

CONSTITUTIONAL REFORMS AS A STRATEGY OF REGIME STABILITY: ADAPTIVE AUTHORITARIAN CONSTITUTIONALISM IN KAZAKHSTAN

¹Dr. Sandeep Singh, ²Riya, ³*Nitish Kumar Ahlawat

¹Dept. of South and Central Asian Studies, Central University of Punjab, Bathinda,
sandeep01pol@gmail.com

²Dept. of South and Central Asian Studies, Central University of Punjab, Bathinda,
riyaandotra58@gmail.com

³*Dept. of South and Central Asian Studies, Central University of Punjab, Bathinda,
02nitish28kr@gmail.com

ABSTRACT

Constitutional reform in democratic systems is normally associated with institutional balancing and political liberalization. But in Kazakhstan, constitutional change has mostly served as a tool of the regime's stability and elite control. The Constitution of 1993 has been subject to successive changes, based not on any real movement towards democracy, but on the shifting political needs. The reforms of 1998, 2007 and 2011 have consolidated the super-presidential system under Nursultan Nazarbayev, giving more power to the executive branch, changing the electoral system and institutionalizing party dominance in the constitution. The changes in 2017 thus began to be more oriented toward succession engineering, to the detriment of the centralized control, with a calibrated reallocation of powers that allows for the management of leadership transition. In the wake of the events in January 2022, a new wave of constitutional changes under Kassym-Jomart Tokayev appeared. The 2022-2023 changes removed the special constitutional position of the First President; clarified the executive/legislative dynamics; and added a non-renewable 7-year presidential term. These reforms were touted as measures in the spirit of "New Kazakhstan", but they actually did more to reconfigure rather than reduce the powers of the president, shifting patrimonial personalism to a more technocratic, but still concentrated, executive system. Based on the literature on authoritarian resilience and elite dynamics, this study asserts that the constitutional development of Kazakhstan has been an example of adaptive authoritarian constitutionalism and that constitutional change became a flexible tool for maintaining political control. The results indicate a general trend to regime stability that has been achieved through strategic adaptation rather than substantial liberal change during the eras of consolidation, leadership transition, and unrest.

KEYWORDS: Constitutional Reforms, Democratization, Kazakhstan, Elite Dynamics, Regime Stability, Presidentialism

INTRODUCTION

Kazakhstan has a unique political structure in comparison with other nations that attained independence from the Soviet Union in 1991. As other countries were experiencing a change in the regime, violence, leadership breakdown and political unrest, Kazakhstan had been a relatively stable country in the last 30 years or so under the leadership of Nursultan Nazarbayev and, subsequently, Kassym-Jomart Tokayev. Nevertheless, this stability can be explained by well-planned and controlled political institutions and constitutional changes instead of just economic advancement or social agreement. Constitutional changes in Kazakhstan are not only regulations but also an instrument of preserving and guaranteeing political stability of the regime. After gaining independence, the first constitution was passed in 1993, which resulted in the creation of a more balanced system of institutions. It also gave more power to the legislature, which proved the principle of separation of powers and its orientation towards participatory governance. Nevertheless, this was not long-lived; it failed to establish a stable balance of power, leading to intense conflict between the legislative and executive. A new constitution came into effect in 1995, marking the transition of a parliamentary system to a super-presidential system of governance. This constitution

concentrated more powers in the executive arm and reduced the powers of the legislature and the judiciary (Kembayev, 2017; Orazgaliyev, 2017). This change in the constitution brought about a presidential government.

During the 30-year term of the presidency of Nazarbayev, constitutional reforms became one of the main means of preserving stability and legitimacy. The constitutional amendments of 1998, 2007, and 2011 implemented formal changes in political institutions, but at the same time did not remove the dominant position of the president in the political system. (Kembayev, 2017). Thus, the political regime that is marked by directed succession, limited political participation, and control of elites depicts the attributes of an authoritarian model (Franke & Gawrich, 2011; Boban, 2017). The constitutional reforms that the regime introduced enhanced the executive side rather than leading to smooth governance.

However, another important aspect is the flexibility of constitutional reforms in Kazakhstan. Such reforms enabled the regime to address the interests of the people, the demands of the elite and the international demands without necessarily changing the basic power structure. It is because the institutional reforms are not carried out immediately, which would have caused the political instability and ensured the continuity of the regimes in Central Asia (Plenta, 2015; Diyarbakırlıoğlu, 2020). Constitutional reforms in this context were a management approach that enabled the regime to guide the political change besides minimizing distrust.

During the change of leadership, the relevance of the constitutional reform was especially felt. The long reign of Nazarbayev resulted in a very personalized political situation that became uneasy with the leadership succession issue at hand. The central role in this transition was played by constitutional politics. The resignation of Nazarbayev in 2019 did not cause a sudden exit out of the old system. Rather, the constitutional system allowed transferring the power to Kassym-Jomart Tokayev smoothly, with Nazarbayev maintaining a significant institutional and informal influence (Yilmaz, 2017). This was a well-designed transition that kept the elites together and maintained continuity in the ruling system.

The weakness of this stability policy was however realized during the protests in January 2022. The originally peaceful protests against the rising fuel prices soon turned into widespread social restlessness and violence, exposing the underlying social imbalances, rivalry and common discontent with the leadership (Proroković, 2023; Grantseva & Abdrakhmanov, 2025). This crisis was a test which was the greatest stress on the political regime in Kazakhstan since the independence of the country and which showed the stability based upon centralized control was not the most reliable base. Consequently, President Tokayev reacted by initiating another wave of constitution changes known as "New Kazakhstan". The constitutional referendum in 2022 abolished the special legal privileges of Nazarbayev and introduced term limits on the presidency and emphasized the significance of local governance and the parliament (Cornell, 2023; OSCE/ODHIR, 2022). The reforms made it easier to change the overly strong presidential regime to a more balanced government. However, given these developments, a number of analysts are still on the lookout. Research indicates that the reforms have not yet resulted in the political pluralism being well-formed, and the executive branch remains powerful (Schiek, 2022; Proroković, 2023). This observation is consistent with other constitutional cycles of reform experienced in Kazakhstan where the constitutional change has been accompanied by selective liberalization and regulation.

The given paper claims that understanding the process of constitutional reform in Kazakhstan most effectively should be regarded as an effort to stabilize the regime rather than a direct road to liberal governance. In this respect, the article asks the following research question: How did constitutional reforms in Kazakhstan function as adaptive mechanisms for authoritarian resilience from 1995 to 2023? The study has three objectives in answering the question: (i) to explore the evolution of constitutional reforms across successive political eras; (ii) to analyse how constitutional engineering has been used to manage executive power, elite cohesion and leadership succession; and (iii) to build and apply the analytical framework

of Adaptive Constitutional Authoritarianism to explain the link between constitutional reform and long-term regime resilience.

There are seven sections in the study. After the introduction, Section 2 presents the idea of adaptive constitutional authoritarianism, conceptualizes the analytical framework, and examines the literature. While Sections 4 and 5 look at how these reforms have been used to maintain executive dominance, elite dynamics, and leadership succession, Section 3 charts the historical course of constitutional reforms in Kazakhstan. The 2022–2023 constitutional changes are examined in Section 6 as an example of crisis-driven strategic adjustment. Section 7 wraps up by summarising the main conclusions, going over the study's theoretical ramifications, and emphasising its contribution to the body of knowledge on authoritarian resilience and constitutional reform.

THEORETICAL FRAMEWORK AND LITERATURE REVIEW

The theoretical framework of this study builds upon the intersections of on institutional adaptation, constitutional engineering and authoritarian resilience within hybrid and autocratic regimes. Rather than reviewing constitutions in non-democracies settings as foundational frameworks for normative separation of powers, contemporary comparative politics conceptualises them as strategic instrument of rule. It is seen that Autocratic regimes often employ formal legal texts and periodic amendments not as a means to limit executive authority, but rather to stabilise elite coalitions, mitigate societal shocks, and delineate the parameters of political competition. The literature on post-Soviet politics stresses that the political stability of hybrid regimes is not based on democratic legitimacy but on the capacity of the executive to manage internal elite networks and to ensure systematic compliance. Franke & Gawrich (2011) observed that “the experience of Kazakhstan concerning autocratic stability has its origins in a presidential authority, an economy reliant on rent and a political system upheld by an elite.” In this context, stability is not determined by how democratic the regime is perceived to be, especially considering the significance of this power in managing the elite. The provisions in the constitution also play a vital role in standardising the official hierarchy of the state. The constitutional text serves as a coordinating mechanism by outlining clear rules for interactions between institutions; this helps the ruling class to feel more secure about the distribution of political privileges. This formalization of executive authority is structurally reinforced by hegemonic party systems. Boban (2017) examines the strategies used for autocratic survival. He illustrates how the ruling party, Nur Otan (later rebranded Amanat), functions under a type of “constitution” and legal framework that reinforces presidential authority and supremacy. From this viewpoint, constitutions in non-liberal regimes do not regulate/limit power in a classic constitutionalist sense; instead, they enhance stability by influencing elite behaviour and ensuring loyalty to the regime. It clarifies why multiple rounds of constitutional changes during the Nazarbayev era consistently maintained or enhanced presidential powers rather than diminishing them..

Importantly, this constitutional framework directly influences the personalistic nature of the regime. . In this context, Yilmaz (2017) observes, “The strengthening of democracy in Kazakhstan is closely linked to Nazarbayev's personalistic approach to governance.” Governance during the tenure of the First President was deeply rooted in a personalistic approach, with the constitution acting as a tool to formalise both the practical exercise of executive authority and the embodiment of symbolic power. The constitutional order served as a strategic mechanism aimed at lowering risks, effectively deterring elite defections and addressing internal factional rivalries during times of political consolidation. Thus, the personal politics discussed above is illuminated by the explanation of the concept provided.

A second core theme as a tool for elite management rather than for democratisation within the context of post-Soviet states. Historical institutional evaluations by Kembayev (2017) and Orazgaliyev (2017) illustrates the gradual institutional evolution in post-independence Kazakhstan. Key findings from the study suggest that the early constitutions were designed with a balanced perspective but eventually shifted towards an emphasis on executive power.

It is important to assess Kazakhstan's constitutional reforms on their substance rather than on the implications of political timing. The significant constitutional changes in Kazakhstan were frequently linked to internal power struggles within the ruling elite, economic shifts and alterations in the structure of this elite. According to Orazgaliyev (2017), the state's reforms were viewed as efforts to enhance efficiency or democratise the regime; however, the actual aim was to strengthen the supremacy of the executive branch. This formal institutional setting is coupled with deeply ingrained informal dynamics. Mesquita, M (2016) asserts that the transition of the presidency in Kazakhstan was not just a change of leadership but a transition that redefine the elite patronage networks and the power structure. The political stability in Kazakhstan is not anchored in formal political institutions but rather in patron-client networks. During the transition, the elites had to re-align themselves to the emerging centres of power to sustain their positions while the failure to adapt to the changes would lead to marginalization so the change of leadership in authoritarian regimes such as Kazakhstan is a mere restructuring of the elite networks rather than a substantive transformation toward competitive pluralism (Gallo, 2021).

The final thematic body of literature addresses the use of constitutional adaptation by autocratic regimes as a short-term crisis management tool to survive deep existential shocks. Schiek (2022) further explored the "politics of stability", and how the Kazakh regime depoliticises the interests of the populace through the use of consultative tools and specific discursive language. The constitutional reforms are framed in a manner that legitimizes and presents the regime as decentralized and reform-oriented despite the significant control exercised by the president. Therefore, the constitutional reforms introduced in 2019 and 2022 are pivotal in this context. These reforms promised greater public involvement, a more powerful parliament and the establishment of constitutional courts. However, all appointments and their implementations remain under the president's authority.

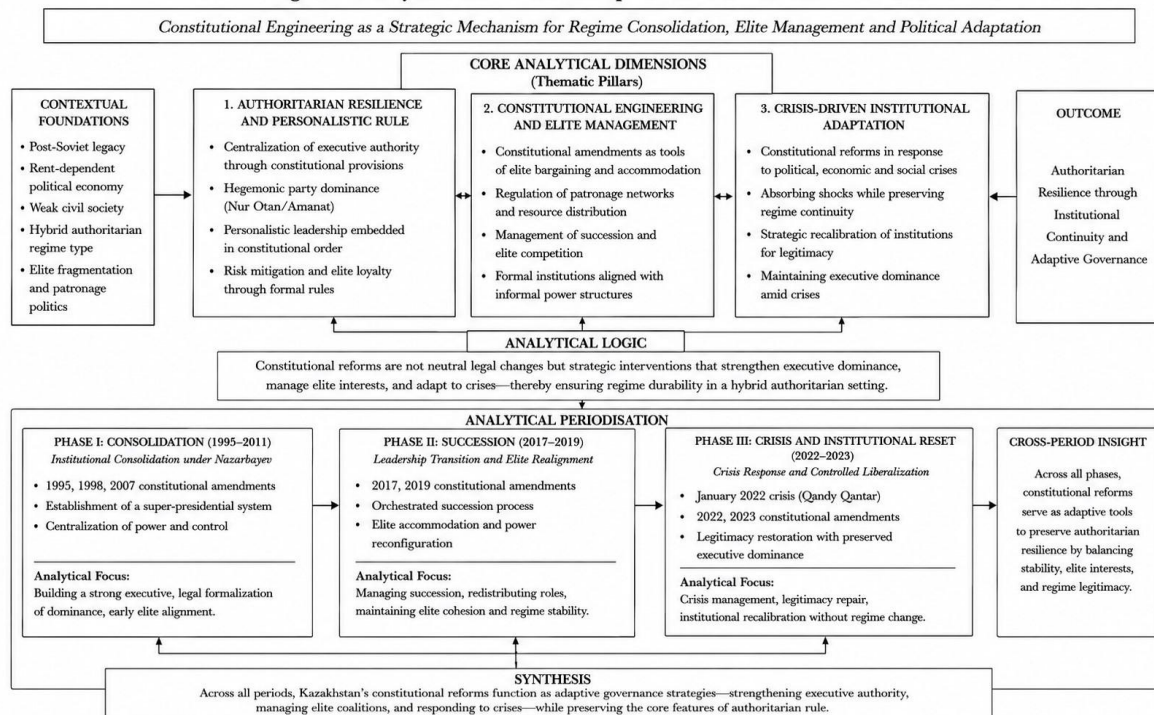
This crisis-driven legal adaptation mechanism became particularly apparent after the January 2022 national unrest (Qandy Qantar). Proroković (2023) analyses this crisis and notes that this was the major turning point that prompted the governing elites to reappraise their ruling strategies. His review discloses that the reforms framed after this crisis consistently aimed to support the regime by utilising redistributive symbolic power while ending all the special privileges given to Nazarbayev's era, all without enforcing significant changes to underlying authoritarian rules. This culminated in the formal legal act of stripping the Nazarbayev family of the constitutional special status and institutional privileges, allowing the regime to signal renewal without changing the fundamental authoritarian rules of the state. This systemic reset is further understood by Grantseva & Abdrakhmanov (2025) through the lens of a "double shock" experienced in Kazakhstan resulting from both internal developments and external pressures. In this volatile environment, the subsequent constitutional amendments of 2022–2023 were primarily a risk-mitigation strategy to protect the political regime from further disintegration, rather than a sign of evolution toward a genuinely pluralistic political system.

The review shows a significant gap in existing scholarship. Previous studies have explored Kazakhstan's constitutional reforms from the perspectives of democratisation, authoritarian resilience, elite politics or leadership succession, but mostly in isolation. As a result, the cumulative and adaptive role of constitutional reform as a strategic tool to maintain political continuity and stability across different historical contexts has not been given enough attention. To fill this gap, this study adopts a single-case longitudinal case study design, focusing on the constitutional development of Kazakhstan from the adoption of the 1995 Constitution to the constitutional reforms of 2023. This approach permits a process-oriented analysis of constitutional change tracing how formal institutional reforms have been adapted to changing political challenges while maintaining regime stability.

In Figure 1, constitutional reforms are conceptualised not as a linear trajectory towards democratisation, but as an adaptive instrument of authoritarian governance. The framework provides a causal explanation of the ongoing governance challenges that require constitutional adaptation in Kazakhstan. These challenges are a result of the post-Soviet institutional legacy, rent-dependent political economy, fragmented elite structure, and hybrid

authoritarian regime. These pressures activate three interconnected mechanisms—authoritarian resilience and personalistic rule, constitutional engineering and elite management, and crisis-driven institutional adaptation—that function along three analytical phases: consolidation (1995–2011), succession (2017–2019), and crisis and institutional reset (2022–2023). Each phase is specific to a given political context, but constitutional reforms always play the same strategic role as to adapt institutions to preserve executive dominance, to manage elite cohesion and to restore regime legitimacy. The framework does this by showing how the work of constitutional adaptation transforms the outward face of governance from patrimonial personalism to a more technocratic and institutionalised order, while the architecture of concentrated executive authority remains essentially intact underneath.

Figure 1. Analytical Framework: Adaptive Constitutional Authoritarianism



By integrating theoretical perspectives on authoritarian stability, constitutional design and crisis management, this article places Kazakhstan within a broader perspective of adaptive authoritarian practices. In this manner, this research contributes to already existing discussions by emphasizing the political significance of constitutional reforms. This lays the framework for the coming sections where the constitutional amendments in different periods and their impact government stability and legitimacy will be examined.

HISTORICAL TRAJECTORY OF CONSTITUTIONAL REFORM IN KAZAKHSTAN

REFORMS DURING THE NAZARBAYEV ERA: CENTRALIZATION AND CONTROL

After the country gained independence in 1991, the newly formed state of Kazakhstan was faced with the challenge of state-building in a situation of economic collapse, weak institutions and societal uncertainty. The adoption of the 1993 Constitution established the country's first post-Soviet constitutional order. The new constitution provided a relatively strong role for the legislative branch and introduced a separation of powers (Kembayev, 2017; Orazgaliyev, 2017). At this point in time, the constitutional structure represented an effort to establish a balance between the executive and the representative branches of government. However, this system was not long-lived given institutional ambiguity. The conflict between the executive and the legislative branch, together with the economic crisis and the lack of experience in governance resulted in a paralyzed system of governance. The legislative branch was increasingly perceived by the executive as a hindrance to fast decision making and economic transformation. These challenges formed the basis for a major constitutional

overhaul. The constitutional response concentrated power within the presidency rather than resolving executive-legislative tensions through greater institutional balance. According to Orazgaliyev (2017), the reforms were purposefully created to maintain presidential authority over political appointments, security institutions, and strategic policymaking. The Nazarbayev era's constitutional reforms served three interrelated purposes when viewed through the lens of Adaptive Constitutional Authoritarianism: establishing institutional conditions for an orderly succession, managing elite coordination, and consolidating executive authority. Instead of enhancing democratic accountability, these reforms helped institutionalise a highly centralized and personalized political system.

The 1995 Constitution represented a profound transformation in the political system of Kazakhstan. Passed through a national referendum, it greatly increased the power of the presidency and diminished the role of parliament and the judiciary. This constitution established the basis for what has been termed a super-presidential system, in which political power was strongly centralized in the executive branch. Formal democratic institutions, such as Parliament and regular elections, were maintained, but their constitutional ability to limit the executive's power was greatly reduced. This institutional redesign not only altered the legal distribution of powers, but also changed the incentives that governed elite behaviour by reducing institutional veto points and concentrating political authority in the presidency. Constitutional reform during the long presidency of Nursultan Nazarbayev became a key means of institutionalizing personalized power through constitutional legality. Reforms in 1998 lengthened presidential terms and increased the power of the executive, solidifying Nazarbayev's strong position within the political system (Kembayev, 2017). Despite being formally justified in terms of administrative effectiveness and political stability, their main political impact was to strengthen the institutional underpinnings of presidential dominance while lowering uncertainty surrounding executive authority.

The 2007 Constitutional reforms introduced significant changes that seemed to enhance the role of parliament and increase political participation including the introduction of proportional representation in parliamentary elections. Nevertheless, such reforms did not fundamentally alter the distribution of political power.. Boban (2017) shows that the ruling party, Nur Otan, was operating in a legal and constitutional framework that was intended to ensure presidential dominance. As a result, rather than serving as an independent hub of political power, Parliament served mainly as an institution that legitimised executive decision-making. This trend illustrates the broader logic of constitutional reform in Nazarbayev's regime: institutional change without actual power distribution. The reforms simultaneously improved domestic legitimacy and addressed external demands for political modernisation without upsetting the current authoritarian balance by increasing formal political participation while maintaining executive supremacy. Franke & Gawrich (2011) term this type of regime an "authoritarian stability regime," in which the legal system is used to coordinate elite actions and consolidate personalised rule.

This institutional arrangement is further explained by the concept of regulated pluralism. While the 2007 reforms established additional forms of political participation and strengthened the parliamentary system, but on the other hand, these developments took place within clearly defined boundaries that established the supremacy of the executive branch. The introduction of proportional representation and party-based competition established pluralism in Kazakh politics, but the complete dominance of Nur-Otan and the constitutional supremacy of the presidency ensured that pluralism was under control (Isaacs, 2011; Kadyrzhanov, 2014). Therefore, while limiting its capacity to change current power relations, constitutional reform enhanced the appearance of pluralism.

However, as Nazarbayev's rule progressed, the question of leadership succession became more salient. The 2011 constitutional reforms which introduced the possibility of early presidential elections further solidified Nazarbayev's political power and reset the political clock in his Favour (Yilmaz, 2017). The reforms not only extended presidential tenure but also reduced uncertainty by enabling the executive to strategically manage electoral timing. Therefore, the ability of these reforms to reduce succession risks while maintaining

constitutional legitimacy is what makes them causally significant. This shows how electoral rules have evolved into tools of authoritarian resilience rather than democratic accountability.

On March 10 2017, “On Amendments and changes to the Constitution of Kazakhstan” was signed by President Nursultan Nazarbayev.” The newly approved constitutional reforms appear to aim, in the words of Kazakhstan’s president, to seriously redistribute powers between different branches of the government and the democratic development of the country. More specifically, the objectives of the reform were a more rigid and precise separation of powers, strengthening the supervisory powers of the parliament over the activities of the government, improving the system of checks and balances and the stability of the political system. Yet what is still unclear is Kazakhstan’s concept of democracy. The country’s political situations are still heavily dominated by Nazarbayev’s Nur Otan party” (Pistan. C, 2017). However, despite these formal institutional adjustments, the president remains dominant over key state institutions. “Fundamental principles of the state activity” which talks about public concord, political stability, economic development were included in “eternity clause” of the constitution, making them legally inviolable. The amendments also strengthened the presidential form of government and centralised unitary state simultaneously granting a special constitutional status to Nazarbayev as the “founder of Independent Kazakhstan”.

In the light of Adaptive Constitutional Authoritarianism, the 2017 amendments are the most explicit example of constitutional adaptation without systemic transformation. Even though the amendments technically dispersed some presidential powers, they also strengthened stability-oriented norms into the eternity clause, limiting the scope of future structural changes. However, instead of reducing executive dominance, it reinforced their foundational logic and maintained the institutional architecture of the system. The changes can therefore be said to have been helpful in facilitating the managed succession process in Nazarbayev’s later years. As a result, constitutional reform became an adaptive device that recalibrated the institutional arrangements for leadership succession while maintaining the logic of executive-centred governance. The reforms envisaged regime continuity beyond Nazarbayev’s presidency rather than political liberalisation.

POST-NAZARBAYEV REFORMS: TOWARDS A “NEW KAZAKHSTAN”

The resignation of Nursultan Nazarbayev in March 2019 was both a symbolic and institutional turning point in the political history of Kazakhstan. However, the transfer of power to Kassym-Jomart Tokayev has happened within the existing constitutional framework, without any institutional crisis and constitutional vacuum. The renaming of Astana as Nur-Sultan further reinforced the symbolic continuity of the previous political regime. Under the constitutional rules, the head of the Senate took over the presidency, thereby ensuring an orderly succession and preventing any institutional turmoil (Kembayev, 2017). Rather than establishing a new political order, the constitutional rules on succession, by establishing a predictable institutional process for the transfer of executive authority, created less uncertainty while maintaining regime continuity.

Even though Nazarbayev resigned, he remained politically influential through constitutional and legal means which guaranteed that his position and authority was preserved. This period in history illustrates how constitutional engineering functioned as mechanism for managing elite bargaining and reducing succession-related uncertainty rather than redistributing political authority (Yilmaz, 2017). Although Tokayev became the president, the existing balance of power was maintained. In the beginning of the post-2019 era, Tokayev initiated some reform efforts aimed at enhancing governance and public discourse. However, the enactment of the reforms primarily enhanced the regime’s adaptive capacity rather than transforming existing institutional hierarchy. The establishment of consultative bodies, and the use of reform rhetoric served to channel public grievances into state-managed institutions, thereby preserving regime stability. As Schiek (2022) suggests, these reforms are part of the broader “politics of stability,” in which he believes the regime will re-legitimize itself after the crisis rather than fundamentally changing its authoritarian nature.

Viewed through the framework of Adaptive Constitutional Authoritarianism, 2019 succession represents the point of symbolic continuity rather than political transformation. Leadership changed, but constitutional architecture governing executive authority, elite management and coordination, and regime stability remained unchanged fundamentally to ensure the underlying power.

The shortcomings of this adaptive strategy became apparent during the January 2022 protests, the most significant challenge to regime since independence. Initially, the protests were economic in nature but soon turned into widespread unrest and violence, which exposed the underlying social inequality, elite fragmentation, and discontent with governance (Proroković, 2023). The crisis showed that executive centralisation alone could not ensure regime stability when elite cohesion broke down and public legitimacy waned. Grantseva & Abdrakhmanov (2025) suggest that the crisis was a result of the “double shock” that Kazakhstan faced, including both internal structural problems and external geopolitical factors. The political crisis, therefore, gave strong incentives for constitutional adaptation as a strategy to restore elite cohesion and institutional legitimacy.

In response, Tokayev outlined a new reform agenda called “New Kazakhstan.” This culminated in the constitutional referendum of June 2022, which brought about a number of key changes. These included the abolition of special constitutional provisions for Nazarbayev, term limits for the presidency, and a commitment to enhancing parliament and local governance (OSCE/ODIHR, 2022). Cornell (2023) characterises these reforms as being modest but significant in terms of rebalancing institutions. However, their role in reorganising elite relations after the breakdown of the dual-power arrangement that characterised the post-2019 transition is more significant politically than the redistribution of power. The abolition of Nazarbayev’s special constitutional status represented a change in the balance of power among the elite and enhanced Tokayev’s status within the political system. Nevertheless, the transformative capacity of these reforms remains contested. The OSCE/ODIHR (2022) report points to important deficiencies in political pluralism, public discourse, and opposition engagement during the referendum process. Schiek (2022) argues that these reforms constitute part of the wider “politics of stability,” which seeks to re-legitimate the regime in the wake of crisis rather than fundamentally altering the authoritarian character of the regime.

Although the reforms introduced after 2022 have changed some constitutional provisions, the dominance of the executive has remained largely unchanged. The formal role of parliament increased, yet its capacity to exercise autonomous oversight remained institutionally constrained. It demonstrates the causal logic of Adaptive Constitutional Authoritarianism: constitutional reform in the wake of a major political crisis, which led to selective institutional adjustments, reconfigured elite alignments and restored political legitimacy while preserving the executive-centered structure of governance. The 2022 constitutional reforms may be interpreted as “regime reset” rather than transformation because the referendum and the “New Kazakhstan” concept after the events of January 2022 served to symbolically break with the past and reconnect with the present by creating some distance between the system and the Nazarbayev period. Removing Nazarbayev’s special constitutional status, introducing the rule of a single seven-year term for the president and rebalancing some parliamentary powers send a symbolic message of renewal and willingness to meet people’s demand. Such measures, however, primarily contributed to the transition from a personalist model of authoritarian rule to a more institutional-technocratic form of executive rule rather than altering the fundamental distribution of political power. Thus, the “New Kazakhstan” reforms demonstrate how constitutional engineering can simultaneously facilitate political change and preserve authoritarian continuity.

CONTINUITY THROUGH CONSTITUTIONAL ADAPTATION

When viewed longitudinally, the constitutional evolution of Kazakhstan shows a consistent pattern of adaptive institutional change. Whether during the Nazarbayev period or the post-2022 reforms, constitutional reform has been employed as a strategic tool to maintain regime durability, not as a means to achieve democratic transformation. The series of constitutional amendments was a response to critical political junctures (institutional conflict, leadership

succession, and mass unrest) and served as mechanisms to recalibrate state institutions, manage elite relations, and restore political legitimacy, while maintaining executive predominance. This pattern recurs and illustrates the causal logic of Adaptive Constitutional Authoritarianism: political challenges generated pressures for institutional adaptation, constitutional engineering reconfigured formal political arrangements, and these adjustments ultimately enhanced authoritarian resilience without substantially redistributing political power. The transition from Nazarbayev's personalistic model of executive dominance to Tokayev's more institutional-technocratic style, therefore, represents an evolution in the mechanisms of authoritarian governance, rather than a transformation in its underlying structure. Constitutional change provided the legal flexibility to adjust to changing political circumstances while retaining the basic structure of executive-centred government. This historical trajectory is crucial background information for the subsequent discussion of the use of constitutional reforms in managing succession, elite politics and long-term regime resilience which is examined in the following sections.

ROLE OF REFORMS IN MANAGING SUCCESSION AND ELITE DYNAMICS

Leadership succession is one of the most critical vulnerabilities of authoritarian regimes, as political authority is often embedded in personalised networks rather than institutionalised rules. Conversely, democratic systems offer regular electoral competition and predictable mechanisms for leadership replacement, whereas authoritarian systems are frequently characterised by uncertainty over succession and a greater risk of elite fragmentation, intra-regime competition and political instability. In Kazakhstan, constitutional reforms have been strategic instruments for succession risk management and elite cohesion. During the Nazarbayev era, formal institutions largely served to bolster personalised executive authority instead of limiting it. Although this model fostered long-term political stability, it also heightened uncertainty surrounding leadership succession, as political legitimacy continued to be intricately linked to the authority of a single leader. When examined through the lens of Adaptive Constitutional Authoritarianism, constitutional engineering emerges as a tool for institutionalising succession while maintaining the current political power dynamics. As a personal leader stays in power longer, the questions and worries about who will take over become more pronounced.

CONSTITUTIONAL ENGINEERING AS A SUCCESSION TOOL

Leaders in Kazakhstan have addressed the problem of succession with constitutional engineering rather than competitive political institutionalisation. Rather than depending solely on elite bargains, constitutional amendments established formal legal mechanisms to regulate the procedures for leadership succession. This is particularly the case of the 2017 constitutional amendments. The reforms were officially defended as decentralization measures, they selectively redistributed limited executive responsibilities from the presidency to the parliament and government agencies without really curbing the powers of the latter (Orazgaliyev, 2017).

From an analytical perspective, these reforms had two complementary functions. First, the political system could work without Nazarbayev's personal governance and therefore would have created elite and social preparedness for a successor. Second, they allowed Nazarbayev to slowly step back from official duties while maintaining enough constitutional power to assure elite networks that their political and economic interests would continue to be protected. As a result, constitutional engineering minimized the incentives for elite defection throughout the succession process. In March 2019, when Nazarbayev stepped down, the Constitution mandated that the Chairperson of the Senate take over the presidency, effectively averting any potential institutional vacuum. (Kembayev, 2017). The significance of this mechanism goes beyond the smooth transfer of power; it has the potential to turn succession from a potentially disruptive political battle into a process that is managed constitutionally.

ELITE PACTS AND CONTROLLED TRANSITION

The 2019 succession illustrates that constitutional engineering by itself cannot account for regime continuity; its success hinged on the interplay between formal constitutional rules and informal elite agreements. According to Silvan (2022), elite pacts in Central Asia are normally founded on a mix of formal and informal patronage networks. In Kazakhstani scenario, constitutional provisions have effectively minimised institutional uncertainty, while informal agreements among political elites have maintained the stability of the ruling coalition. Although Kassym-Jomart Tokayev succeeded as the president, Nazarbayev continued to exert his influence through formal and informal institutions after 2019. This dual arrangement provided reassurance to the elites linked with the Nazarbayev administration, ensuring that their political standing would not be swiftly jeopardised, which in turn diminished the motivations for conflict among the elite. According to Yilmaz (2017), the political legacy of Nazarbayev's rule remained deeply rooted in the country's political system even after he resigned. The two-power system allowed the regime to ensure that the country was stable in the first years after Nazarbayev's resignation. However, this system also created tensions among the elites since power was shared between the formal and informal centres of power.

ELITE FRAGMENTATION AND THE JANUARY 2022 CRISIS

The January 2022 unrest exposed the structural limitations of the successional model. Although the reforms ensured that the transfer of power took place smoothly, they did not eliminate the competition among political elites. The crisis revealed lingering tensions between networks tied to the Nazarbayev era and those forming around Tokayev, demonstrating that mere constitutional succession could not address the deeper conflicts over political power and control of state resources. Moreover, Grantseva & Abdrakhmanov (2025) describe this unrest being "caused by a 'double shock', i.e. social discontent and elite fragmentation." Therefore, the January 2022 unrest uncovered the vulnerabilities of the regime which experienced the erosion of personalistic legitimacy without institutionally anchoring alternative legitimacy sources adequately.

Initiating a new wave of constitutional reforms, President Tokayev seek to consolidate his rule and restructure relations among the elite. The constitutional referendum held in 2022 abolished the special constitutional privileges enjoyed by Nazarbayev and his family, marking an important change in the balance of power among the elite (OSCE/ODHR, 2022). These reforms reshaped the constitutional hierarchy by removing rival centres of authority and solidifying Tokayev's role as the unequivocal executive leader.

For political elites, these reforms minimised uncertainty by clearly defining the source of executive authority. Cornell (2023) argues that these reforms have had a stabilizing impact on political systems in Kazakhstan. However, stability resulted from the consolidation of elite authority rather than from political pluralisation. Although these reforms have shifted the centre of political influence away from the networks established in the Nazarbayev era, political influence is still in the hands of a relatively narrow governing elite. Schiek (2022) has argues that these consultative mechanisms and reforms have been used to legitimize reforms in the structure and composition of the Kazakhstan's elite. Accordingly, the reforms implemented after 2022 strengthen the core idea of Adaptive Constitutional Authoritarianism: rather than altering the authoritarian nature of the regime, constitutional adaptation has redefined elite dynamics to enhance regime resilience in the aftermath of a significant political crisis.

CONSTITUTIONAL ENGINEERING AS A MECHANISM OF ELITE MANAGEMENT

The experience of Kazakhstan illustrates that constitutional reforms have served more as tools for managing elite dynamics and maintaining political stability than as genuine means of democratisation. In addition to their symbolic importance, the constitutional reforms of 2022–2023 deserve a thorough assessment regarding their meaningful institutional impacts. While the reforms brought forth significant constitutional changes, their effect on the allocation of political power has varied. Instead of reallocating political power, constitutional amendments have established the framework for elite interactions, succession, and access

to political authority, effectively minimising uncertainty within the ruling coalition. Through the formalisation of leadership succession procedures, strategic redistribution of institutional responsibilities, and the removal of competing centres of authority, constitutional engineering has empowered the regime to effectively coordinate elite behaviour while reducing the likelihood of overt intra-elite conflict. Franke & Gawrich (2011) particularly underscore that such an approach to regulating relations between rulers and ruled constitutes a powerful stability tool in authoritarian regimes, particularly in countries rich in resources, where competition between members of the ruling class may be extremely high. In Kazakhstan, constitutional reform served a dual purpose - on the outside, it showcased a commitment to institutional modernisation and legal continuity, on the inside, it managed elite incentives and bolstered executive power.

First, the reforms reallocated constitutional authority, in part, by restricting a range of formal presidential prerogatives and by enhancing the constitutional status of Parliament. Parliament was given wider legislative oversight powers and local representative bodies were given more formal recognition. However, these changes did not fundamentally alter the executive-centred character of Kazakhstan's political system. The presidency is still the key power in executive appointments, national security, foreign policy, and the overall course of state governance. Thus the reforms adjusted rather than transformed the constitutional balance of power.

Secondly, the reconstitution of the Constitutional Court has been one of the most important institutional innovations of the reform package. The replacement of the Constitutional Council by a Constitutional Court expanded formal citizen access to constitutional justice and increased the possibilities of judicial constitutional review. But questions continue to be raised about the real independence of the Court, as judicial appointments are still heavily influenced by the president. The institutionalisation of constitutional oversight has been strengthened, but its effectiveness as an independent check on executive power remains limited.

Third, the legislative role of Parliament was formally reinforced by the introduction of more effective oversight mechanisms and the reinforcement of some representative functions. However, the effectiveness of parliament is still constrained by the dominance of the executive and the limited institutional power of opposition parties. Legislative initiatives remain predominantly government-driven and Parliament has not yet evolved into an independent policymaking centre that can systematically exercise control over executive power. Likewise, regardless of the fact that the reforms have lowered some of the barriers to party registration and encouraged broader political participation, the character of party competition is asymmetrical. While the development of new political parties has marginally diversified the formal political arena, electoral competition continues to take place in institutional settings that favour pro-government actors. Thus political pluralism has taken shape more procedurally than substantively.

The January 2022 crisis, however, demonstrated the limits of constitutional engineering as a tool of elite management. While constitutional reforms effectively reduced uncertainty about leadership succession, they were insufficient to address deeper tensions arising from elite fragmentation, socio-economic grievances, and declining public legitimacy. The crisis revealed that constitutional adaptation can stabilise elite relations only as long as the underlying political coalition remains cohesive. Once this cohesion weakened, the regime was compelled to initiate another round of constitutional reform to reconfigure elite alignments and restore political legitimacy. From the perspective of Adaptive Constitutional Authoritarianism, therefore, constitutional reform should be understood as an iterative elite management process, not a one-off institutional change. The successive constitutional amendments did not fundamentally democratise Kazakhstan's political system but recalibrated the institutional rules governing executive authority and elite bargaining, allowing the regime to adapt to succession challenges, political crises, and shifting elite configurations while preserving its authoritarian foundations. This shows that constitutional engineering is a major mechanism by which authoritarian regimes convert political uncertainty into institutional stability without radically redistributing political power.

Taken together, these institutional developments indicate that the 2022–2023 reforms resulted in selective constitutional adaptation rather than comprehensive constitutional transformation. The reforms reallocated some procedural responsibilities, reinforced some institutions, and enhanced the regime's legitimacy at home and abroad. They did not, however, succeed in fundamentally reshaping executive-legislative relations or in putting strong institutional checks on presidential power. These reforms hence demonstrate, from an Adaptive Constitutional Authoritarian perspective, the selective changes of institutional arrangements made by constitutional engineering, while preserving the underlying logic of executive dominance and authoritarian resilience.

THE 2022-2023 REFORMS: A CASE STUDY IN CRISES-DRIVEN STRATEGIC ADJUSTMENT

The reforms of 2022-2023 mark the most significant phase of constitutional adaptation in Kazakhstan's post-independence history. The constitutional reforms of 2022-2023 are different from the former in that the latter were mostly reactions to the management of the succession or institutional consolidation, while the former were directly triggered by a deep political crisis. The disorder of January 2022 revealed a major flaw of Kazakhstan's governing model and required a quick reaction from the authorities. As such, constitutional reforms can be seen as immediate crises management tool to resolve the crisis and bring stability and order to Kazakhstan. The protests that started as a fuel price protest in January 2022 ultimately turned into a full-blown crisis. This intensity of protests has never been seen before in Kazakhstan.

As opined by Proroković (2023), what this sequence of events exposed was not only the depth of social discontent, but it also exposed deep splits in the political elites and security forces that held power. The violence and lack of public order definitively challenged the traditional wisdom that only centralized political power can provide stability. Grantseva & Abdrakhmanov (2025) argue that this crisis can also be characterised as a "double shock" because it was a combination of internal structural factors and external geopolitical factors. The convergence of these factors changed the political incentives of the Tokayev administration in a fundamental way. The constitutional change was not about preserving the existing institutional status quo but about reconstructing both elite coordination and popular legitimacy.

Immediately after the turmoil, however, President Kassym-Jomart Tokayev swiftly began to integrate power. All the prominent figures of the Nazarbayev era were dismissed from special positions especially within the security sphere. This elite reshuffling marked a clear, definitive break with the dual-power pact that had existed since 2019. Though these actions did not in and of themselves constitute constitutional reforms but built the political conditions necessary for deeper institutional change. According to Cornell (2023), Tokayev leveraged the crisis to reconfigure elite power and consolidate his position as the undisputed centre of authority. This was indeed the necessary condition needed for the system's stabilization in advance with constitutional reform in order. Without clear leadership, constitutional change risked exacerbating rather than resolving elite competition.

The centrepiece of this entire process of reform was the constitutional referendum held in June 2022. This referendum proposed various constitutional changes and amendments that sought to redefine and transform a new political system. Evidently, this system eliminated special constitutional provisions and references dedicated to Nursultan Nazarbayev, including provisions that allowed him to wield considerable influence in the country's affairs over an extended period (OSCE/ODHIR, 2022). This can be perceived as a symbolic shift away from the political leadership and era of Nursultan Nazarbayev. According to Cornell (2023), the new reforms also established limits on presidential terms, ensured that close relatives of the president could not assume key public offices and strengthened the role and importance of parliament and representative offices within the country. Indeed, Tokayev's new political and constitutional reforms provided a solid foundation for a "New Kazakhstan" where justice, fairness and citizens' demands are satisfied and addressed under a new system.

From the point of view of Adaptive Constitutional Authoritarianism, the reforms served two interlinked functions. Externally, they enhanced domestic and international legitimacy by signalling constitutional renewal and institutional modernisation. They reset elite relations in the country, removing competing centres of power and boosting Tokayev's position in the ruling coalition. Schiek (2022) argues that authoritarian governments usually respond to crises by implementing reform narratives that assure change while maintaining core power structures. In Kazakhstan, the referendum allowed the leadership to claim popular approval for institutional change and to reframe the regime as reform-oriented.

The use of a referendum was particularly important. By seeking direct public endorsement, the leadership aimed to restore trust and demonstrate responsiveness after the crisis. However, the OSCE/ODIHR (2022) report notes limitations in political competition, media access, and public debate during the referendum process. These constraints raise questions about the depth of popular participation and the extent to which the reforms reflected genuine bottom-up demand.

In spite of their importance as symbols of change, however, these reforms have not bestowed a revolutionary character upon the political system of Kazakhstan. Thus, executive powers are still dominant with the office of the presidency remaining at the core of the country's decision-making structure. Even though the powers of parliament have been officially expanded, their ability to function independently still remains low. In fact, Proroković (2023) suggests that the purpose of these reforms should be interpreted as corrective to the political system of Kazakhstan rather than a move towards the path of democratisation. This once again shows the consistency of these reform processes as the experience of the country was that such a moment of high political risk called for a series of constitutional modifications aimed at consolidating the political regime without losing control. As Orazgaliyev (2017) shows, such political behaviour is typical of adaptive authoritarian regimes.

The process of reform, however, did not stop with the 2022 referendum and further legal and institutional changes were enacted in 2023 that were designed to facilitate a new constitutional framework's introduction. Such actions continued the institutionalization process launched as a response to the crisis but at the same time measures were tightly controlled from an executive perspective. Grantseva & Abdrakhmanov (2025), while arguing that reforms enacted in 2023 were intended to consolidate Tokayev's rule and calm elite-level uncertainty, claim that such actions were designed to prevent the country's downward slide into crisis through a clearer rule set and selective distribution of power.

Taken comparatively, Kazakhstan's 2022-2023 reforms represent broader patterns of crisis-driven constitutional adjustment in authoritarian regimes. Rather than collapsing under pressure, such regimes often respond by selectively reforming institutions to absorb shocks. Russia's July 2020 referendum formally "adjusted the relations between different bodies of government" and extended Putin's eligibility to remain in office until 2036. It is widely seen not simply as power grabbing but as a blueprint for managing Putin's eventual succession (Partlett, 2021). Azerbaijan's 2016 constitutional referendum extended the presidential term and created two vice-presidential posts, one later filled by Aliyev's wife, reinforcing executive authority within the ruling family (Roudik, 2017). Franke & Gawrich (2011) argue that this capacity for adaptation is a key source of authoritarian resilience.

The Kazakhstani experience supports this view. An acute crisis was overcome by combining elite restructuring, constitutional reform and legitimacy narratives. At the same time, the reforms demonstrated the limits of adaptation: social grievances, which originally caused the crisis, remain only partly satisfied and long-term stability will depend again on effective governance and cohesion among the elites. The 2022-2023 reforms are a good example of how constitutional change acts as a strategic adjustment mechanism in Kazakhstan. The changes are the result of a crisis and have rearranged the balance of power within the Kazakhstani political elite. They have granted more power to the president and some legitimacy to the public. The change was made without a fundamental shift in the nature of the authoritarian system. The 2022-2023 reforms represent the most visible empirical manifestation of Adaptive Constitutional Authoritarianism from the standpoint of the analytical

framework elaborated in this article. Constitutional change served as a strategic device for crisis management, elite restructuring and institutional recalibration, while preserving the executive-centred foundations of the political system.

CONCLUSION

By examining the constitutional reform as an instrument of regime stability, the study shows that adaptive constitutional authoritarianism, as opposed to democratic transition, is the best way to understand Kazakhstan's constitutional evolution. Constitutional amendments have continuously served as mechanisms for recalibrating political institutions in response to executive consolidation, leadership succession, elite fragmentation, and political crises while maintaining the fundamental framework of executive-centred rule, from the adoption of the 1995 Constitution to the reforms of 2022–2023. Constitutional reforms have allowed the regime to adjust institutionally without changing its authoritarian underpinnings, instead of redistributing political power.

The change from Nazarbayev to Tokayev exhibits another feature of constitutional engineering: its adaptability. Constitutional arrangements not only provided for a lawful and orderly transfer of power but also at the same time guaranteed continuity of the ruling elite and minimised institutional uncertainty. Similarly, the constitutional reforms introduced after the unrest of January 2022 should be understood less as a departure from authoritarian governance and more as a strategic process of regime recalibration. While the “New Kazakhstan” agenda led to substantial institutional changes, the reforms were mainly aimed at boosting the legitimacy of the new leadership and preserved the supremacy of the executive and limited political pluralism (Grantseva & Abdrakhmanov, 2025; Schiek, 2022; Orazgaliyev, 2017).

The principal theoretical contribution of this study is the conceptualisation of Adaptive Constitutional Authoritarianism, which advances the existing scholarship on authoritarian resilience that conceptualises constitutional reform as an active process of regime survival rather than a legal or institutional process. This paper shows that in authoritarian contexts, constitutions are used for strategic political purposes and help sustain the regime by fusing the principles of constitutional engineering, elite management, leadership succession, and crisis-based adaptation into a single analytical framework to sustain formal constitutional legitimacy.

In addition to Kazakhstan, the findings have broader comparative implications for the study of post-Soviet and other authoritarian or hybrid regimes. Leadership succession, elite reconfiguration or legitimacy crises are often associated with constitutional amendments, but these should not be interpreted solely as indicators of democratisation or institutional reform; they are also adaptive instruments through which regimes are able to preserve political continuity. Thus, the analytical framework developed in this article provides a basis for comparative research on the adaptation of the constitution in Central Asia and other competitive authoritarian regimes.

Finally, the findings have important policy implications. In the absence of meaningful changes in executive accountability, institutional autonomy and political pluralism, constitutional amendments in authoritarian contexts should not be considered credible evidence of political liberalisation. It requires greater attention to the functional implications of constitutional reform rather than its formal legal content by both domestic reformers and international actors. Ultimately, Kazakhstan shows that constitutional change can be a tool in the dual project of regime maintenance and institutional adaptation, and it highlights the need to distinguish between the use of constitutional reform as a tool for democratic transformation and as a strategy for authoritarian resilience.

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