

POLITICAL REPRESENTATION OF ETHNIC MINORITIES IN THE REPUBLIC OF KAZAKHSTAN

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Political representation of ethnic minorities in the Republic of Kazakhstan

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Политическое представительство этнических меньшинств в Казахстане. Статья посвящена исследованию политического представительства различных этнических групп в многонациональном Казахстане. С обретением независимости республика стала домом для представителей более чем 100 национальностей, что в свою очередь, подняло вопрос об их равном представительстве в политической и социальной сфере. В работе рассматривается общая теория политического представительства. Однако, основной акцент сделан на возможностях граждан быть представленными, в связи с чем, правовая база и политический контекст в обществе играют решающую роль. С этой целью наиболее подходящим представляется метод Политического Процесса, где особое внимание уделяется анализу трех компонентов – избирательной системе, гражданству и политической партии.

Ключевые слова: Политическое представительство, Этнические меньшинства, Казахстан, Политический Процесс

Political representation of ethnic minorities in the Republic of Kazakhstan. The article is devoted to the investigation of the political representation of different ethnic groups in multinational Kazakhstan. With gaining the independence, the Republic became home to more than 100 nations, which in turn raise the question of their equal representation in political and social spheres. The general theory on political representation, which was developed in the political literature, is investigated in the article. However, the work is mainly focused on the opportunities for all citizens' representation, where the legal basis and the political context in the society play a crucial role. For that purpose the Political Opportunity Structure approach is seen as the most suitable, while the special attention is given to the analysis of three components of this method – electoral system, citizenship regime and political party.

Key words: Political representation, Minorities, Kazakhstan, the Political Opportunity Structure

1. INTRODUCTION

Kazakhstan is a ninth biggest country in the world, which gained its independence after the collapse of the Soviet Union. The Soviet legacy has affected the political and economic development of modern Kazakhstan, as well as the ethnic situation in the republic.

The ethnically heterogeneous population was mainly formed by spontaneous and forced migrations, encouraged by the state; frequently rewritten borders that divided ethnic groups; politics of Stalin's regime, when thousands of people were exiled or deported to the territory of contemporary Kazakhstan, seen by Soviet authorities as a "virgin dumping ground for ethnic groups whose loyalties were in doubt"[1].

Therefore, the Republic of Kazakhstan has become home to more than one hundred ethnic groups, among which the biggest are Kazakhs 63,1 %, the Russians - 23,7 %, the Uzbeks - 2,9 %, the Ukrainians - 2,1 %, the Uigurs - 1,4 %, the Tatars - 1,3 %, the Germans - 1,1 %, and other ethnic groups - 4,5 %.¹



Photo 1. The Map of Kazakhstan

¹ The results of the national population census, held in 2009. Available from: http://www.eng.stat.gov.kz/news/Pages/n1_12_11_10.aspx

	1999		2009	
	Number	Percentage	Number	Percentage
Kazakh	8,011,500	53.5	10,098,600	63.1
Russian	4,481,100	29.9	3,797,000	23.7
Ukrainian	547,100	3.6	333,200	2.1
Uzbek	370,800	2.5	457,200	2.8
German	353,500	2.4	178,200	1.1
Tatar	249,100	1.7	203,300	1.3
Uighur	210,400	1.4	223,100	1.4
Others	758,400	5.0	714,200	4.5
Total	14,981,900		16,004,800	

Table 1. Ethnic composition in Kazakhstan, Census Data 1999-2009
(Statistical Agency of the Republic of Kazakhstan).

Such an abundance of different ethnic groups within one state could not raise the issue of equality of their rights and interests, and their representation in the republic, as in multiethnic countries there is often a problem of “over-representation of some groups and an under-representation of others”.

For example, according to the official UN Report of the independent expert on minority issues in Kazakhstan, “members of smaller minority communities consider their opportunities for political participation to be extremely limited. Uighur community members noted that, even in regions in which they form the majority, they are rarely appointed to hold significant local government positions and are generally underrepresented in the public sector, especially in law enforcement bodies [2].”

Therefore, the issue of political representation of ethnic minorities in the Republic of Kazakhstan is seen to be of great importance.

2. TOWARD THE GENERAL CONCEPT OF REPRESENTATION

Before moving to the analysis of Kazakhstan’s case, let’s briefly specify the essence of representation theory, where one of the most frequently cited author is Hannah Pitkin. In her book *The Concept of Representation* [3], Pitkin defines different theories of representation – formalistic, descriptive, symbolic and substantive.

The special interest is provoked by the theories of descriptive and substantive representation, usually used by authors for describing minorities' rights representation. The former may be also known as demographic representation. The essence of this type of representation can be described by John Adams words: "It should be in miniature an exact portrait of the people at large [3]."

On the other hand, the question of whether the Parliament should exactly mirror the society remains controversial. There are authors who reject this principle, as "this would lead to an unworkable proliferation of group representation and undermine the process of representative government ([4] p.6)."

Meanwhile, there are advantages of this theory – ethnic minorities may experience greater confidence in the delegates who resemble them in different issues (common interests, views, look like, so on); representatives of ethnic groups can serve as a model of their rights' protection for other ethnic minorities; it also leads to more justice and legitimacy of the political system.

Substantive representation means that representative acts on the behalf of and in the interest of the represented. Substantive representation is obtained if the interests and needs that representatives fulfill reflect those that exist in a society. In theory, ethnic minorities can thus be represented by autochthones as long as these take ethnic interests into account. Ethnic minorities can be underrepresented at the substantive level however if the dominant political culture interferes with the access of their interests and demands to the political agenda [5]

What is used in this paper is the absolutely different theory, proposed by Ruud



Photo 2. Nations and Ethnic Minorities in Kazakhstan

Koopmans and Paul Statham in their book *Challenging immigration and ethnic relations politics: comparative European perspectives* [6], which calls the Political Opportunity Structure (POS) approach. It is seen as the most suitable, because it “tries to offer a comprehensive answer to the question of underrepresentation and takes into account both the responsiveness of the party and the political system and the characteristics of an ethnic group [5].”

3. POLITICAL REPRESENTATION OF ETHNIC MINORITIES: POLITICAL OPPORTUNITY STRUCTURE APPROACH

This approach was mainly used by different scholars to analyze particular social movements in terms of the context in which a movement emerges. At the same time, it is also possible to use POS for describing political representation of ethnic minorities.

The analysis of the political representation of different ethnic groups in Kazakhstan will be done by examining three main indicators of POS model – the electoral system, the citizenship regime and the political party [5].

The electoral system

The first indicator is the electoral system. In Kazakhstan the electoral system is based on the Constitution and the Law “On Elections in the Republic of Kazakhstan” (further: the Election Law), so the analysis of these components will be carried out within the framework of these laws.

The electoral formula “manages the translation of votes into seats”. This allows us to allocate majoritarian, proportional and mixed electoral systems. So, what electoral system does Kazakhstan have? According to Article 51 of the Constitution, the Majilis (lower Chamber of Parliament) shall consist of 107 deputies, 98 of which shall be elected by “the universal, equal and direct right under secret ballot”. However, the rest 9 deputies shall be appointed by the Assembly of People of Kazakhstan. At the same time, the elections of the deputies of the Kazakhstani Senate “shall be carried out on the basis of indirect right under secret ballot” (Article 51 sub-section 2 of the Constitution).

Thus, in elections of the President, deputies of the Senate, as well as 9 members of the lower Chamber of the Parliament vote-counting system shall be applied, where the candidate is considered to be elected if he/she has collected more than fifty percent of votes of voters, while “the Mazhilis deputies of political parties shall be elected for the single national electoral district based on party lists [7].”

In Kazakhstan in the 2007 elections all the seats in Parliament won a single party – Nur Otan, which officially received more than 88 per cent of the vote in the elections, while PR system must facilitate the implementation of the pluralism principle, it should contribute to the representation of more parties in the Parliament and leads to greater centralization of the electoral process (Bird, 2003). To avoid the unicameral parliament in Kazakhstan, the Election Law was amended in 2007, under which if 7 percent barrier, needed to the party in parliament, was overcome only by one party, then the distribution of seats may be given to the party with the next largest number of voters that took part in the voting (Article 97-1, subparagraph 2).

Therefore, the electoral system in Kazakhstan is mixed, where some representatives are elected, following majoritarian rules, while others are elected by proportional (PR) electoral system. It is known that “ethnic minorities are better represented in mixed systems than in majoritarian, but worse than in proportional” [5].

It should be noted that despite some problems in the electoral system of the republic, there are positive developments, demonstrating the democratization of society, as well as greater representation of various ethnic groups’ interests.

The citizenship regime

The second indicator is the citizenship regime, which consists of *two dimensions*: a political and a cultural one. The first, *political dimension* encompasses the extent that a person can achieve a full and equal citizenship and whether he is enabled to vote or not [5].

The process of obtaining citizenship in Kazakhstan is regulated by the Constitution and the Law “On Citizenship of the Republic of Kazakhstan” (further: the Citizenship Law).

According to the Citizenship Law, the citizenship is acquired by birth of individual in the territory of the state and through naturalization (Article 16). Moreover, regardless of the basis, by which it was acquired, the citizenship is uniform and equal (Article 10 of the Constitution).

This means that “favoring a civic rather than an ethnic model of national community is the course upon which Kazakhstan’s leaders have chosen to establish interethnic stability in the society ([8] p.166).”

The next characteristic of political dimension, as it was already mentioned, is the right to vote. In this regard, Kazakhstan has also applied the principle of equality. According to the Election Law, citizens have the right to participate in voting at elections, irrespective of his/her birth origin, race, nationality, language, relation to religion, belief and faith, etc. (Article 4).

The second dimension of citizenship regime is *cultural*, which represents the ability of ethnic minorities to have their own culture, interests and language, as well as the public authorities' activities in stimulating and accommodating such cultural differences. Therefore, there are two types of citizenship regimes: multicultural and assimilationist, where Kazakhstan represents the former, as the country creates conditions for the development of customs, traditions, and languages of different nations living on its territory. So, Article 14 of the Constitution states, that "no one shall be subject to any discrimination for reasons of origin, social, property status, occupation, sex, race, nationality, language, attitude towards religion, convictions, place of residence or any other circumstances."

Besides this, "everyone shall have the right to use his native language and culture, to freely choose the language of communication, education, instruction and creative activities" (Article 19 of the Constitution). Even bilingualism is enshrined in the Constitution.

However, the language issue is more complex than might appear at first glance. Historical events that led to the demographic dominance of the Russian-speaking population in Kazakhstan turned Kazakhs into the most linguistically and culturally Russified of all Central Asian ethnic groups. In this context, definition of state language turned into an arena of the clash of different interests. For the brief explanation of this situation, it is possible to use the 'three parties' of Rogers Brubaker theory ([9] p.64).

The first party is represented by Kazakh elites who fought for the Kazakh language to be the sole state language. The second party is "substantial, self-conscious and organized national minorities" ([9] p.64), whose leaders demand the acceptance of Russian as state language with Kazakh. And, the third part is "the external national "homelands" of the minorities, whose elites closely monitor the situation of their coethnics in the new states", that in our case is the neighboring Russia, the power elites in which would prevent complete replacement of the Russian language by Kazakh, and who would "vigorously protest alleged violations of coethnics' rights, and assert the right, even the obligation, to defend their interests ([9] p.64)."

That is why, the Kazakhstani authorities tried to find a third way, a kind of compromise solution - the demands of ethnic Kazaks were limited but, at the same time, the demands of Russians were not satisfied as well. Therefore, according to Article 7 of the Constitution, the Kazakh is the state language of the country; but "in state institutions and local self-administrative bodies the Russian language shall be officially used on equal



Photo 3. Astana – The Capital of Kazakhstan

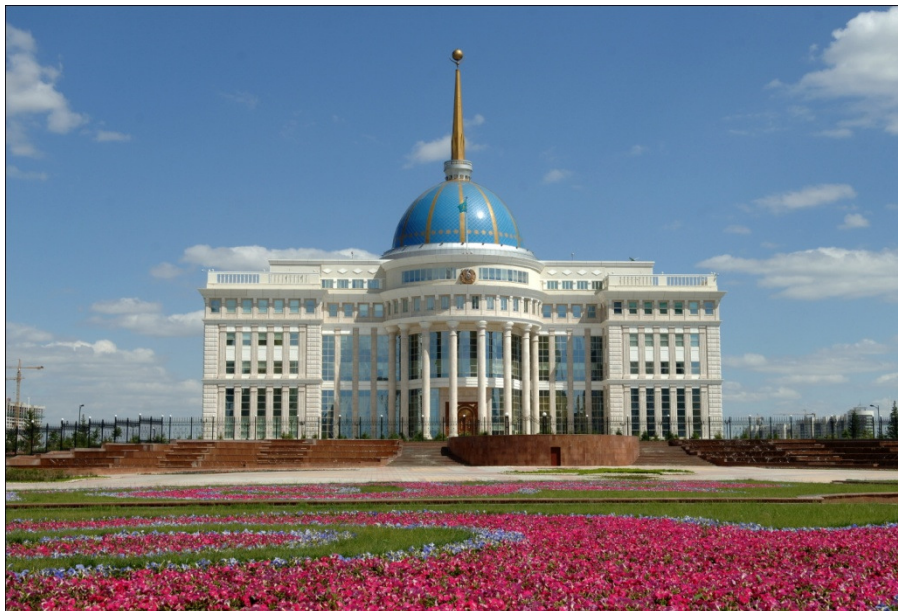


Photo 4. The Presidential Palace in Astana (the Ak Orda)

grounds along with the Kazak language”; and “the state shall promote conditions for the study and development of the languages of the people of Kazakhstan”[10].

All this illustrates the active participation of the state in maintaining equality among the multinational population, protection of the rights of every citizen, regardless of race, religion or ethnic origin, as well as creating equal conditions for all individuals, at least de jure.

However, as Floor Eelbode noted [5], multicultural type of citizenship, where is simplified procedure for obtaining citizenship, and equal rights to vote, does not guarantee better representation of national minorities in the political sphere. It happens because “too multicultural countries are not good for the political representation of ethnic minorities. If ethnic minorities receive too many rights, it is possible that they will isolate themselves which makes political integration more difficult or which will increase the risk on conflicts [5].”

The political party

The last, but not least indicator of POS model is the political party. It should be noted at first that there is no consensus among scientists on the issue of ethnic parties. For example, Donald Horowitz has made a strong argument against ethnic parties by maintaining that ethnic parties tend to divide a divided society even further. As they often represent strictly group interests, they are unable to concern themselves with issues of national importance and their behavior is dangerous for the good government of the country [11].

The same opinion has Stephen Wolf, who has called for the de-ethnicization of politics and has argued that it could be mandated through the electoral systems and party legislation.

Kazakhstan is an example in which ethnic based parties are not allowed. According to Article 5 of the Kazakhstani Constitution, “formation and functioning of public associations pursuing the goals or actions directed toward ... inciting social, racial, national, religious, class and tribal enmity ... shall be prohibited. Activities of religious parties shall not be permitted in the Republic.” This position is also emphasized in the Law “On Political Parties of the Republic of Kazakhstan”, according to which the formation of political parties on the grounds of professional, racial, national, ethnic and religious affiliation of citizens is not allowed (Article 5 subparagraph 8) [12]. Moreover, according to this Law, in the name of a political party is also not allowed an indication of national, ethnic, religious, regional, community and gender characteristics (Article 7).

However, the political representation of different ethnic groups in Kazakhstan is carried out through the Assembly of People of Kazakhstan, which was established by the President in 1995. The main goal of the Assembly is to represent the interests of the country's various minorities. Besides this, as Nathan Paul Jones noticed, "Among the Assembly's tasks are the provision of minority representation in state and local government, the support of national cultural centers mandated to preserve and revive ethnic minority cultures, and the establishment of facilities and forums, such as cultural festivals and Houses of Friendship, for the exercise and performance of ethnic culture ([8] p.160)."

The Official Report of International Convention on the Elimination of all Forms of Racial Discrimination points out the main functions of the Assembly: revival and promotion of ethnic cultures, languages and traditions; it fosters national and ethnic patriotism; it strengthens inter-ethnic unity and harmony through the monitoring of ethnic relations, and it makes recommendations and proposals for State policy to develop friendly relations between the nationalities living in Kazakhstan [13].

In 2007 the Constitution had been amended, by virtue of which, the Assembly has the constitutional status. In addition, as it was already noted, nine deputies of the Majilis are elected by the Assembly. This system is intended to provide a more equitable ethnic distribution in Parliament and to empower ethnic minorities that may otherwise not have the ability to elect or nominate members of their ethnic group. Still, both houses remain predominantly Kazakh; only 10 of 47 senators are non-Kazakh, while only 24 of the 107 members of the Majilis are non-Kazakh ([2] p.7).

4. CONCLUSION

Therefore, it is evident, that there is a problem of underrepresentation of certain ethnic groups in Kazakhstan, but we can confidently say that the authorities are attempting to make conditions for representation of interests of different minority groups in the political sphere. The question is whether these conditions are enough for full, equal and effective representation of the rights of all ethnic groups in the republic.

It is also should be noted that the POS approach used in this paper affects only certain, though very important, aspects of this issue, in particular the political context in the country, which creates the conditions or, conversely, impediments to the political representation of ethnic groups. However, it is necessary to take into account other aspects that affect the representation of these groups in the country. Of what was said above, we conclude that de jure state created equal conditions for all citizens, but in practice it is not

always fully reflected. At the same time, we believe that the relatively short period of independence (only 20 years) affect the issue, and we hope that after a lapse of some time, Kazakhstan will be on a par in rights' representation with such democratic and multinational state like Canada, which took decades to achieve such level of democracy that it has now. The experience of Canada should serve as an example of minorities' representation not only for Kazakhstan, but for every multinational country.

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