

When and How Will Kazakhstan Become A Democracy?

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Thank you for the opportunity to appear before you today. I will now give you an oral summary of my written remarks, which I have submitted to become part of the record of this commission.

Kazakhstan's road to becoming a democratic society has certainly been laid with twists and turns, more slowly than necessary and with no shortage of temporary road-blocks along the way. When it will be completed is still not clear. Much depends on the will of the man who is the lead planner for its construction, who seems reluctant to define his task as completed.

All this is a rather indirect way of saying that it will be impossible to consider Kazakhstan to be a democratic society - even a fledgling democracy - until it has had a democratic transfer of power. Right now it is not clear when that will occur, or even if the proper institutions have been created to facilitate this in case there is an unexpected vacancy in the country's highest office, or to prepare for a successor to President Nazarbayev should he decide that power will be passed on during his lifetime.

The founding president of a state often finds it difficult to leave office, because for so long his person has been synonymous with power. He can claim that the country has achieved its successes due his visionary prowess, and create a nearly endless list of calamities averted through his wise rule. What will the country do without him?

Will President Nazarbayev Leave Office?

Certainly since Saparmurad Niyazov's unexpected death, something of a monologue along these lines must have been running through President Nursultan Nazarbayev's head. And my own guess is that President Nazarbayev has not yet made up his mind what to do, remaining torn between the two options.

It is clear from his public statements last year, when there was serious debate over whether Russian president Vladimir Putin would leave office as scheduled, that Nazarbayev does not believe that someone should leave office at the height of his powers, before his mission to transform or build a new state has been completed.

At the same time though Nazarbayev likes to think of the Kazakh nation as part of an Asian civilization, and that he is a wise Asian ruler. Part of that wisdom includes the recognition of "the ages of man." This tradition may encourage him to leave office at some time deemed appropriate, allowing him to stay behind the scenes and help guide his successor and the new generation that comes to power.

The other tradition that Nazarbayev comes from is that of the Communist Party of the Soviet Union, where leaders never handed over power voluntarily. However, Nazarbayev's decision to make an experienced, strong and relatively politically neutral figure like Kassymzhomart Tokayev president of the Senate does speak to his awareness that the country must be protected in the event of his sudden death.

Tokayev would preside over the country as an interim leader in the event of Nazarbayev's death or incapacitation in office. But there is no clear mechanism by which leading candidates could become identified, either to Tokayev or to President Nazarbayev himself should he decide to ever resign his office or decline to run again. The choice will be a personal one, among candidates who have thrust themselves forward to the sitting president.

Choosing the Next President

Much like has been the case in Russia the next president of Kazakhstan will be chosen in something closer to a popular referendum than a democratic style election. More than likely one candidate will get an official blessing, and run against much less popular or experienced political figures, making the election more of an anti-climax than the actual process by which potential leaders contest for public approval.

Right now there are no institutions that really serve as political training grounds. Political parties are weak, and that includes the presidential party, Nur Otan, as well as the opposition groupings. Nur Otan lacks a clear program, one that goes beyond the presidential policy pronouncements, and this is also true of most of the opposition parties, with the exception of the nationalists and communists. The opposition parties that were formed out of the elite rift in 2001-2002, Democratic Choice, Ak Zhol and its various successors, basically accept most of the precepts of the presidential party, that Kazakhstan must be a market economy with a democratic political system. What distinguishes most of the leaders from the president is their belief that they would do a better job, would democratize the political system more rapidly. They would be more forceful combatants against the corruption that is still rampant in daily life and still present, even if less pervasive, at the various levels of government.

Political Parties and the Legislature

The weakness of political parties reinforces the weakness of the legislature. As most political figures in Kazakhstan recognize, parliament should become a more professional body. This can be accomplished in part through having parliamentarians work with better trained staff, but ultimately requires their gaining experience through enhanced responsibility.

The current division of labor between parliament and the executive branch, and the decision to have the lower house (the majlis) elected solely through party lists is likely to make the process of gaining the necessary expertise a slow one. It is simply not enough to have the senior members of a political party decide who among their list of candidates would make the best parliamentarians. Moreover, since the candidates on party lists are offered in alphabetical order, the population has no say in which candidates are going to parliament, merely which party is free to choose among their candidates.

Even with the constitutional amendments of 2007, the legislature still remains a largely consultative body. Legislation is typically drafted in the government, and comes under

discussion and modification by the legislature. As long as this system prevails there will be little incentive for politicians to seek to make a career in the legislature, instead of as now, seeing it as a stepping stone to a career in business or in the executive branch.

The legislature has not yet reached the point where they are competent to originate legislation. Nor do they have an agenda that they submit to the government and the government's own legislative agenda is formed with only limited consultation with the legislature.

Local Government and the Judiciary

While the system of local government is being reformed to enhance political participation, this is not yet a realistic path to power for independent political figures interested in advancing careers through public support. Similarly it is still very difficult for local political figures to rise to the national stage, in any sort of career path that is bottom up rather than top down. Once again patronage rather than popular acclaim is the most dependable route.

Judicial reform is in much the same state as the reform of local government, which is part way towards the development of more democratic procedures. As with local government reform, there has been an on-again-off-again quality to the reform process.

What are the Incentives for Further Democratic Political Reforms?

The strongest incentive for further democratic reform in Kazakhstan is the desire of President Nazarbayev and his close political advisors for the country to be accorded international respectability.

Now that is not a simple task, for respectability means acceptance in the U.S., the EU and the industrially developed democratic societies of Asia. But it also means acceptance by strong neighbors like Russia and China, as a medium sized state that matters. For that, Kazakhstan must be seen as having evolved politically as its leaders choose and not having been "bullied" into transforming its political system into something "unnatural" for its history or location.

But even with Kazakhstan proceeding at what it sees as its own pace, there is, as I eluded above, the question of whether they fully understand what it would take to create a democratic society in Kazakhstan. Nor should we underestimate the complexity of the task.

Some of what is necessary is quite obvious, both to us and to them, all the things that are regularly highlighted in U.S. Department of State human rights reports, in OSCE observer missions and other documentation, in the various publications prepared by Freedom House. Where the Kazakh government disagrees is how fast these changes need to be made, and at what cost to other governmental priorities. But one thing that the Kazakh government realizes, that we often take less account of, is that these changes will

not guarantee a democratic outcome. They will increase public participation and they will level the political playing field, important goals in and of themselves. But they will not insure the development of a democratic polity or an articulate, competent and publicly supported alternative elite.

What are the Disincentives for Further Democratic Political Reform?

Many have said that now that the Kazakhs have been given the chairmanship of the OSCE for 2010 they will lack the incentive to introduce further political reforms.

I do not agree with this, largely because the current Kazakh leadership wants the chairmanship to serve as something of a showplace for the country. And a showplace is not just a dramatic new skyline, but also a political system that is clearly transforming itself into something more akin to "European norms."

This means that the Kazakhs are likely to continue to reform their political system, albeit not necessarily at a pace that we try and set for them. It is very likely that they will hold pre-term parliamentary elections, with some important modifications to the rules under which the 2007 majlis elections were held. Party thresholds seem certain to drop and their may well be guarantees introduced to insure that second, or even second and third place parties gain representation in the parliament (much like the current Russian system).

But political reform is only going to be one of the priorities of the Kazakh government, and right now, given the country's banking crises, and the pressures on agriculture as well as those living on fixed incomes to cope with rising food and energy prices it may well be that political reforms take something of a back seat to what the government views as more pressing concerns.

What levers do we have?

We would do well to recognize that we do not have many levers available to us to freely use in trying to get the Kazakhs to democratize their political system at the pace that we would view as desirable.

The Kazakh-U.S. relationship has changed a great deal over the last several years (as has the Kazakh-EU relationship), making Kazakhstan a much more important and much less junior partner than it was in its first decade of independence.

Kazakhstan's oil and gas wealth is only one factor in this change. For all President Nazarbayev's seemingly high-blown phrases about Kazakhstan being a bridge between Europe and Asia, the country does help bridge the value systems of the developed democracies with the communist or former communist worlds. The country is in a strategic position, has real regional weight, and has a sufficient diverse as well as wealthy economy to be a donor country in most senses of the term. This kind of country does not

take well to lecturing. This leaves us room for attempts at persuasion, but mostly the need to hope that they make the right choices on their own.