

THE PROCESS OF DEMOCRATIZATION AND  
HUMAN RIGHTS IN KAZAKSTAN

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## Chapter I

### INTRODUCTION

#### General

In 1993 the World Conference on Human Rights, meeting in Vienna, reaffirmed “the solemn commitment of all States to fulfill their obligations to promote universal respect for, and observance and protection of, all human rights and fundamental freedoms for all in accordance with the Charter of the United Nations, other instruments relating to human rights, and international law.”<sup>1</sup>

Consideration of human rights issues on the international level became necessary with the process of globalization of the world and change in the politics and the place of the nation-state. The previous division of liberal and socialist worlds brought a different understanding of the concept of human rights and their implementation. The destruction of the Soviet Union and a socialist system forced former socialist countries to integrate in the world community and to face problems which were already solved by democratic states. The liberalization of society and the transition to democracy became the most important question. The main concern is how difficult and harmful this transition will be for the population of those countries. Human rights issues allow us to view societies in transition, to analyze the present situation, and to give possible recommendations for the future.

#### Background

The problem of human rights is a very sensitive issue in international politics as well as in domestic politics. The interpretation of human rights practices in a particular

country may cause political changes within the state and in the international arena. Moreover, a satisfactory situation with human rights represents a country as an open society with a favorable climate for economic and political cooperation. The question of human rights and their violation was always one of the main issues in the relationship between the capitalist and socialist blocks. This problem has remained for the post-socialist countries such as Kazakhstan.

Kazakhstan announced its independence from the Soviet Union on December 16, 1991. The Republic continued the transition to a market economy and democracy started by perestroika (restructuring) in the Soviet Union not long before the collapse. The announcement of independence became a positive step in the political life of country but it brought a dramatic deterioration in socio-economic conditions such as a worsening of health, a destruction of infrastructure, a growth of unemployment and poverty, and an increase in social disintegration. At the present time Kazakhstani politics are determined by concentration on the economy and consider other issues as secondary questions. As a successor of the former Soviet Union and a new state in the world politics, Kazakhstan needs to be very attentive to human rights. This situation is complicated by the economic and social transition to democracy which has become the official policy of the government. This policy is ambivalent. From being a part of the developed Soviet Union, Kazakhstan has become a country with the features of both developed and developing states with the necessity to reevaluate the whole system, and to balance old and new principles of governing and protection of the population including human rights.

## Statement of the Problem

This study will examine the relationship between the transition to democracy and the relationship of socio-economic rights and basic human rights after the gaining of independence by Kazakhstan. The examination of an economic and a social indicators was based on the assumption that there is a correlation between changes in economic performance and socio-economic human rights. Also the study is concerned with the status of showing the dependency between the aggregation of economic resources and the enjoyment of human rights by the population.

## Purpose of the Study

The study tries to analyze relationship between transition to democracy and the human rights situation in the Republic of Kazakhstan.

The present work investigates the past and present economic and social situation in Kazakhstan first as a part of the Soviet Union and then as an independent country. The gaining of independence has had a huge impact on the development of the Republic but the question is, did it cause more positive or negative shifts in the society. Although it is common statement that transitional period has a temporary character, it is interesting to look at the relationship between the economy and living conditions as a prerequisite for economic human rights. The data and results obtained in this research can be used to make some recommendations on the development of human rights conditions in future and possible policy changes for their improvements.

## Methodology

The research method used in this study is an interrupted time series analysis. This method allows us to examine country in the long- and short-terms with special attention

to the time point which has significant meaning. In Kazakhstan's case, the announcement of independence in 1991 became a break point which determined the development of the Republic at the present time. The relationship between economic conditions and human rights will be considered later in this chapter. The research will be concerned with the understanding of the conditions of human rights in a transitional society with a socialist background and an authoritarian interpretation of the concept of human rights.

### Significance of the Study

The popularity of the human rights issue is widely-known: This problem has become part of daily life, ordinary people talk about human rights while they discuss international or local politics. More importantly, governments and states have started to pay attention to this question. The establishment of an international human rights regime, international law on human rights, strengthening of international human rights organizations, are not just part of the globalization of the world but also indicators of an interdependency of countries. Thus analysis of human rights situation in Kazakhstan is important for the world community. Also the research is important because it examines a country undergoing transition from a planning economy and authoritarian regime to a market economy and democracy. It deals with a new issue for Kazakhstan, protection of human rights, and a critical approach to economic conditions and a living conditions as a aspect of the preservation of human rights. The study also investigates a newly independent country on which there is limited data which has not been studied before. This study of human rights in Kazakhstan concentrates on the period after gaining of independence. This research is the first attempt to analyze the human rights situation in Kazakhstan before separation from the Soviet Union, and after becoming an independent country.

## Outline of the Thesis

The present work consists of Chapter I - introduction to the thesis with a statement of main problems and principle methods used in this research. Chapter II contains the literature review and theoretical framework: the studies that have been made of human rights world-wide. Chapter III examines methodology used in the study (description of the time series analysis, data collection, and statistical tests). Chapter IV discusses the findings and analyzes the data. Chapter V contains a summary of the conclusions, and recommendations which were obtained by this research.

## ENDNOTES

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<sup>1</sup> Robertson, A.H., Merrills, J.G., Human Rights in The World, Manchester University Press, Manchester and New York, 1996, 1.

## CHAPTER II

### LITERATURE REVIEW

#### HISTORY AND THEORY OF HUMAN RIGHTS

Human rights issues have become more and more universal. Hopefully, soon mankind will enter an era of universal standards and rules. In this situation it is not a new idea to think about future of humanity and its development. The Rights of Man are not a creation of the 20<sup>th</sup> century. They have a very long history. At first, human rights were considered as natural rights and natural law. These theories were developed in ancient Greece by the sophists, Aristotle, and especially by the stoics. In the Roman empire Cicero claimed that state law if it contradicts the natural law cannot be considered as a true law. In the Medieval period natural law was a part of the religious doctrine. The Enlightenment became the turning point in the development of the human rights concept. The post-scholastic theories explained that a nation is an origin and an ultimate power-holder which establishes the State on the conventionalist basis. In the introduction to "Understanding Human Rights" Morton E. Winston discusses several conceptions of human rights: conventionalist, prudentialist, deontological, utilitarian, and interdependent.

The conventionalist theory is built on the basis of a contract or an agreement. This theory was expounded by Hobbes, Locke, Milton, Spinoza, Kant, Fichte, and Rousseau. According to this concept people give some of their rights to the state and trust it to make decisions on behalf of the welfare of everybody. In exchange the state provides

protection for its subjects and their interests. In this case human rights exist in the spheres where this agreement was reached.<sup>1</sup>

In the prudentialist theory an individual becomes part of a convention because he/she wants to satisfy his own interests as much as possible.

In addition to the conventionalist theory, the deontological theory says that human rights are not built just on social agreement but that they also necessarily include human nature. This view belongs to Immanuel Kant who supported conventionalist theory.

The utilitarian theory was represented by John Stuart Mill who proposed “the greatest happiness for the greatest number of people over the long run” principle as the main principle of social life. Human rights “represent important, high-priority rules for regulating human behavior.”<sup>2</sup>

Interdependency theory says that there must be some “basic” rights which will be the foundation for the creation and an existence of following rights. These “basic” rights are rights to liberty, security, and well-being or in Henry Shue’s division: security rights, liberty rights, and subsistence rights. This theory will be used in the present work on a statement of human rights in Kazakhstan.

To think about human rights we need a definition for what are called the Rights of Man. Thomas Paine in his book *The Rights of Man* speaks of the consequences of the French Revolution. Paine says that every man has equal rights with others and these rights were given to him by the Maker of man. This statement extends not only to people who live at the same time in the same place but to different generations and geographic regions. These rights are natural, they are given to a person at birth born as a man, and this privilege was given by God to every child. The concept of “natural rights” in Paine’s

understanding has theological meaning, although “natural rights” also has a broader interpretation: it is not necessary to believe in God to believe in rights. Paine divides human rights into civil and natural rights, and civil rights originated from natural rights. Man establishes society to protect himself, and that is why he delegates his rights to the State which is, consequently, a creature of man. This is reflected in Paine’s definition of natural and civil rights:

“Natural rights are those which appertain to man in right of his existence. Of his kind all the intellectual rights, or rights of the mind, and also all those rights of acting as an individual for his own comfort and happiness, which are not injurious to the natural rights of others. Civil rights are those which appertain to man in right of his being a member of society.”<sup>3</sup>

People started to live in communities but they needed some mechanism which could react and establish new rules if existing conditions changed. This mechanism is government that has arisen from superstition, power, the common interests of society, and the common rights of man. According to sources, mentioned above there were governments of priestcraft, governments of conquerors, and governments of reason. Government needs some uniform principle which will be recognized by everybody. In the West this uniformity was given by Constitutions. On this matter Paine says that

“A Constitution is not a thing in name only, but in fact. It is not an ideal, but a real existence, and wherever it cannot be produced in a visible form, there is none. A Constitution is a thing antecedent to a government, and a government is only the creature of a Constitution. The Constitution of a country is not the act of its government, but of the people constituting a government.”<sup>4</sup>

If we try to make a scheme of Paine's understanding of human rights we get following: God - natural rights - civil rights - state - constitution - government. Although this understanding was very common for that time, it is still popular in modern political science, political philosophy, and other social sciences because of the western character of modern democracy. Thus, the political and economic development of European countries during the nineteenth century lead to the understanding that human rights must be guaranteed by governments and to constitutions as main sources of the existence of society.

Another aspect of human rights is the relationship between individual and the State. In his book *On Liberty: Man Vs. The State* Milton Mayer thinks about the problem of political liberty. In his consideration, an individual represents liberty, the state represents an authority. The dominance of either of these sides would explain a totalitarian or anarchic regime of the state. The best variant of the regime is a balancing between liberty and authority which is possible through democracy. The tradition of understanding the state as a "social organism" leads to a totalitarian regime. The organism consists of the parts which interact with each other according to functional sufficiency. Thus the state consists of individuals who are parts of the machine or system and cannot exist separately. Mayer as libertarian thinks that "The State is an association of organisms and not itself one."

The development the state is a very important problem. Rousseau thinks that the wills of individual persons come together and establish the "general will" which determines all social processes. This "general will" is nothing different from the State. Thus Rousseau announces the ultimate power of the State.

Mill speaks of the “great happiness” principle. In his opinion people must live according to the idea of the greatest happiness for the greatest number of persons. This principle implies that every person knows what is the best for him, and society should never interfere in his life. But at the same time, Mill says that only the case when society can use its power over somebody’s will is the prevention of harm to others, but this should be done by means of law. Thus the individual will is the most important element of society but it is bounded by the will of other people.

People have rights which are inalienable from them even if they don’t want to have them. Individual liberty is given to everybody and not by the state or its institutions. Individual liberty and human rights are the same thing, and they cannot be taken from anybody. The agreement to live in society demands some sacrifices from the individual. In particular, the individual as a member of society has duties and responsibilities. However, the individual is first a living being and the instinct of self-preservation is the primordial principle in his/her life. The person must overcome his/her nature in order to be a social being. This makes an individual the only source of his/her decision to be in society, to obey its rules, and to accept responsibilities. The state cannot interfere in this choice because all duties are nothing for someone if there is a danger to his/her life. The person is not just a life. Life is a biological function of the organism but a person includes spiritual, moral, and mental activities. Someone’s life must be untouched because it is existence of individual: a person can be destroyed but his life would continue; life’s destruction leads to the disappearance of a person. To live for the state is question of a commitment but not of suicide on behalf of the state. To live or to die for

the state is an inalienable choice or right of every person. Everybody has a choice to make and it depends not only on subjective feelings but also on objective causes.

All authors agree that the greatest value of any political doctrine must be the individual, and if this is so, then human rights must be accounted even if they can have negative effects. In more liberal and pluralistic political systems more people think about human rights even if they don't realize what human rights are. Everybody recognizes the right to live, the rights to liberty, property, security, and resistance to oppression, but this recognition seems more theoretical than practical. In the collision with reality human rights are sacrificed to political or ideological interests. The person feels the uselessness of his existence, and this feeling is possible only in social life. The individual is a "social animal", and that is why the one of the main human rights is the necessity of the individual for somebody but first of all for himself. Human beings cannot live alone and cannot live without some meaning to his/her life and an understanding of the necessity of existence. Human rights are inalienable from the individual. This statement sounds more like a declaration because in reality the state's interests are always superior, as we can see later in the Marxist understanding of human rights.

## ENDNOTES

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<sup>1</sup> Winston Morton E., The Philosophy of Human Rights, Wadsworth, Inc., Belmont, California, 1989, 24.

<sup>2</sup> Ibid.

<sup>3</sup> Paine, Thomas, The Rights of Man, Anchor Press/Doubleday, Garden City, New York, 1973, 305.

<sup>4</sup> Ibid, 309.

## UNDERSTANDING OF HUMAN RIGHTS IN MARXISM

To understand the present political and social situation in Kazakhstan it is necessary to analyze the doctrines which shaped Kazakstani society. Kazakhstan inherited the state structure and ideology of the Soviet Union is now trying to overcome these ideas and to build an absolutely new form of the state for its society.

The main sources for the formation of the socialist and Soviet ideology were works of Hegel, Marx, Engels, and later, Lenin and Stalin.

Hegel had the biggest impact on Marxism. He states that laws of Nature and laws of right are different because the first are objective; they exist without someone's will or knowledge about them, and the later are the creation of people and can be changed. Thus not nature but people create the state and need it for mutual survival. As Arpad Kadarkay says:

"The State, Hegel urges, is not formed by a grant of certain arbitrarily selected powers from the individual, but by taking up into itself a whole spectrum of individual life. It is Hegel's insistence on the impossibility of a purely individual morality draining the state of all vitality, moral and intellectual, that we recognize as his chief contribution to political thought."<sup>1</sup> In the Hegelian state everybody lives for the interests of all, the whole society. This idea of superiority of community interests over individual became the main point in Marxism.

Marx believed that the proletariat would win the class struggle with the bourgeoisie, and that this victory would bring changes in the world-order and, consequently, in the existing tradition of natural law. The establishment of a communist society would lead to

communal harmony, and thus there would not be a need for the existence of human rights. Marx himself said following:

“Thus none of the so-called rights of man go beyond egoistic man, as he is in civil society, namely the individual withdrawn behind his private interests and whims and separated from the community.”<sup>2</sup>

According to Marx, the dominating class establishes its own law and such law is a toy in the hands of rulers. It leads to the assumption that law is created by the social conditions of man and his role in the state. Lenin, developing the concept of the socialist society, concluded that the state and law are not different concepts but different sides of one phenomena, namely “class dominance.”<sup>3</sup>

The socialist state is based on public property and people’s interests, so it becomes everyone’s state and, consequently, nobody can have any rights against the state. The State’s role as a defender of citizens’ rights gives impression of an absolute sovereignty of the State and its rejection of any kind of control over it. Such kind of understanding of the State and its position brought arguments between democratic and socialist countries on questions of the cooperation of countries and the UN’s role, especially, in the field of human rights. The protection of human rights for long time was considered as a problem for domestic jurisdictions. UN bodies “have no right to make concrete recommendations on specific measures to be taken to implement particular human rights and freedoms. The elaboration and implementation of such measures is the internal affair of states. International control over the activity of states in securing human rights and freedoms must be exercised with strict observance of their sovereignty and non-interference in their internal affairs.”<sup>4</sup>

The Soviet Union had built its legal and political system on Lenin's statement and law was considered as the ruler of society, not the protector of a person's rights. It established the unity of Soviet people and their total obedience to the state. It is possible to discuss culture, style of life, psychology and other elements of social life in order to explain this phenomenon, but let us look at the last Soviet Constitution. This document is interesting because at that time, the Soviet Union announced the establishment of a basic socialism and, consequently, at that point society had been established as a unity of people with the same culture, ideology, psychology, and other indicators of unified country. Also it meant that there was no way back to capitalism for society. The 1977 Constitution established rights and duties of citizens, with a stress on the responsibilities of the person to the state. The Soviet society of that period was strictly hierarchical and considered social freedom as a source of disorder, and with a complete ignorance of human rights. The goals of development were defined and implemented by the Communist Party as a leading power of society, but in reality as the ruling elite of Soviet society. Naturally, the main interest of the Constitution was defining the role and place of the State. All social and political rights in that document presumed that the goals of society always came before someone's individual rights and interests. Thus the Constitution didn't execute its power as a main source of legal protection of the individual. It became a means for deceiving the population by proclaiming rights and freedoms while in reality protecting the interests of a ruling elite.

Consideration of this interpretation of the concept of human rights helps to illuminate current political processes in Kazakhstan.

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<sup>1</sup> Kadarkay, Arpad, Human Rights in American and Russian Political Thought, University Press of America, Washington, 1982, 67.

<sup>2</sup> Marx, Karl, Selected Writings, ed. David McLellan, Oxford University Press, New York, 1977, 238.

<sup>3</sup> Kadarkay, Arpad, 74.

<sup>4</sup> Robertson, A.H., Merrills, J.G., Human Rights in The World, Manchester University Press, Manchester, New York, 1996, 11.

## CITIZENSHIP AND HUMAN RIGHTS (LEGITIMACY AND NATIONAL IDENTITY)

The modern world is characterized by changing government functions: Now there are not just the protection of borders and domestic affairs but a “contribution to the material security of the subjects or the members of society.”<sup>1</sup> The recognition and enforcement of human rights has become a very important issue in the understanding of the legitimacy of political systems, especially in democratic societies. If Kazakhstan wants to build a democratic regime, it needs to take into account all the processes of established democracies, but the Republic also has its own specific problems.

Kazakhstan became a part of the Soviet Union in 1921 and together with other republics started to build a socialist state. But this process had a special character in Kazakhstan. The nomadic style of life, constant external threat and the joining of the Russian empire lead to a situation where Kazakhstan and some other countries did not develop a national identity and statehood. The Great October Revolution of 1917, with its ideas of equality and freedom, revived the intentions of Kazakh people to establish their own state but this process was disturbed by the creation of the Soviet Union and the later proclamation that some Soviet peoples had jumped from feudalism directly to socialism. Despite positive factors such as the reduction of illiteracy, settlement, and the introduction of modern technologies, that “jump” did not resolve but rather hid many problems which Kazakhstan is facing now.

Thus the process of transition to democracy is painful because the collapse of the Soviet system also brought the destruction of a system of values and principles which had existed for a long time. In Soviet society the dominance of the state was unquestionable,

and personal interests always were valuable only in correlation with state interests.

Donnelly thinks that “communist regimes are entirely consistent with international human rights norms.”<sup>2</sup> Communist societies have the state as the central social institution, these societies are big and multiethnic, and they have a complex industrial division of labor. One must be part of community, or in other words: “No conflicts can exist between the individual and the state.”<sup>3</sup> The principle of equality is reduced to social sameness; one citizen is indistinguishable from another. This means that communism produces a distinctive sort of homogenized, deindividualized person for whom ethnic homogeneity is replaced by class homogenization. During the Soviet period problems of ethnic relations and oppression of minority groups were treated for the most part as economic issues. A solution to the class struggle would result in social harmony. It would build the “moral and political unity” of the Soviet people.

Now Kazakhstan needs to create a new foundation for its development as an independent country. The new basis must be established on a recognition of the individual as a holder of sovereignty who willingly identifies him/herself with an environment of political, ethnic, religious and other groups and levels. This willing self-identification provides a reason for a peoples’ consolidation, and so the state becomes a representative and a guarantor of a free person’s sovereignty. Thus what people in newly independent countries are facing now is a change from being a resident of state to being a citizen of state, with an understanding of their civil rights and freedoms.

A human rights regime leads to the understanding of the place of the nation-state in the world economy and international politics. It also raises a question about the importance of the institution of citizenship. From the perspective of political philosophy

and constitutional law, citizenship is normally defined as a package of rights and duties relating to an individual as a member of a political community.<sup>4</sup> Bryan S. Turner gives his definition of citizenship: "Citizenship may be defined as that set of practices (juridical, political, economic and cultural) which define a person as a competent member of society, and which as a consequence shape the flow of resources to persons and social groups."<sup>5</sup>

The problem of citizenship is very important for Kazakhstan because this country is multi-ethnic, with the native people in a minority. As the President of Kazakhstan - Nursultan Nazarbayev - said in Aqmola at the 4<sup>th</sup> session of Kazakstani Peoples Assembly on June 6, 1997:

"Formation of new Kazakstani citizenship becomes one of the most important political problems affecting foundations of our statehood. We seek political and civil agreement and the Kazakstani people must become commonality of citizens from different nationalities but not a new ethnic commonality."<sup>6</sup>

It supposes changes from the totalitarian society to a civil society and at the same time changes in the process of self-identification.

Kazakhstan is looking for new priorities and directions for development. This search is in all spheres of social life. It includes the establishment of new values, the preservation and development of traditional culture, finding of a new kind of social behavior. The self-identification of society must be built on principles which were previously destroyed or have not developed yet. There are different opinions about the foundations for building those principles: some consider universal and moral values, others think about corporate values in socio-economical, political, ethnic and other

spheres of social life. What is common for these approaches is that they can help to create solidarity of citizens as a social value. There is an internal need of Kazakstani society to preserve its unity in the new socio-historical situation beyond that value.

Besides the creation of a system of values there is another very important aspect of the formation of civil society. It is the correlation between civil and ethnic identifications. Some Kazakstani political scientists think that ethnic self-identification must be the foundation of civil and state identification. Strengthening the national identity consists of supporting the intensification of civil identity as strategically important for a cultural, scientific, technological, and civilized ascent of society. Because a sufficient force of several factors of national identity caused the establishment of independent statehood, it is possible to say that national (ethnic) identity is a basis for civil and state identity. The weakness of the first one leads to the weakness of citizenship and patriotism.<sup>7</sup> I believe although ethnic identity is a very important factor, it is just one of the components which forms civil identity.

In newly independent countries contradictions between civil and national self-consciousness (self-identity) sometimes lead to the absolutization of one or another side. The locking of patriotism to national consciousness provides national limitations as a sort of superstitious relationship in different aspects of social life. The exaggeration of civil consciousness might bring a negative attitude toward a national culture and support of anti-sovereign politics which is finally aimed against the foundations of citizenship and patriotism. This kind of attitude is called cosmopolitanism. The basis for cosmopolitanism is a market economy, as the only and uncontrolled method of social self-regulation.

In order for that kind of attitude not to prevail, state cultural policy should be based on the principle of a balance between cultural and socio-economic development; the resolution of economic and cultural problems is particularly important in the present situation in Kazakhstan where culture can become an efficient mechanism for an ethnic renaissance and prevention of inter-ethnic conflicts.<sup>8</sup>

Civil self-identity in modern times is when a person recognizes himself/herself as an equal partner with the authority and the state. Democracy as a form of peoples' will becomes a foundation of "citizen-state" relations. These relations determine the establishment of civil society and civil self-identification by its members. As equal partners Authority and Citizen have equal responsibility under the Law. Thus the human rights issue is a question about the relationship between the state and its citizens. States have placed human rights on the international political agenda and created the mechanism for their preservation. At the same time, if the defense of human rights touches the state's interests, the state will retreat from the established institution. It is possible to say that the current status of human rights is the acceptance by states of the normative meaning of rights, but denial of the universal solutions. That means that a human rights regime has a more declarative character than is really practical. This may be an answer to the question of why only weak procedures for human rights preservation were adopted, or in Kazakhstan's case, why only one convention on human rights was joined by Kazakhstan.

Analysis of the situation in Kazakhstan shows that there are some elements and structures of civil society in economic, political, and cultural spheres, such as a multi-party system, different forms of property, and so on. These elements are not developed yet, but are in a primary stage of their establishment. The second level of civil society

allows evaluation and measurement of the quality and sufficiency of the functioning of different institutions in civil society, and their relations with each other and the state. It gives us an opportunity to receive a full understanding of the level of the development of political democracy, which can be measured through the Cartrate index.

The third level is the most interesting because it is aimed at evaluation of a civil positions of individuals and social groups. The formation of a personal level of interaction is very important in Kazakhstan. Kazakhstan needs the creation of a democratic mechanism with institutions, functions and so on, to support and protect the rights and freedoms of each citizen as a basis for the establishment of citizenship. Human rights are a reflection of law itself, i.e. they are essential conditions of civil and political being.

The process of developing a new set of policies to achieve a common national identity is further complicated by international human rights norms. The modern concept of human rights transcends national boundaries and in some instances may contradict dominant local cultural norms. The goal of the dominant culture is self-preservation, and the state is an instrument for that goal. The goal of the international human rights movement is to establish and maintain a universal standard of human rights. The pursuit of this goal may sometimes be interpreted as a threat to local cultural norms. "Human rights" appears to be more universal (because they articulated by many nations through the United Nations charters), more contemporary (because they are not tied to the nation-state) and more progressive (because they are not related to the management of people by state).

In Turner's opinion it is possible to conceptualize human rights solidarity as a historical stage beyond citizenship-solidarity. Whereas citizenship as a doctrine has been

a progressive feature of Western societies in terms of the universalistic values underpinning the welfare state, human rights concepts can be seen as a progressive paradigm which is relevant to a world system. The point about the concept of human rights is that they are extragovernmental and have traditionally been used to counteract the repressive actions of states. By contrast, citizenship has been more frequently associated with state-building and the state legitimacy.<sup>9</sup>

Strengthening of the principles of civil society necessarily raises questions of national identity as a foundation for the consolidation of a society. At this stage a state faces two contradictions: (1) between nation-state and globalization of the world, and as a consequence, (2) between the human rights regime and culture. The nation-state tries to keep itself in territorial boundaries, but it is involved in a process of global cooperation, perhaps even against its will. Attempts of the nation-state to achieve national identity are complicated by inter-state collaboration. For Kazakhstan, with its multi-ethnic character, the establishment of a national identity is expressed through the formation of citizenship, and in this case citizenship is consistent with state interests.

Local cultures also face the pressure of internationalization. The human rights regime is the most obvious example. It is built on universal principles which are supposed to be superior to national interests. But the concept of human rights in its present form is also an extension of the Western tradition. The ideas, implementations, and enforcement of human rights may sometimes contradict nation-state interests or local cultural norms. These contradictions may change the development of Kazakstani policies, execution of its laws and cultural norms. In contrast with countries which have had a history of statehood and previously established citizenship and national identity, in Kazakhstan the building of

these institutions is a new issue. This process needs careful consideration and implementation in accordance with consensus between the interests of the nation-state, its culture and international norms.

## ENDNOTES

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<sup>1</sup> Arat, Zehra F., "Can Democracy Survive: Where There is a Gap Between Political and Economic Rights?" Human Rights: Theory and Measurement, The Macmillan Press Ltd., London, 1988, 229.

<sup>2</sup> Donnelly, 1989, 77

<sup>3</sup> Wieruszewski, 1988, 29.

<sup>4</sup> Citizenship and Social Theory, (editor) Turner, Bryan S., SAGE Publications, London- Newbury Park-New Delhi, 1993, p.x.

<sup>5</sup> Ibid., 2.

<sup>6</sup> Nazarbayev, N., Historical Memory, National Agreement, and Democratic Reforms: Civil Choice of Kazakhstan, Kazakstanskaya pravda, June 7<sup>th</sup>, 1997.

<sup>7</sup> Evaluation of The Level of Civil Self-Identification by Population of The Republic of Kazakhstan, Almaty, 1996, 24.

<sup>8</sup> United Nations Development Programme, Republic of Kazakhstan: Human Development Report, Almaty, 1997, 57-58.

<sup>9</sup> Citizenship and Social Theory, (editor) Turner, Bryan S., SAGE Publications, London- Newbury Park-New Delhi, 1993, 178.

## THEORETICAL FRAMEWORK

The idea of human rights as we know it now in its expression and implementation are consequences of the development of western political and philosophical thought. The issue of human rights became important in western societies. Those countries started to be interested in Rights of Man after they established democratic regimes on the basis of market economies. These countries went from authoritarian societies as monarchies or oligarchies to the democratic regimes. The former Soviet Union faces this problem now. Analysis of human rights may help to explain the general political changes. In the current literature there are a lot of discussions about different kinds of human rights as political, civil, and socio-economic rights and their aspects. But the right to live is named as the most essential human right. There were different attempts to explain human rights in general, and in particular countries through cultural, philosophical, scientific views. To explain it through statistical means is also the one of possibilities.

Statistical indicators used include the number of prisoners of conscience, the use of torture, and the death penalty (Amnesty International), performance on civil and political rights (Freedom House) or William Safran's proposal for measuring civil liberties in democracies.<sup>1</sup> These indicators were applied universally. What is necessary is a reliable indicator for the analysis of human rights conditions in a particular country.

Since 1990 the United Nations Development Program started to publish *Human Development Report*. The first UNDP Human Development Report drew attention to the fact that material and financial well-being is not the most important, but still a significant factor of human life. It is important to provide all people in a given country and all over

the world with conditions favorable for a long, healthy, and creative life. The 1991 Report analyzes human development in the different countries and establishes interrelations between freedom and development: "overall, there seems to be a high correlation between human development and human freedom."<sup>2</sup> Countries that rank high on the freedom index also rank higher on the economic development scale. Political freedom unleashes the creative energy of people what leads to higher levels of income and progress. In sum, "to thrive, democracy requires growth; and to grow, economies need democracy."<sup>3</sup>

Human Development Report uses a new measure of socio-economic progress, the human development index (HDI), which measures the levels of three equally weighted primary opportunities for developing human potential: a long and healthy life (life expectancy), access to knowledge (educational level of the adult population), and gross domestic product (GDP) per capita with income as a part of GDP. The Human Development Index is a very strong indicator for considering relationship between transition to democracy and a protection of human rights, particularly the right to life and living standards as its measurable factor. One of the problems with this index that it exists only since 1990, which is a very short period for solid political analysis.

Other indicators that could be used are the percentage of change in the annual gross national product (GNP) and percentage of increase in GNP per capita. These indexes are the most common measures of economic rights but they also have their shortages. GNP assumes a market economy; it places no value on work done within the family household and thus seriously understates the money value of economic activity within developing societies. GNP is a mechanistic formula because dividing GNP by total population gives

the mean income which tells nothing about the pattern of income distribution in the society. Using GNP as an indicator also recalls the "stage theory" of W.W. Rostow who distinguished several stages in the development of mankind: "traditional society" (period until the end of feudalism); period of the "transitional society" (transition to the pre-monopolistic capitalism); period of the "shift" (approximately, development from pre-monopolistic to monopolistic capitalism); period of "maturity" (industrial society) and era of "high level of public consumption", the ideal variant of which is Anglo-American example. As indicators for definition of these "stages of growth" Rostow uses the level of industrial and technological development, economy and science in general, and, especially, the share of aggregated capital in gross national product.<sup>4</sup> The stages theory concentrates on economic factors and ignores political changes in a society.

Another existing index, which is called "the Physical Quality of Life" index, was provided by economists Morris David Morris and Florizelle B. Liser of the Overseas Development Council (ODC). These scholars tried to avoid an index that was culture-bounded or which automatically assumed that less developed nations must continuously pass through Western "stages of growth" model.<sup>5</sup> The ODC researches sought to create an index that measured actual results (i.e., life-outcomes rather than resource-inputs) and which was sensitive to the distribution of benefits within a given population. For these reasons, Morris and Liser selected three elements - infant mortality, life expectancy at age one, and literacy - and combined them into a single "Physical Quality of Life Index" (PQLI). This index has opponents as Stanley J. Heginbotham, an international relations specialist at the Library of Congress. He argues that PQLI may be challenged on both methodological and substantive grounds. Methodologically, the index violates the social

science criteria in a scale construction, primarily by combining dissimilar elements into what is presented as an unidimensional composite measure (i.e., literacy is a sociopolitical result and the other two components are public health measures) and by arbitrarily assuming the equal weight of the three components making up the index. This index can be challenged on substantive ground because "it places excessive emphasis on public health, it ignores the benefits of an advanced society - mass media, transportation, quality of housing and clothing are examples - and it overemphasizes distributive values."<sup>6</sup> However, for the present PQLI is one of the best available indicator because it allows to consider countries without systematic statistical data. The HDIndex was created on the basis of PQLI and applied to all countries, especially to developing states with poor availability of data.

Some comments on the means of monitoring of human rights status worldwide:

1. There is still does not exist single socially acceptable scheme (conceptually strong and quantitatively reliable) for analysis of human rights status worldwide.
2. Today it is almost universal assumption that analysis of human rights progress and violations can be made only on the level of the nation-state.

As we can see there is still place for exploration in the question of the analysis of human rights practices in a different countries. Attempts to find the most reliable and acceptable indicator continue and that is why I would like to use some common and some new indicators.

The contemporary meaning of human rights is defined through international agreements between countries involved in a process of globalization. Specifically, speaking of contemporary human rights, we refer to rights embodied in the United

Nations' Universal Declaration of Human Rights and its subsequent covenants, and include civil, political, and socio-economic rights. As was argued in the *Declaration of Independence* of the United States of America, "all men... are endowed by their creator with certain inalienable rights; that among these rights are life, liberty, and the pursuit of happiness."<sup>7</sup> Later to these basic civil rights were added political rights as a participation in the life of society and a right to self-determination. Political rights became a foundation for the establishment of democratic regimes in the Western countries, which included in their systems so called economic or social rights such as subsistence, health care and education. The development of the concept of human rights was not so consistent in non-western societies, especially in a newly independent countries like former Soviet republics.

Nancy Spalding in her research *Democracy and Economic Rights in the Third World* tries to analyze the correlation between democracy and human rights, particularly, economic human rights. She considers 141 Third World countries excluding on theoretical grounds the industrialized market and non-market economies, and the high income oil exporting countries. Using the PQLI index Nancy Spalding analyzes the effects of democracy on the provisions of economic human rights.<sup>8</sup>

The purpose of my work is to examine the situation with transition to democracy and human rights in Kazakhstan. Because of its previous planned economy and inclusions in the Soviet Union, Kazakhstan was not studied. Also the transition to democracy in Kazakhstan has a totally different character from that of a developing country of the Third World. Kazakhstan is an industrialized country with a highly developed level of heavy industry and established political and economic systems. The transition to democracy is

based on a reformation of the existing systems. This raises problems in the development of Kazakhstan as a democratic country because sometimes reforms and policies are aimed not at the liberalization of society but at the strengthening of the ruling elite. To reach the goal of the research I would like to examine economic human rights because they include the right to at least some minimal level of subsistence.<sup>9</sup> That means that economic rights are basic rights which make all other rights possible.

Protection and improvement of the human rights situation is an important issue for any country, especially if that country claims to be democratic. According to Marshall, social and economic rights are rights ranging from "the right to a modicum of economic welfare and security to the right to share to the full in the social heritage and to live the life of a civilized being according to the standards prevailing in the society."<sup>10</sup> This minimal range can be defined as needs for food, shelter, clothing, health, and at least basic education as primary factors for a human existence. If a person has those conditions, he/she can participate in social life and contribute to society.

The participation of an individual in social life leads us to the question of what is democracy. In ancient Greece democracy meant 'power of people' or self-government. According to Mayo, democracy is a system "in which public policies are made, on a majority basis, by representatives subject to effective popular control at periodic elections which are conducted on the principle of political equality and under the conditions of political freedom."<sup>11</sup> As we can see the meaning of democracy has changed because the modern understanding of democracy includes problems of citizenship and a public control through representatives. For the Soviet Union the question of enjoying of rights

and political participation was determined by belonging to the Communist Party and sharing its ideology, not by being a citizen.

Consideration of the relationship between democracy and economic rights or the well-being of a person shows that an increase of democracy brings improvement in the living standards although it is a long and difficult process. Marx said that economy determines politics and we could see it in the first stages of social development: enjoyment of basic economic rights leads to the rise of political activity and establishment of the state. But the changing character of society alters the relationship between politics and economics: political actions cause shifts in economy. Perestroika (restructuring) may be used as an example. The ruling elite started reforms in a political sphere such as democratization and glasnost'; which uncovered economic problems and lead to change in all spheres of life. Thus if economic conditions are linked with the well-being of a person, so politics must also be related.

Only several concepts being studied are suitable for measurement. Economic ability of society will be measured by two variables: GDP and income per capita. GDP represents the aggregate wealth or productivity of country; income per capita shows the share of every member of society in the wealth of the state and the possibility for an individual to provide necessary conditions for the enjoyment of a basic needs. These basic needs will be represented by health factors such as rates of birth, death, and infant mortality. The study will be consisted of an interrupted time series analysis with Kazakhstan's Announcement of Independence in 1991 as a break point. The study will be concerned with whether or not transition to democracy and a market economy increase government financial resources, and if it allows more enjoyment of human rights by the

population. Such a question allows an assessment of the present situation in Kazakhstan and some predictions about the development of the human rights situation.

## ENDNOTES

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<sup>1</sup> Scarritt, James R., "Definitions, Dimensions, Data, and Designs," Global Human Rights: Public Policies, Comparative Measures, and NGO Strategies, Westview Press, Inc., Boulder, Colorado, 1981, 116.

<sup>2</sup> United Nations Development Programme, Human Development Report, 1991, 2.

<sup>3</sup> Bauzon, Kenneth E., "Development Studies: Contending Approaches and Research Trends," Development and Democratization in the Third World: Myths, Hopes, and Realities, Crane Russak, Taylor and Francis Group, Washington, Philadelphia, London, 1992, 117.

<sup>4</sup> Rostow, W.W., The Stages of Economic Growth. A Non-Communist Manifesto, Cambridge, 1960, 2.

<sup>5</sup> Scoble, Harry M., Wiseberg, Laurie S., "Problem of Comparative Research on Human Rights," Global Human Rights: Public Policies, Comparative Measures, and NGO Strategies, Westview Press, Boulder, Colorado, 1981, 165.

<sup>6</sup> Ibid.

<sup>7</sup> Spalding, Nancy, "Democracy and Economic Human Rights in the Third World," Human Rights: Theory and Measurement, The Macmillan Press Ltd., London, 1988, 174.

<sup>8</sup> Ibid, 173-189.

<sup>9</sup> Donnelly, Jack, The Concept of Human Rights, London, Croom Helm, 1985.

<sup>10</sup> Marshall, T.H., Class, Citizenship and Social Development, Garden City, NY:Doubleday, 1964, 72.

<sup>11</sup> Mayo, H.B., An Introduction to Democratic Theory, Oxford University Press, New York, 1960, 70.

## CHAPTER III

### METHODOLOGY

#### Background

There are several assumptions that represent three general themes for the explanation of the variation exhibited in human rights conditions in different countries.

1. Human rights must have some lawful basis if governments are expected to uphold and respect these rights.
2. Some mechanism of redress must be available by the government if the interference with the enjoyment of rights is experienced.
3. The availability of economic resources enhances the government's ability to protect and provide for human rights.<sup>1</sup>

The first proposition is a traditional understanding of a relationship between government and human rights conditions in a particular country. Generally, it suggests that human rights are more available if the government recognizes and commits to them. The analysis of this understanding is possible through the consideration of national constitutions as Supreme Laws of the counties and the place that human rights take in them. Such an examination provides information on the official commitment to the preservation of human rights and the potential to enjoy them as much as possible according to national policy. The second assumption deals with forms of government decision making and an independent judiciary as an essential condition for the respect and protection of human rights under the law.<sup>2</sup> The last assumption gives an economic explanation of human rights. In theory, this understanding suggests that government with

more economic resources correlate with greater potential for human rights. It rests on the assumption that enforcement of the human rights regime depends on good will and a positive obligation of the government, and it is easier to have this good will if government has resources which it can make available for the population to enjoy human rights to a greater degree.<sup>3</sup> Resource endowment gives the government an opportunity to make an impact in social, economic, cultural and other spheres which directly or indirectly determine someone's life and may improve or deteriorate his or her existence. Or, in Nancy Spalding words: "However high priority can be given to economic human rights, little can be done in their support without the financial and institutional prerequisites of social action."<sup>4</sup>

The main interest of this study is concentrated on the final proposition. To examine this problem, indicators of economic consideration were developed and correlated with an evaluation of the human rights conditions in Kazakhstan. The transition to democracy provides liberalization of the political and social life. It also tests the government's ability to provide for human rights through the assessment of national government financial resources and their association with the enjoyment of human rights. The study suggests that these factors may increase the potential for enjoyment of human rights. Thus the study will be concerned with whether or not transition to democracy and market economy increase a government's financial resources and if it creates potential for human rights and their enjoyment by the population.

## Research Method

The method used in this study is a multiple regression, particularly, an interrupted time series analysis. "Multiple regression is a statistical procedure designed to incorporate more than one independent variable."<sup>5</sup> This study involves three independent variables: time, gross domestic product, and income per capita which we suppose to establish a correlation with dependent variables such as rates of birth and death, and infant mortality as an indicators of a social conditions and a living standards in Kazakstan. An interrupted time series analysis is a technique which evaluates programs and policy when appropriate data are available. This method is used in order to examine the impact of the gaining of independence by Republic on December 16, 1991 and with that date as the break point for this research. Because an interrupted time series analysis uses a multiple regression, the technique is very flexible and gives opportunity to estimate the short-term and long-term impacts.

## Time Frame

The main interest of the study concentrates on the period after December 16, 1991 and on the present situation in the Republic of Kazakstan. However, the period prior to the announcement of independence must be considered because it provides information on Kazakstan as a part of the Soviet Union before the democratic transition started and allows us to analyze changes in the country after becoming an independent state. Thus the period covered in the study is from 1980 to 1996 with December 16, 1991 as a date of the formation of independent Kazakstan.

## Research Design

In order to examine what kind of an impact the transition to democracy makes on socio-economical human rights in Kazakhstan after its gaining of independence I will use an interrupted time series analysis. Specifically, the study will be concerned with whether or not transition to democracy and market economy increase a government financial resources and if it brings more enjoyment of human rights by the population. The rates of infant mortality, birth and death are dependent variables which represent the situation with basic economic human rights. The economic variables measure money, or some other tangible factor, and so it is easy to use them in a statistical research. The gross domestic product (GDP) as a representation of the aggregate wealth and income per capita as a share of every member of society in this aggregate wealth are used as an independent variables. They show the accumulation of economic resources by the government and the population. These indicators were selected because their consideration allows to establish a statistical relationship between economic changes and social conditions of the country. Also, these indicators represent the most obvious changes in a society which can be examined without complicated techniques and theories. The analysis covers years 1980 to 1996. The rates of the infant mortality, birth and death were declining before Kazakhstan became an independent country. To show these general trends, a trend variable (V9) was included that was coded as 1 for 1980 and increases by 1 each year after that. For each dependent variables were created two new independent variables: one for a short-term effect, coded 1 after the announcement of independence (December 16, 1991) and coded 0 before that event (V7); and one for a long-term effect, coded 0 before independence and coded as a counter variable afterward (V8).<sup>6</sup> The rest

of variable were coded as following: year - (V1), GDP - (V2), income per capita - (V3), rate of birth - (V4), rate of death - (V5), rate of the infant mortality - (V6).

### Data Collection

The data used in the present research (table 1) were obtained from a different sources such as International Monetary Fund publications, World Bank tables, Central Intelligence Agency's Factbooks, United Nations Development Program Reports, particularly, Reports on Kazakhstan, Union Bank of Switzerland estimates, Asian Development Bank and Kazakstani government statistical agencies.

**Table 1. Changes in social and economic indicators in the Republic of Kazakstan<sup>7</sup>**

Year	GDP, billion US dollars	Income per capita, US dollars	Rate of birth, per 1000 people	Rate of death, per 1000 people	Rate of the infant mortality, per 1000 infants
1980	48.64	n/a	23.9	8.0	32.7
1981	50.16	n/a	24.3	8.0	n/a
1982	52.54	n/a	24.3	7.8	n/a
1983	55.93	n/a	24.3	8.0	n/a
1984	57.80	n/a	25.4	8.2	n/a
1985	56.61	2300.0	25.1	8.0	30.1
1986	59.83	2232.2	25.6	7.4	n/a
1987	64.07	2322.0	25.7	7.6	n/a
1988	66.44	2535.6	24.8	7.8	n/a
1989	63.30	2818.6	23.0	7.6	n/a
1990	78.64	3296.5	21.7	7.7	26.4
1991	0.69	30.9	21.0	8.0	27.4
1992	5.47	147.4	19.9	8.1	26.2
1993	7.35	158.3	18.6	9.2	28.4
1994	11.76	199.9	18.2	9.5	27.3
1995	16.72	309.1	16.6	10.2	27.2
1996	21.13	295.5	16.4	11.0	27.2

The biggest problem in conducting this research was finding data for period from 1980 to 1992. This difficulty occurred because Kazakstan was a part of the Soviet Union

and statistical data were available for a particular republics only in a few areas. The information on general indicators such as rates of mortality or birth were given for the whole Soviet Union without divisions into republics.

Another problem is that some indicators were not counted as, for example, the unemployment rate. This factor is a very strong indicator for the correlation between economy and social conditions of a country. But because of the official statement that there is no unemployment in the Soviet Union such data are unavailable.

Another problem is related to the problem of financial policy. During six years of independence Kazakhstan was twice forced to change its money. The first time the Republic did it as a part of the Soviet Union when the central government introduced "new" rubles. The second time, Kazakhstan established a national currency - tenge.

All these factors influenced data collection and measurement. The exchange rates for rubles and tenge used for the convertibility of GDP and income per capita in US dollars are presented in the Table 2.

**Table 2. Exchange rates<sup>8</sup> for the ruble and tenge in Kazakhstan**

year	US\$	national currency	
		rubles	tenge
before 1991	\$1	0.59	
1991	\$1	117	
1992	\$1	222	
1993	\$1	930	4
1994	\$1		36
1995	\$1		61
1996	\$1		67

## ENDNOTES

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<sup>1</sup> Pritchard, Kathleen, "Comparative Human Rights: Promise and Practice," Human Rights: Theory and Measurement, The Macmillan Press Ltd., London, 1988, 139.

<sup>2</sup> Ibid, 142.

<sup>3</sup> Ibid, 142.

<sup>4</sup> Spalding, Nancy, "Democracy and Economic Human Rights in the Third World," Human Rights: Theory and Measurement, The Macmillan Press Ltd., London, 1988, 176.

<sup>5</sup> Meyer, J.M., Brudney, J.L., Applied Statistics for Public Administration, Wadsworth Publishing Company, Belmont, California, 1993, 349.

<sup>6</sup> Ibid, 387-388.

<sup>7</sup> Data from Asian Development Bank, Kazakhstan Goskomstat and Goskom RK on Statistics and Analysis. Data on GDP and income were given in rubles and tenge. Because analysis can be made only with a uniformed index, the national currencies were transformed into US dollars according to exchange rates for that time. Income per capita was found through dividing of national income on amount of population on each year.

<sup>8</sup> Kazakhstan Goskomstat data.

## CHAPTER IV

### FINDINGS

#### General

The main question of this study was whether or not transition to democracy and market economy increases government financial resources and if it provides more potential enjoyment of human rights to the population. There are some observations on the present development of Kazakhstan as an independent country and possible ways to improve the situation with human rights.

Since Kazakhstan is trying to build a civil society with legislative, executive, and judicial systems, elections are supposed to be the main political event in social life. However, sociological polls show that almost half of the Kazakstani population (49.1%) believes that they cannot influence the life of society through elections. This skeptical attitude also applies to the legislature. A significant number of people (22.1%) said that they did not care about dissolution of the Supreme Soviet by the President in 1995. Three months after the dismissal, 37% of respondents still did not know about that event. For a majority of the population (68.1%) the motivation for participation in elections of the Supreme Soviet was the understanding that they were required to participate in those elections. This understanding is not residue of the past, but a reflection of authoritarian elements in the mechanism of the republican representative bodies. For example, the Constitution supposes that the President can appoint deputies of the Supreme Soviet. This statement is appropriate for subjects of a state, but it is not acceptable for the establishment of civil self-identification through electoral behavior.

The first article of the Constitution of the Republic of Kazakhstan defines basic values and principles of the existence of an independent Kazakhstan:

1. The Republic of Kazakhstan proclaims itself a democratic, secular, legal and social state whose highest values are an individual, his life, rights and freedoms.
2. The fundamental principles of the activity of the Republic are public concord and political stability, economic development for the benefit of all the nation; Kazakhstan patriotism and resolution of the most important issues of the affairs of state by democratic methods including voting at an all-nation referendum or in the Parliament.

As we can see, Kazakhstan recognizes human rights as the highest value. Further consideration shows that only basic rights are recognized and they are still under state control. It is possible to say that the current status of human rights is the acceptance by states of the normative meaning of rights, but denial of the universal solutions. This means that the human rights regime has more declarative character than really practical. This notion provides an answer on the question why only the weakest procedures for human rights preservation were adopted or, in Kazakhstan's case, why only one convention on human rights was joined by Kazakhstan.

Analysis shows that the political system of Kazakhstan is a conglomerate of elements of an authoritarian-bureaucratic state and a developing civil society. According to the Giller Institute, 41.3% of population consider Kazakhstan as a democratic country and 35.7% think the opposite. As we can see, the difference is not great and it is because the majority of people do not know the principles and foundations of the democratic state. The appearance of a yellow press, and the weakness of government and law enforcement

are considered as characteristics of democracy and leave a negative impression on society. That is why 40% of respondents said that they would approve of a strong leader that puts restrictions on democratic freedoms and rights, and 34% said that they support a dictatorship.<sup>1</sup> A survey made by the Institute for Development shows that 60% of population would support a harsher political regime. Thus human rights, civil freedoms, and judicial state are not main values for a significant part of Kazakstani society. People need basic conditions for life such as economic and personal security, medical help, and education. In this situation democratic values become secondary and not of primary importance.

In the mass consciousness there is no understanding of legislative support for personal activity and self-independence as the basis for a legal order. However, the process of the establishment of a democratic society in Kazakstan exists. Evaluation of this is possible through the Catrate index which evaluates legislative and executive branches. A country which has two or more political parties in Parliament with the minority party having at least 30% of seats and a Head of an executive body elected by open voting is the country with the highest level democratic development. In a coding system each parameter has one point. The country with the highest level must get 3 points according to this index. According to this scale executive power in Kazakstan receives only 0.5 points because the Head of executive branch is appointed by the President and the rights of Parliament (Mazhilis and Senate) on this issue are very limited.<sup>2</sup>

This is very important for Kazakstan. Although there are some attempts to deal with this problem. For example, on a seminar on human measurement in Central Asia (April

1994), the former Minister of Foreign Affairs for Kazakhstan said that it is impossible to expect from a 2-3 year old child the same behavior as we expect from an adult. He referred to Kazakhstan as a new country which needs to go through stages of development which have already been passed by other developed countries, and then come to issue of human rights. Two years later (November 12, 1996) in a seminar on problems of international humanitarian law and the institute for preservation of human rights, it was said that in the present situation Kazakhstan can not make obligations on enforcement of all international norms in the human rights area. In addition, it was said that Kazakhstan did not join any of 9 international conventions constituting Bill of Human rights. Russia ratified 6 conventions, Belarus and Ukraine - 5, Georgia and Uzbekistan - 4, Kyrgyzstan and Armenia - 3, Kazakhstan - none.<sup>3</sup> According to the Amnesty International Report, Kazakhstan became a member of the United Nations in 1992 and the only UN treaty on human rights to which Kazakhstan has acceded is the Convention on the Rights of the Child.

Until the republic joins other UN treaties on human rights, it remains legally bound as a successor state of the former Soviet Union to those international human rights treaties to which the USSR was a party.<sup>4</sup> Nobody will expect Kazakhstan to participate in international actions on the preservation of human rights, but their protection and enforcement on the territory of the country is a necessary element for the building of a democratic society. The statement that the transition to democracy leaves human rights aside is correct for the present situation, but it does not mean that situation cannot be changed, especially when it contradicts the long-term interests of society. For example, it was said that Kazakhstan needs to establish a civil identity, but available sociological data

show a different situation. In survey made by the Center of social research of the Institute for Development on the question "Are you a citizen of the Republic of Kazakhstan?" 88.2% of participants answered "yes," but on the question "Do you feel yourself as a citizen of Kazakhstan?" only 11% said "yes." Here again we see a contradiction between being a subject and being a citizen of the state. On the question "Can you say that state defends your rights as a citizen of the Republic of Kazakhstan?" the difference on the negative side was 13% higher than on the positive.

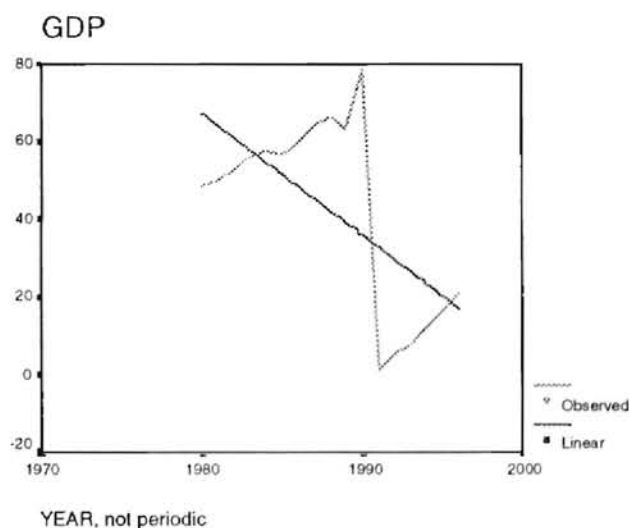
For Kazakhstan, with its multi-ethnic character, the establishment of a national identity is expressed through the formation of citizenship, and in this case citizenship is consistent with state interests. The local cultures are also under the pressure of internationalization. The human rights regime is the most obvious example. It is built on universal principles which are supposed to be superior to national interests. But also the human rights regime in its present form is an extension of the Western tradition. The ideas, implementations, and enforcement of the human rights regime may sometimes contradict the nation-state interests or local cultural norms. These contradictions will change with the development of Kazakhstani policies, execution of laws and cultural norms. In contrast with countries which had history of statehood and already established institutes of citizenship and national identity, for Kazakhstan the building of these institutes is a new issue. This process needs careful consideration and implementation in accordance with a consensus between interests of the nation-state, its culture and international norms.

## Methodology

An interrupted time series analysis made it possible to examine the development of social and economic processes in Kazakhstan before and after the Republic gained its independence. The first concern was whether or not the announcement of independence brought negative changes in economic and social life of the country and what kind of shifts Kazakhstan may expect in the future.

After running the multiple regression it is possible to discuss changes in economic and social indicators over time. For gross domestic product the following equation was used:  $Y=4512.89+238.7V9-7490.19V7+162.33V8$  (chart 1).

**Chart 1. Change of GDP over time (1980-1996)**

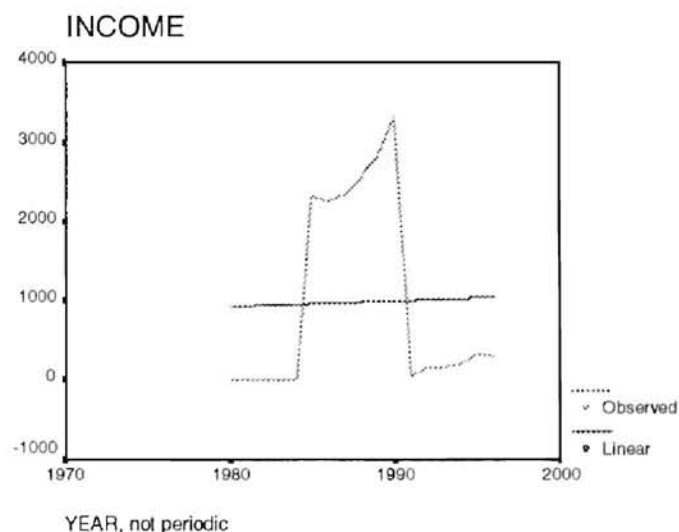


This equation means that gross domestic product was increasing by 238.7 million dollars per year before the announcement of independence ( $t=8.85$ )\*<sup>1</sup> With the announcement of independence in 1991, GDP immediately decreased by 7490.19 million dollars ( $t=-24.32$ )\*<sup>2</sup> After the announcement of independence, the GDP has increased by 162.33 million dollars per year ( $t=2.23$ )\*<sup>3</sup> The R square says that there is a 99% percent

dependency between the announcement of independence and GDP changes. The gaining of independence determined allocation of all newly independent countries and it brought destruction in previously existed economic links within the Soviet Union . Kazakstan established economic relations with a new partners and revived previous links what can explain increase in GDP in long-term development.

For income per capita it is possible to say that this indicator was increasing by 3839.99 per year before Kazakstan became an independent country. Such growth was not enough because the intercept has negative value (chart 2).

**Chart 2. Change of income per capita over time (1980-1996)**



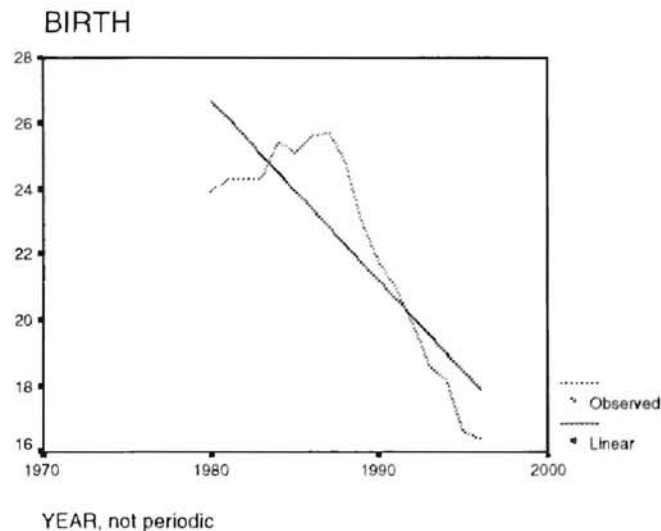
With the announcement of independence subsequent per capita income was decreasing. The equation for this relationship is  $Y = -8944.58 + 3839.99V_9 - 33243.28V_7 - 3311.51V_8$ . There is also 89% dependency between the gaining of independence and changes in income per capita. Possible reasons for such kind of results can be explained by the previous economic and political situation in Kazakstan. According to Human Development Report, between 1975 and 1985 Kazakstan had the lowest rates of growth

<sup>1</sup> \* - probability < .01; \*\* - probability < .05

of national income and labor productivity of all republics of the USSR. The annual growth rate of industrial production decreased from 9.3% to 3.5% and that of national income fell from 10.1% to 1.3%. The inflexible planning system had become a drag on the development of both the economy and the society. Between 1991 and 1993 national income decreased by 26%, putting it at the same level as 1976. GDP fell by 28% and industrial output also declined by 28% during that period.<sup>5</sup>

The social indicators also were influenced by the changes in the political situation. The rate of birth,  $Y = 250.11 - 1.06V9 - 20.61V7 - 8.45V8$  (chart 3), was decreasing by 1.06 per year ( $t = -1.09$ ) before the announcement of the independence. This can be explained by an increase of the educational level, and changes in the traditional family and life style. But the declaration of independence significantly deteriorated this situation.

**Chart 3. Change of the rate of birth over time (1980-1996)**

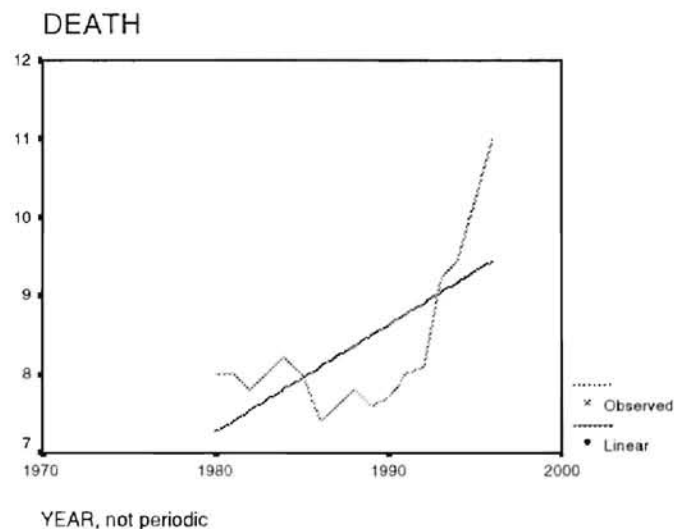


With the announcement of independence the rate of birth declined by 20.61 ( $t = 3.22$ )\*\* and after by 8.45 each year ( $t = -(1.86)$ ). Also the dependency between independence and rate of birth is equal at 92%. Such unfavorable dynamics has been a

reaction to the constantly deteriorating socio-economic situation in the country, an impossibility to predict a political processes and the uncertain future.

The rate of mortality is the most objective and important index of the condition of the country. In this examination rate of death is shown by following equation:  $Y=80.84-0.43V9-4.40V7+6.60V8$ , which means that the rate of mortality was declining by 0.43 before the announcement of independence ( $t=-2.14$ ) and by 4.40 right after the gaining of independence ( $t=-1.93$ ) but increases after 1991 by 6.60 ( $t=12.25$ )\*\* These results are shown in chart 4.

**Chart 4. Change of the rate of death over time (1980-1996)**

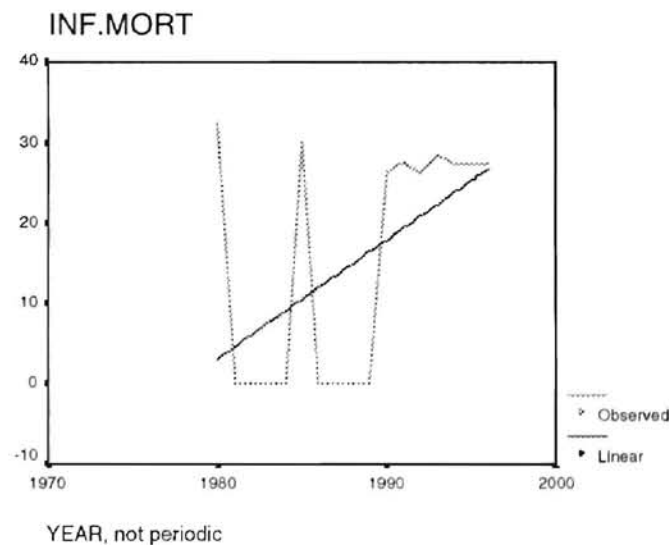


The continuous decline in this index right after proclaiming independence can be explained by government policies to support the population in the early stages of the transition, personal financial resources, and the traditional statuo of family. This rate has been strongly influenced by the increase in diseases, in alcohol consumption, environmental problems, shortages of housing and other reasons, caused by the worsening of economic and living standards. The R square for the mortality rate is 0.97,

which means that there is a very strong correlation between the process of independent development and rate of death.

Another very important indicator for the analysis of the living standards is the rate of the infant mortality. The equation for this index is  $Y=98.27-2.86V9+205.16V7+3.12 V8$ . The infant mortality was declining by 2.86 per year before 1991 ( $t=-0.25$ ) and it rapidly grew to 205.16 with the announcement of independence ( $t= 1.54$ ). Infant mortality continues to increase by 3.12 per year since 1991 ( $t= 0.1$ ). The correlation coefficient for this indicator is 0.43 which is not so high due to the factors considered earlier.

**Chart 5. Change of the rate of the infant mortality over time (1980-1996)**



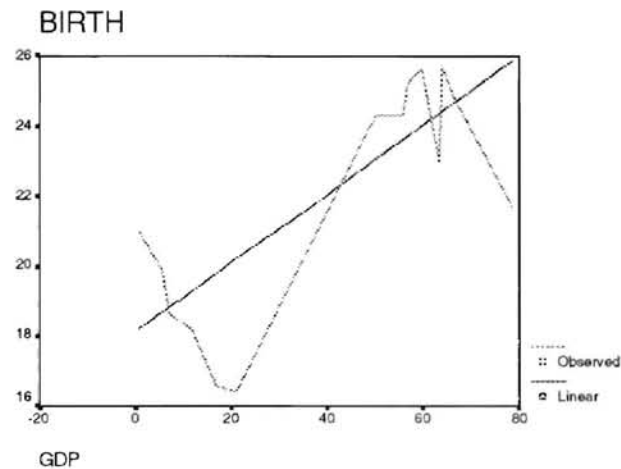
Additionally, it is possible that the availability of the data was limited for Kazkstan before the collapse of the Soviet Union (chart 5). The reasons for the birth and death rates are applicable for the explanation of the situation with the index of the infant mortality.

I considered the economic and social indicators used in this study over time. All of these indexes have a very strong correlation with the process of the gaining and the

development of independence in Kazakstani society. The next step is an examination of the correlation between social and economic indicators.

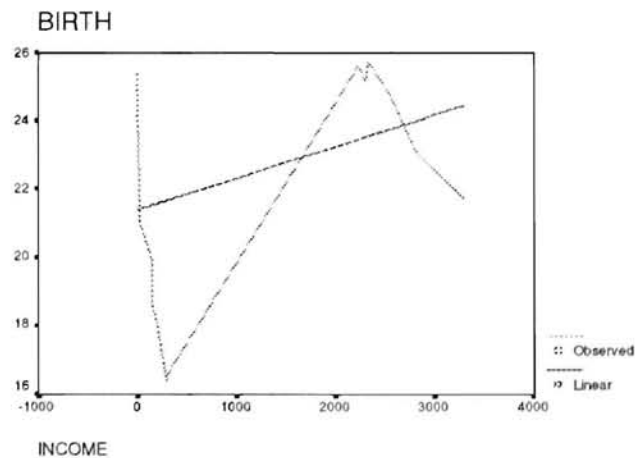
**Chart 6. Correlation between rate of birth and GDP**

Dependent	Mth	Rsq	d.f.	F	Sigf
BIRTH	LIN	.599	15	22.37	.000



**Chart 7. Correlation between rate of birth and income per capita**

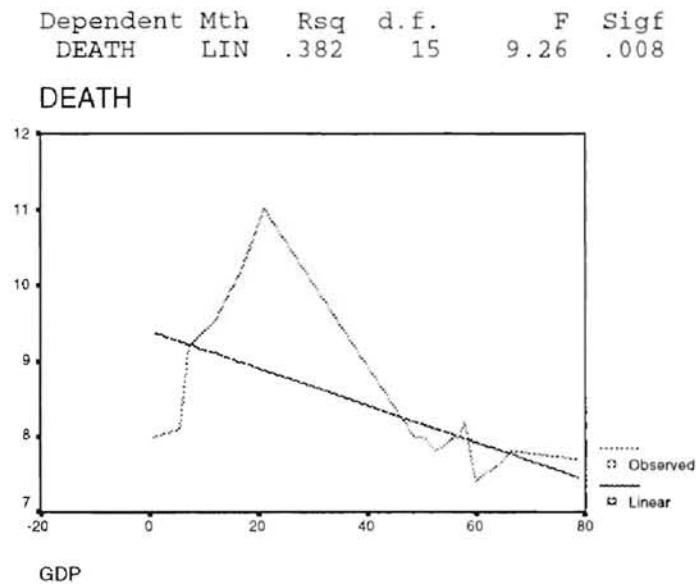
Dependent	Mth	Rsq	d.f.	F	Sigf
BIRTH	LIN	.128	15	2.20	.159



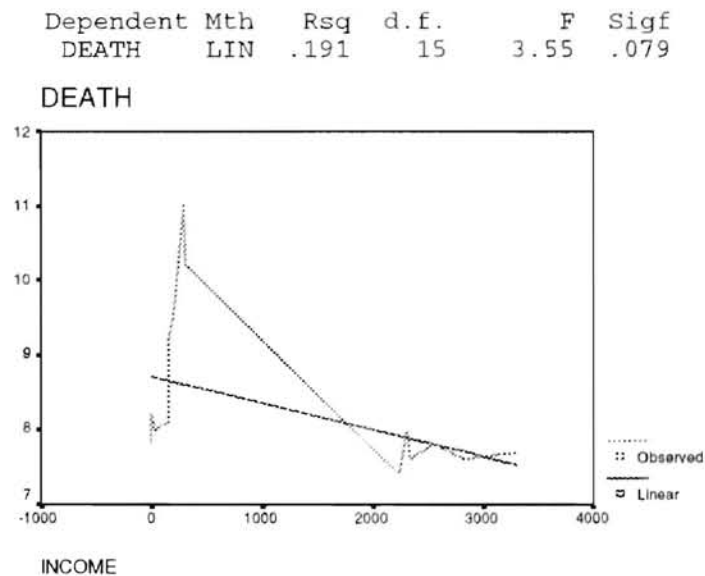
In considering the relationship between rates of birth, gross domestic product and income per capita we see that an increase in these economic indicators leads to an increase in the rate of birth. However, income per capita explains only 13% of the birth rate while GDP explains 60% (charts 6,7).

Mortality rate decreases with an increase of GDP and income per capita which explain 38% (GDP) and 19% (income per capita) in this rate (charts 8,9).

**Chart 8. Correlation between rate of death and GDP**



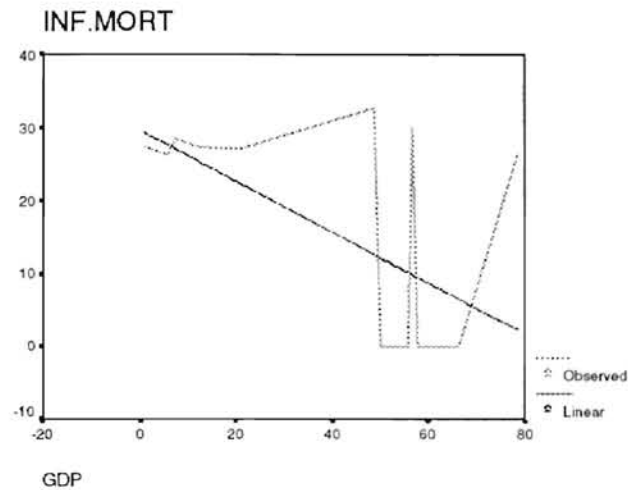
**Chart 9. Correlation between rate of death and income per capita**



The rate of infant mortality also declines with the growth of GDP and income per capita and the dependency between these indicators is close to the rate of death: GDP explains 37% and income per capita - 4% of the infant mortality rate (charts 10,11).

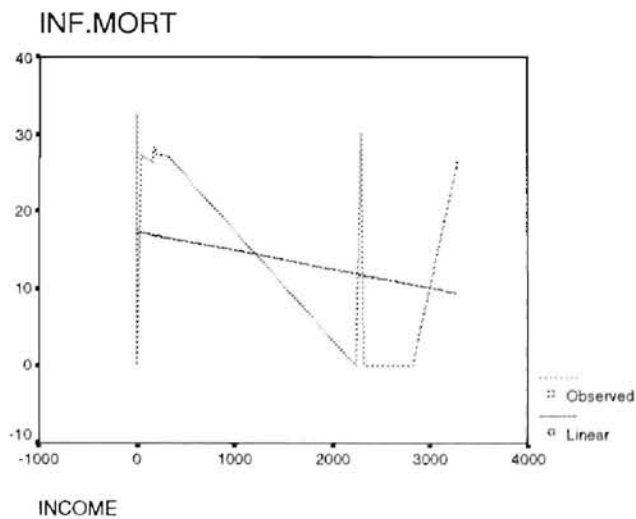
**Chart 10. Correlation between rate of the infant mortality and GDP**

Dependent	Mth	Rsq	d.f.	F	Sigf
INF.MORT	LIN	.367	15	8.70	.010



**Chart 11. Correlation between rate of the infant mortality and income per capita**

Dependent	Mth	Rsq	d.f.	F	Sigf
INF.MORT	LIN	.043	15	.68	.423



This weak relationship between income per capita and social indicators can be explained by the meaning of the economic indicators. GDP shows an aggregated wealth of the whole society while income per capita is just a share of members of the society in this aggregated wealth. GDP is defined as the product which was produced and represented in money. Income is part of produced product provided for the expenses of

the population. Thus if GDP has real value, income of the population has established value and it is in relation to the social indicators and is a secondary transformation.

The data and method of analysis do not attempt to give a full representation of the full range of processes and changes in Kazakstani society. But they provide general trends in the understanding and perhaps the forecasting of possible paths to development in Kazakstan.

## ENDNOTES

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<sup>1</sup> Evaluation of the Level of Civil Self-Identification by Population of the Republic of Kazakhstan, Almaty, 1996, 29.

<sup>2</sup> Ibid, 30.

<sup>3</sup> Panorama, newspaper, November 15<sup>th</sup>, 1996.

<sup>4</sup> Amnesty International, Amnesty International's Recommendations to the Government of Kazakhstan, 1995.  
[<http://193.128.6.150/amnesty/reports/kazakstan/4.html>]

<sup>5</sup> United Nations Development Programme, Human Development Report. Kazakhstan, Almaty, 1996.

## CHAPTER V

### SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

#### General

This chapter is a summary of methods and an interpretation of findings based on a results of the time series analysis of the correlation between economic and social indicators in the Republic of Kazakhstan. These factors represent democratic development and implementation of the human rights regime in the country. Additionally, recommendations for further research will be suggested.

#### Summary

This study examines whether or not a transition to democracy and market economy will increase government financial resources and increase potential enjoyment of human rights by the population. Five indicators were selected for this research: gross domestic product, income per capita, rates of birth, death, and infant mortality. The research method used for this study was an interrupted time series analysis which allows for the review of the situation in the country in both long- and short-term.

The research examines GDP and income per capita as economic indicators of the aggregation of wealth by the population and the state, rates of mortality, and birth rate as a social indicators representing the right to at least some minimal level of subsistence and an enjoyment of a basic human rights. The examination of economic and social indicators was determined by the assumption that possibly there is a significant statistical correlation between changes in economy and socio-economic human rights.

## Findings

Raw data alone appear to support the hypothesis which predicted that there is a significant correlation between aggregation of economic resources and enjoyment of human rights. This correlation has a positive character: an increase of economic sources brings an improvement in the situation with human rights. The statistical test found that there is a causal relationship between economic and social indicators, although it is not as significant as expected. The gross domestic product has a stronger influence on social indicators than income per capita because it shows aggregated wealth while income is a part of GDP and it depends much more on political and economic situation. Results show that an increase in GDP and income bring an improvement in the demographic and social conditions: rates of birth increases and mortality rates decrease.

All indicators are strongly related to political changes over time. The announcement of independence in 1991 became a striking point as much for the economy as it was for the social life of the country.

The purpose of the study was to define the trend in the relationship between economy and living standards as a representation of socio-economic rights. As was mentioned before Nancy Spalding considers economic human rights as a minimal level of economic welfare and subsistence, as well as the opportunity to participate in society. The economic welfare, subsistence and access to participation in social life are nothing other than living standards. Thus living standards and socio-economic human rights interrelated to such a large degree that these notions can be interchangeable. The present study did not intend to provide exact data and percentage for the situation with human

rights in Kazakhstan but to examine possible ways to improve conditions in Kazakhstan and, consequently, improve the human rights situation.

### Conclusions

The research suggests that aggregation of economic resources by country can create a potential for the improvement of the living standards and enjoyment of human rights by the population in a greater degree. This assertion is based on a general trend, shown by the test, due to the availability of data and reliability of the indicators. However, the assertion about an existing correlation between economic sources and human rights demonstrates the possibility for government to improve the situation with human rights through the implementation of policies to increase gross domestic product and income in the country.

These kinds of policies will improve the demographic situation and living standards in Kazakhstan. Achievement of GDP growth and income is possible through solving the unemployment problem, acceptance of the strategy for the transitional period, establishment of constitutional and legislative guarantees for human rights, and the increase of production and reduction of inflation.

### RECOMMENDATIONS

The study allows for some policy recommendations. These recommendations come not just from statistical tests but also from the literature contained in this thesis. The process of democratization in Kazakhstan will be faster than in Western countries because Republic considers the Western model as the most acceptable for the country in present conditions of multi-ethnicity, various religious orientations, and different political

preferences. Democratic states have already provided an example of established democracies and their will to help other countries in their transition, especially through economic aid, is a very important factor. The process of democratization in Kazakhstan will develop in a similar way as how it did in the West, with some particularities such as recognition of authority to a greater degree and political participation of the population to a lesser degree. The acceptance of Western model is determined by historical, cultural, economic and political factors.

Kazakhstan depends on the help of democratic countries in almost all spheres of its life and tries to avoid a totalitarian path of development. The transition to democracy depends on the eagerness of the ruling elite to take steps toward democracy and enforce a human rights regime.

Another critical aspect for the transition in Kazakhstan is the readiness of the population to accept a new ideas and standards. All these considerations lead to the necessity of the development of government policies toward the improvement of economic situation and at the same time make progress toward human rights. The research showed there is a relationship between the state of the economy and enjoyment of human rights. It also showed that there other factors that influence the situation with human rights. The exclusive concentration on the economy leaves politics and culture aside, which would necessarily lead to contradictions and social conflicts.

To avoid conflicts Kazakhstan needs to make several steps in the process of democratization such as (1) the development of political system: an establishment of the multi-party system and an enforcement of the democratic institutions; (2) foundation of a market economy on the institute of property, particularly private property; (3) creation of

the middle class, (4) and strengthening of the power of the Parliament instead of the bureaucracy. The 1995 Constitution needs a lot of work in order to become the Constitution of a democratic country and to represent the main authority of the state.

This thesis shows that there is the need for further research on the situation between human rights and economic development in regards to international and local politics. The consideration of human rights in Kazakhstan can be continued as a comparison with other countries of the former Soviet Union or with developed and developing states. It would allow an analysis of the velocity of democratic development and discovery of policies for further transition.

#### Concluding Comment

This thesis is an attempt to understand the relationship between a transition to democracy and the situation with human rights in Kazakhstan. The study investigated how the aggregation of economic resources influences the enjoyment of human rights. It shows that the economy plays a very important role in this issue but it is not the main issue. The situation with human rights must be examined as a matrix of economic, political, cultural and other factors. The study raises a question of limitations of the available data and reliable indicators, and suggests further consideration of this issue. Also the present work provides a general trend in the relationship between transition to democracy and human rights situation in Kazakhstan. This study is a good start in understanding of human rights issues and in search for a possible solutions to improve the situation with human rights.

## SELECTED BIBLIOGRAPHY

- Amnesty International. *Amnesty International's Recommendations to the Government of Kazakhstan*. 1995.  
[<http://193.128.6.150/amnesty/reports/kazakhstan/4.html>]
- Arat, Zehra F. "Can Democracy Survive: Where There is a Gap Between Political and Economic Rights?" *Human Rights: Theory and Measurement*. The Macmillan Press Ltd., London, 1988.
- Asian Development Bank, Kazakhstan  
[<http://internotes.asiandevbank.org/notes/kaz1/KAZNACT.htm>]
- Citizenship and Social Theory*. (editor) Turner, Bryan S. SAGE Publications, London-Newbury Park-New Delhi, 1993.
- Donnelly, Jack. *The Concept of Human Rights*. London, Croom Helm, 1985.
- Evaluation of the level of civil self-identification by population of the Republic of Kazakhstan*. Almaty, 1996.
- Kadarkay, Arpad. *Human Rights in American and Russian Political Thought*. University Press of America, Washington, 1982.
- Nazarbayev, Nursultan. *Historical memory, national agreement, and democratic reforms: civil choice of Kazakhstan*. *Kazakstanskaya pravda*, June 7<sup>th</sup>, 1997.
- Marshall, T.H. *Class, Citizenship and Social Development*. Garden City, NY: Doubleday, 1964.
- Marx, Karl. *Selected Writings*. ed. David McLellan. Oxford University Press, 1977.
- Mayo, H.B. *An Introduction to Democratic Theory*. Oxford University Press, New York, 1960.
- Meyer, J.M., Brudney, J.L. *Applied Statistics for Public Administration*. Wadsworth Publishing Company, Belmont, California, 1993.
- Paine, Thomas. *The Rights of Man*. Anchor Press/Doubleday, Garden City, NY, 1973.
- Panorama*, newspaper, November 15<sup>th</sup>, 1996.

- Pritchard, Kathleen. "Comparative Human Rights: Promise and Practice." *Human Rights: Theory and Measurement*. The Macmillan Press Ltd., London, 1988.
- Robertson, A.H., Merrills, J.G. *Human Rights in The World*. Manchester University Press, Manchester and New York, 1996.
- Scarritt, James R.. "Definitions, Dimensions, Data, and Designs." *Global Human Rights: Public Policies, Comparative Measures, and NGO Strategies*. Westview Press, Inc., Boulder, Colorado, 1981.
- Spalding, Nancy. "Democracy and Economic Human Rights in the Third World." *Human Rights: Theory and Measurement*. The Macmillan Press Ltd., London, 1988.
- United Nations Development Programme. *Human Development Report*. 1991.
- United Nations Development Programme. *Republic of Kazakhstan: Human Development Report*. Almaty, 1997.
- U.S. Department of State. *Kazakhstan Human Rights Practices*. 1995.  
[<http://www.usis.usemb.se/human/human96/kazaksta.htm>]
- Winston, Morton E. *The Philosophy of Human Rights*. Wadsworth, Inc., Belmont, California, 1989.

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