investigated. The structure of representative authority in Independent Kazakhstan has been studied, as well as the characteristics of electorate participation in elections, the proportion of women in the chamber of Mazhilis of the Parliament, the number of parties, and the average age of deputies.

As a result of the study, scientific conclusions were made and hypotheses to improve the electoral system of the country were proposed.

Thus, the analysis of the process of formation of Kazakhstan's electoral system is important not only for the study of the electoral policy itself but also to assess the prospects for further democratization of the political system of Kazakhstan.

It is the institution of elections that determines and directs the process of democratic construction and is the main condition for the development of the modern political system.

Keywords: *elections, electorate, electoral system, Parliament, political participation, political parties, democracy.*

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Introduction

The Constitution of the Republic of Kazakhstan of 1995 defined voluntary elections as the main principle for state power organization. The

people constitute the source of sovereignty and state power [1].

Elections are of great importance for any state that has chosen its democratic path. The democratic regime is characterized by elections

as a means to form representative authority. The institution of elections is also being updated and developed on the way to nation-building. Therefore, the electoral issues studied at each stage are no longer relevant and require a new analysis. After all, the development of science and technology in the context of globalization requires new electoral “technologies” and methods. Thus, since the electoral process is constantly changing and updating, it can be considered as a pressing challenge that needs a new approach to analysis and study in terms of political science. For this purpose, the research article analyzes the evolution of the electoral process during the years of independence of the Republic of Kazakhstan.

Purpose of the article

Comparative study of evolution and development of the Electoral Institution in the Republic of Kazakhstan, that identifies the current potential and analyzes future development.

Tasks of the article

An election is a process that is constantly changing and updating that responds to the needs of the time and specific global development. Therefore, the author sets several tasks for the research article to comprehensively analyze this issue and get the scientific finding.

- Attempts to prove the proposed hypothesis by analyzing the stages of the evolutionary development of the electoral process through reforms to improve the electoral system.

- Pros and cons for the structure of the parliament as a representative authority need to be figured out, as well as effective proposals are forwarded based on the results of the elections by a comparative analysis of the Mazhilis structure being a representative authority, analyze key features of the elections held on January 10, 2021, i.e. amendments to the election law, results of the last elections, determine key features of the electoral process and make forecasts.

The main proposed scientific hypothesis

Elections is a process that is constantly changing and updating, so comparative analysis emphasizing its evolution is effective for in-depth study of electoral issues. Only then would it be possible to identify the actual issues of the elections, get scientific opinions, and make recommendations.

Currently, electoral issues are studied extensively by both Western and former USSR political science. Electoral institutions were the main research target for ancient thinkers. Plato and Aristotle, in their works, tried to explore the ways to achieve power. The formation of the legitimacy of the institutions of power is a part of the new era. State formation theory was formulated based on the «contractual» theory. T. Hobbes [2], J. R. R. Tolkien. Locke [3], J. J. Rousseau [4] referred to the election issue with their ideas on the power of the people’s representation. Kazakh thought leaders, in their research considered the issue of the people’s voting as well. Strengths and weaknesses of the formation of power through elections can be noticed in Abay Kunanbayev’s, Shokan Ualikhanov’s, Akhmet Baitursynov’s, Alikhan Bukeikhanov’s works. R. Dahl [5], A. Tocqueville [6], A. Lijphart [7], G. Sartori [8], K. Popper [9], S. Huntington [10] reviewed the role of democratic elections in the formation of power. Since the works of Ye. K. Yertisbayev [11], Sh. A. Kurmanbayeva [12] are the first research in Kazakhstan’s political science highlighting the electoral issue, they are considered as essential discovery. The changing and expanding role of the electoral system in the formation of representative authority as a democratic institution requires thorough study.

Methodology

Empirical research methods were used to prove the proposed hypothesis of the article. Statistical data were converted into graphs and comparatively analyzed. The disadvantages and advantages of Kazakhstani elections were identified based on the comparative analysis. The research had led to the scientific conclusion

and had proposed ways to improve the country's electoral system.

Analysis of elections evolution: challenges, ways to improve

Elections to public authorities are held in compliance with the publically established regulations, electoral systems, publicly established. The electoral system is chosen on the base of the current political regime in the state.

The formation of Kazakhstan's modern electoral system in terms of parliamentary election is inextricably linked with the adoption of the Constitution of the Republic of Kazakhstan through a national referendum on August 30, 1995. Election of deputies of the two chambers of Mazhilis of the Parliament through secret ballot based on universal, equal, and direct suffrage, and election of deputies of Maslikhats in Nur-Sultan and Almaty, oblasts, districts, and cities - by indirect voting is on the most fundamental provision of the Constitution. The Constitution of the Republic of Kazakhstan of 1995 can be considered as a positive step in the formation of state power in accordance with a democratic regime. The new Constitution of the Republic of Kazakhstan has changed the political and institutional system and reformed the previous electoral system and electoral legislation. Electoral legislation, that provides us with a broad picture of the electoral system of that period, was mainly proposed by the Decree of the First President of the Republic of Kazakhstan, N. A. Nazarbayev, which has been legitimately effective as the constitutional law «On elections in the Republic» since September 28, 1995.

Prior to the enactment of the Law «On elections in the Republic» that arranges the electoral process in the state, elections were held based on the legislative order of the political system established in the USSR. In 1988, the Constitution of 1977 was amended and supplemented, which reformed electoral law provisions. The Institution of the equivalent candidate was introduced, and in 1989 publicity ("glasnost") was a distinctive feature of the election campaign of the USSR.

It was the beginning of the first process of democratization in the elections.

On September 27, 1989, the Laws "On elections of people's deputies of the Kazakh SSR" and "On elections of deputies of the local Soviet of the Kazakh SSR" were adopted.

On March 25, 1990, there were held the first democratic elections to the XII Supreme Soviet of the Kazakh SSR. More than two thousand candidates took part in the election campaign for 360 deputy mandates. 84% voted in the Republic.

The Law "On the election of the president of the Kazakh SSR" of October 16, 1991, stated the universal popular elections of the president by secret ballot for all citizens of Kazakhstan. Thus, the first democratic reforms started simultaneously with the independence of the Republic of Kazakhstan. Besides, prior to the enactment of the Law "On the elections of the Republic of Kazakhstan», elections were held in accordance with the code "On the elections of people's deputies of the Kazakh SSR».

Amendments to the Constitution of the country made in October 1998 regarding the terms of office of the Parliament of the Republic of Kazakhstan and the number of Deputies of the Mazhilis was the next step in the legislative improvement of the electoral process. The term of office of the Mazhilis was extended to 5 years, and the term of office of the Senate - to 6 years, the number of Deputies of the Mazhilis increased from 67 to 77. It means that the Mazhilis will be equally represented by political parties, 67 deputies will have the right to self-nomination, to be elected based on the party list. This fact will enhance the role of political parties as to the civil society institution. Meanwhile, new developments were practically tested during the electoral process. The electronic electoral system was implemented in 2004.

Period of 2004-2007 characterized by the liberalization of electoral legislation. A distinguishing feature of the period has been the improvement of the functional parameters of the electoral system, closer alignment with international standards of electoral legislation in accordance with democratic values.

Qualitative new changes in the electoral system caused by the constitutional reform in 2007. It contributed to the transformation of the entire electoral system. According to the new amendments, 98 deputies will be elected on a party-list basis and 9 - from the Assembly of Nations of Kazakhstan according to the proportional electoral system of the Lower Chamber of Parliament [13].

Effective changes occur to improve the electoral system of the Republic of Kazakhstan. As per 2009 reform, even if the 7-election threshold is not achieved, the Parliament shall consist of at least two political parties [14]. That is, if they are considered in terms of qualitative specifics of the parliament composition formed after the results of the elections, they are effective reforms. On January 10, elections to maslikhats were held on a party-list basis for the first time. The latest changes reflect the democratic success of the electoral system.

The proposed table shows the political party composition of the Mazhilis of the Parliament. Comparative analysis showed that the single party participated in the 4th elections held in 2007-2011. Principle, when the parliament consists of at least two political parties, has been implemented due to changes in 2009. Political parties «Nur

Otan», «Ak zhol», «Communist People’s party of Kazakhstan» participated in the fifth and sixth elections. Political parties «Nur Otan», «Ak zhol», and «People’s party of Kazakhstan» participated in the last seventh elections. Prior to the elections, the Communist People’s party of Kazakhstan rebranded and changed its name to the «People’s party of Kazakhstan» [15].

In 2018, the parliament approved amendments to the constitutional law «On the Elections», which states the right of political parties to propose candidates for deputies of maslikhats elected from party lists.

The above-analyzed reforms are indicative of effective reforming of the Kazakhstan electoral system. Reforms undertaken over the years of Independence show improvement of the electoral system of the Republic of Kazakhstan that forms the institutions of representative authorities, in compliance with democratic values. Elections to the Mazhilis of January 10, 2021, were held not ahead of schedule, but under the constitutional framework for the first time in the last 16 years. The institution of parliamentary opposition will provide a competitive environment in decision-making by representative authorities and ensure an effective decision-making process. Chairman of one of the Standing Committees in

Figure 1. The number of electoral votes in the elections of the Mazhilis of the Parliament of the Republic of Kazakhstan

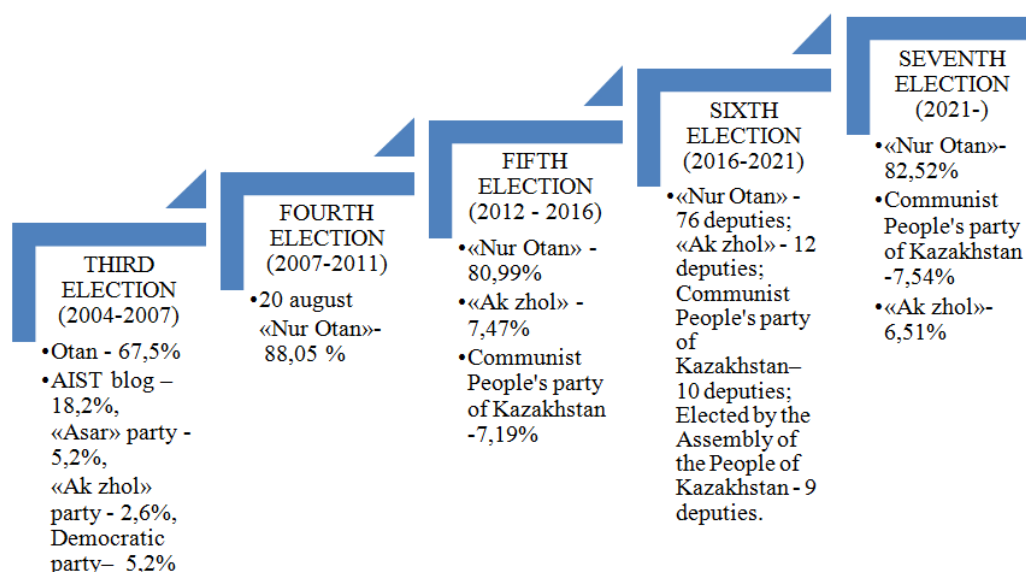
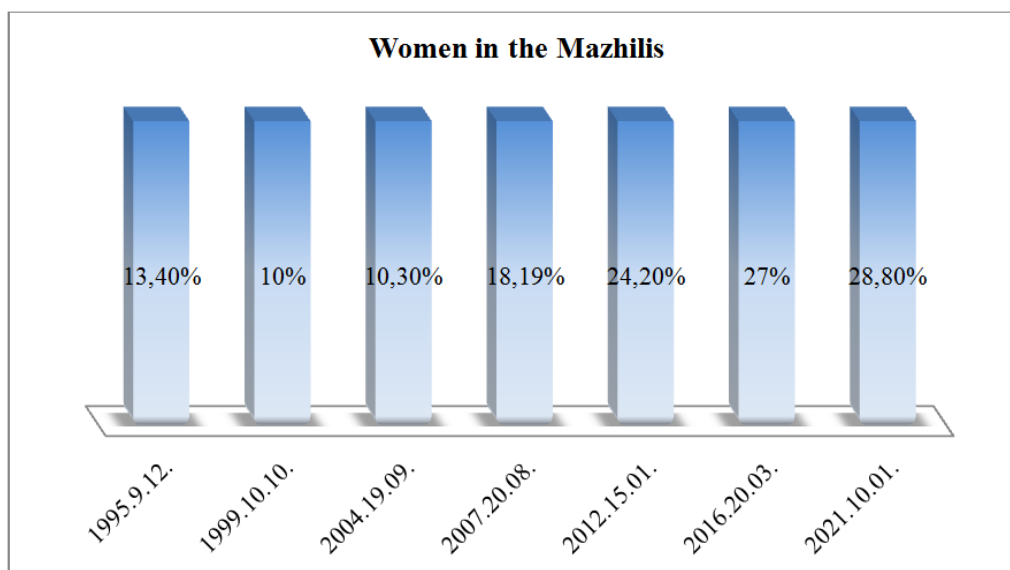


Figure 2



the Mazhilis, the secretary of both, possibility to hold parliamentary hearings at least once during one session and approval of agenda of two government hours 30 percent quota for women and young people have been first introduced.

The percentage of women in the Mazhilis of the Parliament, as shown in the photo above, has been increasing with each election. As a result of the 1995 elections, the percentage of women in the first elections equaled 13.40%, while in the 1999 and 2004 elections, women were only 10%. It was the lowest rate in the history of the Parliamentary

Assembly, and since the 2007 elections, the rate has increased. It has increased up to 18.19% in 2007 and 24.20% in 2012. Based on the results of the last 2021 elections, the percentage of women in the Mazhilis of the Parliament reached 28.80%, compared to 27% in 2016. This figure shows an increase in the percentage of women in the Mazhilis [16].

In general, a 30% quota in accordance with the latest changes has significantly changed the situation to increase the percentage of women elected to the Mazhilis of the Parliament.

Figure 3

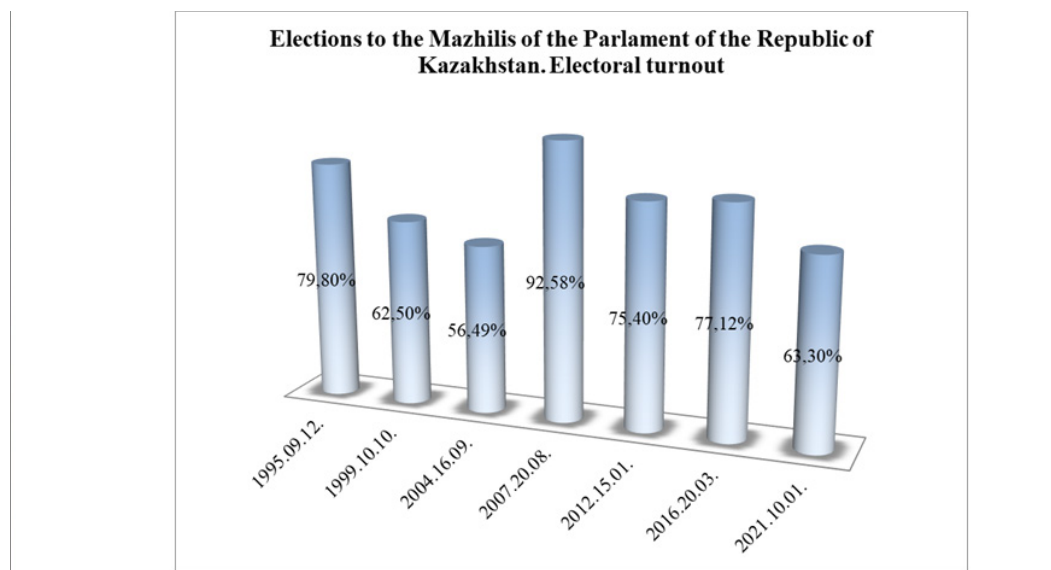
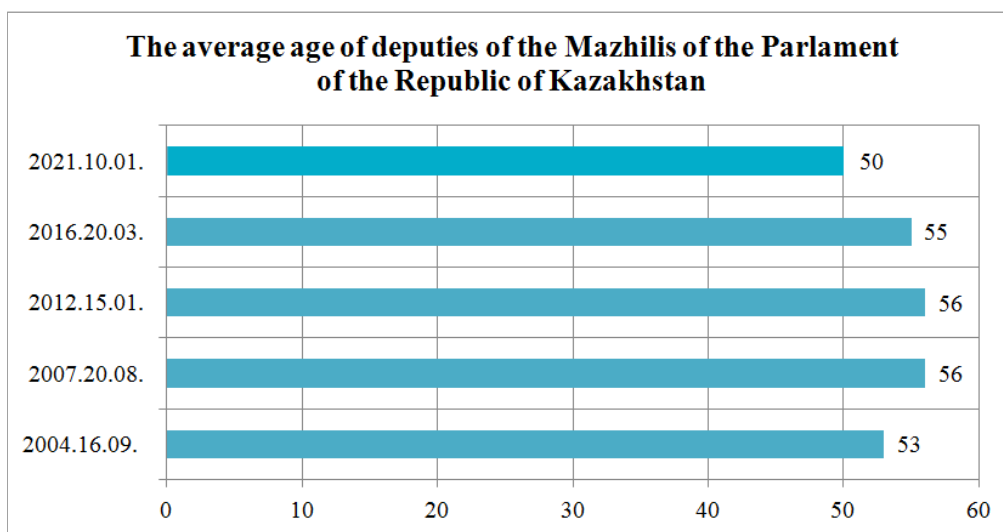


Figure 4



Democratic elections are a political tool that determines the free will of the people and results in its implementation. The principle “we are the people of Kazakhstan” can be given substance only because of open, honest, fair, democratic elections. Fair elections ensure the classical division of power into three parts and implement the principle of restraint and balance of power in society.

Focus on the evolution of the Mazhilis of the Parliament of the Republic of Kazakhstan, political analysis of the specifics of its election as a representative authority shows special aspects and challenges of its current formation. The main requirement for elections is the participation of the electorate. The extent to which the people understand their political rights in elections depends on the formation of representative authority.

Thus, when considering voter participation in the elections to the Mazhilis of the Republic of Kazakhstan, the first elections showed a fairly high turnout, i.e. 79.80%. In 1999 and 2004, the rate of population growth decreased to 62.50 and 56.49%, and the highest rate of voter participation increased to 92.58% in the 4th elections of the Mazhilis of the Parliament. In 2007 and 2012 the rate was more than 75 percent. In 2021, 63.30% of the electorate voted which corresponds to the rate of 1999. [17].

Therefore, one of the main principles of democratic elections is when the electorate participates in the elections and makes its own choices. One of the reasons for the low turnout on January 10, 2021, elections compared to other years is the pandemic associated with COVID-19 around the world. Most of the population was not able to participate due to their health and preventive measures for the disease.

Therewith, the composition change of the Mazhilis of the Parliament because of the elections, namely the percentage of the youth is one of the most significant issues raised by elections researchers. After all, due to the rapid development of modern science and technology, it is more effective to have more young people in the representative authority as the youth is more receptive and makes decisions faster than the elderly people. One of the main innovations of the 2021 elections is the increase in the number of young people in the Mazhilis of the Parliament up to 30%. In this regard, the quantitative share of young people in the legislative authority has been comparatively analyzed following the first elections of the Mazhilis.

Referring to the table shows that the average age of deputies of the Mazhilis of the Parliament of the Republic of Kazakhstan has significantly improved. In particular, the average age of the Mazhilis of the Parliament in 2004 was 53 years, in the 4th and 5th elections in 2007 and 2012,

accordingly, the average age increased to 56 years. In the 6th election, the average age was 55 years, and due to recent changes, the average age decreased to 50 years. Therefore, the decision to change the average age of the representative authority is effective in maintaining a 30 percent quota during the elections [18].

In this regard, the analysis showed that the improvement of the country's electoral system with evolutionary reform is an opportunity for the harmonious development of society. Effective changes in the electoral system were undoubtedly caused by the most notable recent change.

Conclusion

Democratic development of the Republic of Kazakhstan had been considered directly related to the fair electoral process. If the people vote for their political party, the qualified Parliament will certainly discuss the desired laws of civil society institutions, make fair decisions, and pass effective laws. If a representative authority established because of fair elections can meet the demands of civil society, we have a better chance to prevent various protests in our country.

- There were analyzed stages of electoral process evolution and the effectiveness of legislative reform. That is, the study found that because of electoral system improvement, the percentage of women in the Mazhilis of the Parliament has increased, heterogeneity of political parties and development of its pluralistic character have been determined.

- One of the specific aspects of the elections held on January 10, 2021, was the introduction of the Institution of the parliamentary opposition, chairman of one of the Standing Committees in the Mazhilis, the secretary of two standing committees, ability to hold parliamentary hearings at least once during one session and approval of agenda for two government hours, as well as 30 percent quota for women and young people.

Therefore, the electoral system of the country is considered a dynamic process that constantly develops and improves in the context of globalization. We refer to it as an institution that directly contributes to the state evolution, effectively collaborating between civil society and the institutions of power.

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Қазақстандағы сайлау: сайлау процесін трансформациялау

Аңдатпа. Мақалада қазіргі Қазақстанды демократияландыру жағдайында маңызды және өзекті мәселелердің бірі болып табылатын сайлау институты арқылы өкілді органдардың қалыптасуы мен дамуының эволюциялық ерекшеліктеріне салыстырмалы талдау берілген.

Ғылыми мақаланың негізгі мақсаты – саясаттану тұрғысынан Қазақстан Республикасында өкілді билік құру кезіндегі сайлауды талдау. Бұл елдегі сайлау процесі демократиялық режимге сәйкес дамып, заңнамалық реформалардан, сондай-ақ ілеспе қиындықтардан өтуіне тікелей байланысты.

Мақаланың ерекшелігі – салыстырмалы талдау және уақытаралық салыстыру сияқты негізгі әдістер арқылы сайлау процесінің эволюциялық дамуын талдау.

Талдау негізінде Қазақстан Республикасындағы сайлаудың дамуының сипаттамалық белгілері анықталды. Саяси күштердің рейтингін анықтайтын сайлау жүйесі мен сайлау процесінің кезеңдері зерттелді. Тәуелсіз Қазақстанда сайлау негізінде қалыптасқан өкілді биліктің құрылымы, электораттың сайлауға қатысу ерекшеліктері, Парламент Мәжілісі палатасындағы әйелдердің үлесі, партиялар саны мен депутаттардың орташа жас мөлшері талданады.

Зерттеу нәтижесінде ғылыми тұжырымдар жасалып, еліміздің сайлау жүйесін жетілдіруге арналған гипотезалар ұсынылды.

Осылайша, қазақстандық сайлау жүйесінің қалыптасу процесін талдау тек сайлау саясатының өзін зерттеу үшін ғана емес, Қазақстанның саяси жүйесін одан әрі демократияландыру перспективаларын бағалау үшін де маңызды.

Сайлау институты демократиялық құрылыс үдерісін айқындап, бағыт-бағдар беріп отырады, сонымен қатар қазіргі саяси жүйенің дамуының басты шарты болып табылады.

Түйін сөздер: сайлау, электорат, сайлау жүйесі, Парламент, саяси қатысу, саяси партиялар, демократия.

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Выборы в Казахстане: трансформация избирательного процесса

Аннотация. В данной статье представлен сравнительный анализ эволюционных особенностей формирования и развития представительных органов через институт выборов, что является одним из важных и актуальных вопросов в контексте демократизации современного Казахстана.

Основной целью научной статьи является подробный анализ выборов при формировании представительной власти в Республике Казахстан с позиции политологии. Это связано с тем, что избирательный процесс в стране развивается в соответствии с демократическим режимом и претерпевает законодательные реформы, а также сопутствующие трудности.

Особенностью статьи является подробный анализ эволюционного развития процесса выборов через такие валидные методы, как сравнительный анализ и кросс-темпоральные сравнения.

На основе подробного анализа выявлены характерные особенности развития выборов в Республике Казахстан. Изучена избирательная система и стадии избирательного процесса, которые определяют рейтинг политических сил. Проанализированы структура представительной власти, сложившаяся на основе выборов в Независимом Казахстане, особенности специфики участия электората в выборах, доля представительства женщин в палате Мажилиса Парламента, количество партий и средний возраст депутатов.

В результате исследования были сделаны научные выводы и предложены гипотезы улучшения избирательной системы страны.

Таким образом, анализ процесса формирования казахстанской избирательной системы важен не только для изучения самой электоральной политики, но и для оценки перспектив дальнейшей демократизации политической системы Казахстана.

Именно институт выборов определяет и направляет процесс демократического строительства, а также является главным условием развития современной политической системы.

Ключевые слова: выборы, электорат, избирательная система, парламент, участие в политической жизни, политические партии, демократия.

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