

Legal Regulation in the Sphere of Interethnic Relations in Kazakhstan

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Abstract

The paper is devoted to the analysis of the role played by the Assembly of the People of Kazakhstan which is an institution which activities are aimed at implementing state national policy of Kazakhstan, ensuring social and political stability in the republic and enhancing the effectiveness of interaction between state and civil society institutions in the sphere of interethnic relations. The paper highlights the issues on formation and development of the Assembly of the People of Kazakhstan which has now become the most effective mechanism for maintaining the balance between various ethnic interests and strengthening public harmony.

Keywords: Interfaith relations; Assembly of the People of Kazakhstan; Ethnic group; Doctrine.



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1. Introduction

The Constitution of the Republic of Kazakhstan guarantees the legal equality of all citizens regardless of their ethnic, religious and social set-up.

The Assembly of the People of Kazakhstan is an institution which activities are aimed at implementing the state national policy, ensuring social and political stability in the republic and enhancing the effectiveness of interaction between state and civil society institutions in the sphere of inter-ethnic relations. Combining human destinies, chronicle history, immense cultural heritage and native languages it creates the common unifying values of all nations and religions living in Kazakh land. The Assembly of the People of Kazakhstan is making a great contribution to the transformation of the country into a peaceful and friendly community.

From historical times, the main issue of any state is the issue of achieving peaceful interrelations between various ethnic and social groups of society and also interstate agreements. It is known that social harmony in a democratic country can be achieved only by considering the interests of all its constituent groups, coordinating all social and ethnic varieties into one single whole. With such a goal, at the initiative of the First President of the country N.A. Nazarbayev, Assembly of the People of Kazakhstan has been established on March 1, 1995, and further it became a qualitatively new level of suprapolitical institution for national representation and, accordingly, its ideological, scientific, educational and educational functions are significantly increased.

The Kazakhstan model of interethnic tolerance and public consent has become a recognizable brand of Kazakhstan and a unique platform for an intercultural dialogue. With the participation of public institutions in the country, a common view has been formed on modernization of the basic values of society, and a solid foundation for the unity of peoples was established.

Now, unity and consent in the Assembly of the People of Kazakhstan have turned 25 years; and today it becomes a worthy legacy of independence. N.A. Nazarbayev underlines that the Assembly of the People of Kazakhstan became a special instrument in strengthening interethnic stability during the country's independence: "Our public peace will strengthen our sovereignty and bring our country to new heights. We all became convinced of the wisdom that a country without unity is being wiped out, and a united country will be ahead".

At present, the Assembly of the People of Kazakhstan has become a strong pedestal for preserving the stability and unity of our country" (Nazarbayev, 2010).

2. Methods

The development and implementation of the national policy by the Assembly contributes to ensuring social and political stability in the Republic of Kazakhstan. The goal of the Assembly is to ensure interethnic harmony in the Republic of Kazakhstan in the process of forming the entire Kazakhstan identity and a competitive nation on the basis of Kazakhstani patriotism, civil and spiritual and cultural community of the people of Kazakhstan with the consolidating role played by the Kazakh people. The main task pursued by the Assembly of the People of Kazakhstan is to promote the preservation of interethnic and inter-confessional consent in the republic, stability in society, to work out proposals on the conduct of state policy conducive to the development of friendly interethnic relations, to promote their spiritual and cultural revival and development on the basis of respect for the principle of

equality, on civilized and democratic norms, the search for compromises for resolving the arising social contradictions. The first President of the Republic of Kazakhstan, the Leader of the Nation, has the right to head the Assembly of the People of Kazakhstan for his life.

For 25 years of its existence, the Assembly of the People of Kazakhstan has passed a long way of development and has accumulated a rich intellectual potential and has transformed into the institute of people's diplomacy. Thanks to the Assembly, a unique model of interethnic and interreligious harmony, special atmosphere of trust, solidarity and mutual understanding has formed in the country, where every citizen, regardless of his/her ethnicity or religion, has enjoyed the fullness of civil rights and liberties guaranteed by the Constitution. The country has created all the necessary conditions for the development of cultures, languages, and traditions of all ethnic groups of the Republic. The authority of Kazakhstan has become even stronger in the world community as a country that effectively resolves issues of interethnic relations. At the meetings held once a year the Assembly began with great enthusiasm to implement specific measures, primarily paying attention to the political and social life of the society (until April 2014, 21 sessions of the Assembly of the People of Kazakhstan passed). At the time when Kazakhstan had just begun to build an independent state aimed at market economy and democracy, the Assembly began to participate in all the initiatives of the state aimed at opening up the world's civilized ways of development. One of them was the adoption of the new Constitution in the Republic of Kazakhstan. The Constitution of the

Republic of Kazakhstan adopted on August 30, 1995, is the most important document that has strengthened the foundation of independent Kazakhstan ([Decree President of the Republic of Kazakhstan, 2014](#))

3. Results

As a result of the adoption of the 1995 Constitution, the basic systems for the work of democratic institutions were put into practice. The presidential goal was established to ensure the stable development of the state, the present structure of the parliament, and the system of power as a whole. The Constitution has become a document providing a democratic path of the country's development based on the market economy, and all institutions of civil society. Expansion of the authorities of representative government bodies is one of the most important directions for the development of the political system. Much work has been done to develop the strategy and tactics of the above reforms. The 1995 Constitution of the Republic of Kazakhstan forms the principles and norms of the relationship between the state and citizens, as well as the main tasks of the Kazakhstan and world communities, and strengthened the independent rights of the people of Kazakhstan. The Constitution in its implementation encompasses the relationships of various institutions such as "personality - family - people - sovereignty - international legal discipline". The Constitution defines the basic principles of freedom and human and civil rights: the protection of the constitutional order, the public order, the rights and freedoms of citizens, the protection of humanity and human health. Under no circumstances basic rights and freedom of citizens should be limited by the Constitution. The Constitution of the Republic of Kazakhstan recognizes that persons and their lives, rights and freedoms are the most "valuable wealth". The goal and the task of the state is the development of personal capabilities of an individual. In accordance with the Constitution of the Republic of Kazakhstan, the rights and freedoms of citizens are known and guaranteed.

Along with the rights of citizens, their duties to the public, such as submission to the established legal order, and observance of the rules of human life are recognized.

The constitutional duties of a citizen include respect for the adopted Constitution, payment of legally established taxes, protection of the Motherland, if necessary, caring for the preservation of its historical and cultural heritage, preserving nature and taking care of natural resources. Recognizing the natural rights of citizens, strengthening their basic constitutional rights and freedoms, the Constitution also ensures their protection. In order to protect the rights and freedoms of citizens, the Constitution of the Republic approved two important approaches - through the court and the administrative approach. First of all, citizens have the right to protect rights and freedoms through court action. In a legal state, an independent judicial system is an important tool for the protection of human rights. The main social value of the Constitution is ensuring the coherence of various social and political forces of Kazakhstani society. This is an important guarantee of stability, peace and harmony. At present, Kazakhstan has achieved a certain stability of internal development. The Constitution of the Republic of Kazakhstan works on creation of a democratic and secular country, a legal and social state. Providing the country with social harmony, the Constitution is the basis for its rapid political, economic, social and spiritual development. President Nazarbayev noted: "Due to the 1995 Constitution, which became the embodiment of the aspiration of the Kazakhstan people for freedom and independence, statehood and the rule of law, radical political and economic reforms were carried out in the country, a model of interethnic accord was created, what became an example for many countries peace" ([Alimova, 2009](#)).

4. Discussion

Today, the Constitution is the result of a long historical search by public consciousness of the ways and mechanisms of stabilizing the law, maintaining and preserving the foundations of its development. The Constitution of a developed civilized society is a legal document that has great potential in all spheres of statehood and public life. Recently, one can notice that in many state constitutions the role of regulation of social relations, including interethnic relations, is growing; such a process is seen in the constitutions adopted in the 1990s in many countries (Belgium, Bosnia and Herzegovina, Latvia, Lithuania, Romania, Slovakia, Slovenia, Estonia, etc.)

As the analysis has shown, the property of national unity of a society, and authority of a person are usually specified first in constitutions, among them the rights and freedoms of the person on ethnic features, borders and the basic rules of regulation of ethnic mutual relations in the state are affirmed.

The constitutions of multi-confessional states have specific rules for ensuring the stability of the inter-ethnic attitude of society. The 1995 Constitution of the Republic of Kazakhstan was amended in time to find timely responses to emerging new issues in society.

Reforms taking place in Kazakhstan aimed at social and legal protection; they contribute to maintaining stability and harmony within the society, improving the quality of public service, strengthening the interaction between the state and a citizen; the Constitution provides great opportunities for implementing these reforms. The adoption of the Constitution, and its inalienable moments of continuity turned the Republic of Kazakhstan into the child of constitutional evolution and simultaneously opened the prospects for further development and strengthening of the new independent state as a state elevated to a civilized degree of a constitutional state embodying national and liberal-democratic values. As a result of amendments to the Constitution in 2007 based on the fact that representatives of ethnic groups of the Republic of Kazakhstan began to closely integrate into the socio-political life of the country, their constitutional status is consolidated, and a democratic method appeared in the interethnic policy of the country. In the same year, nine deputies from the Assembly of the People of Kazakhstan have been elected in the mazhilis of the parliament. The main institute of national policy, the Assembly of the People of Kazakhstan, has turned into a constitutional structure and a law has been adopted that affirms its authority in the republic.

Currently, in the lower chambers of the parliament of 24 countries and in the higher chambers of 17 countries there are stipulated legislative quotas (from one to ten members) for national minorities.

5. Summary

As the comparative analysis shows, the contribution of the Assembly is appreciated at the highest level; Kazakhstan has become an example of interethnic harmony, table and sustainable development for other states of the world. The Kazakhstan model of interethnic tolerance has been translated into the languages of its member states, which once again confirms the international authority and recognition of our state's initiatives in the field of interethnic relations and public consent (Kubekova *et al.*, 2016).

The main part of the rules of the Constitution aimed at ensuring stability can be called rules for the protection of national unity. On the basis of these rules, actions that violate interethnic calm and stability are overcome, "the creation and activity of public associations which goals or actions are aimed at violent change of the constitutional order, inciting social, racial, national, religious, class and clan strife, and creation of paramilitary groups not provided for by law"; "No one shall be subjected to any discrimination on grounds of gender, race, nationality, language, attitude towards religion, beliefs, residence or any other circumstances"; "Propaganda or agitation of violent change, social, racial, national, religious, class and tribal superiority, as well as the cult of cruelty and violence are not allowed "; " Any actions that could violate interethnic consent are recognized as unconstitutional ".The Constitution of the Republic of Kazakhstan approved specific norms aimed at strengthening national unity and regulating inter-ethnic relations. These rules make it possible to contribute to the national policy of the republic for its development. The Assembly conducts its work on the basis of the Constitution of the Republic of Kazakhstan, laws and acts by the President of the Republic of Kazakhstan, as well as other normative legal acts of the Republic of

Kazakhstan and the Rules on the Assembly of Peoples of Kazakhstan (Decree of the President of the Republic of Kazakhstan, 1995).

On January 20, 2008, the President signed the law "On the Assembly of the People of Kazakhstan" which has no analogues in the world (Law of the Republic of Kazakhstan, 2008). Thus, the Assembly has become a full-fledged part of the country's political system. Its legal framework was determined. One of the important documents adopted in the country in 2010 was the Doctrine of National Unity of Kazakhstan. The strategic document that emerged after the general discussion of society, gave an assessment of Kazakhstan's national policy, identified the most important principles of the country's future. The doctrine defines: " If the consolidation of the society on the basis of interethnic tolerance and social accord was the main task at the state formation stage, then at the new stage of the country's development the achievement of National Unity based on the recognition of a common system of values and principles for all citizens is a strategic priority (The Doctrine of National Unity of Kazakhstan, 2010).

The doctrine, at the time proposed, is an important state document aimed at the future development of the country and was shaped as the basis of the Kazakhstan model of interethnic tolerance. Starting with the constitutional law on Independence, with the Constitution of the Republic of Kazakhstan and the strategic development program "Kazakhstan-2030", the doctrine determines the national state political orientation until 2020.

Thus, the Constitution is the guarantor of national unity and a solid basis for inter-ethnic harmony and social stability in the country. The President of the Republic of Kazakhstan, the leader of the nation, N.A. Nazarbayev in his message to the people of Kazakhstan dated November 11, 2014, "Nurly Zhol - the way to the future" stressed: "Next year we will solemnly celebrate the 20th anniversary of the adoption of the Constitution and the creation of the Assembly of the People of Kazakhstan. Noting these dates, it is important for us to make the Kazakhs even stronger in the spiritual plan, unified and even more tolerant. I am convinced that in our new responsible turn of history, our main principle will obtain a new sound and deeper meaning: Kazakhstan, only forward! I wish all successes and

achievements of new peaks, which will raise our Motherland to an even greater height!

After all, what is stability and harmony? They are family well-being, and secure roof over our heads. The world is the joy of fatherhood and motherhood, the health of parents and the happiness of our children. Peace is a stable

job, a salary and confidence in the future. Peace and stability are a national property that must be defended and strengthened every day. I always say: the youth is the supporting pillar of our future. The state has opened all the doors and all the ways in front of the new generations! "Nurly Jol" - that's where our creative dynamic youth can make efforts and display themselves! (Decree President of the Republic of Kazakhstan, 2014).

To further strengthen the unity of the peoples of the country, the President of the country declared 2015 the year of the Assembly of the People of Kazakhstan. Kazakhstanis understand that "Nurly Zhol" is the way which leads in the bright future, which will create conditions for further spiritual prosperity. Since the beginning of its formation, the Assembly of the People of Kazakhstan adapted itself to the standards of the institute of people's diplomacy and grouped the civilized unifying society; and it will pass a long road of development. It played a large role in the development of the country, preserving the structure of interethnic stability, uniting more than 140 ethnic groups. The Assembly of the People of Kazakhstan has demonstrated the success of this policy in the sphere of interethnic relations throughout the world.

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