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THE INSTITUTE OF DISENFRANCHISEMENT IN THE ELECTORAL LEGISLATION OF KAZAKHSTAN IN THE EARLY 1920S – FIRST HALF OF THE 1930S

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Abstract. *Introduction.* The article is devoted to the analysis of the legal consolidation and practice of applying the institution of disenfranchisement in the electoral legislation of Kazakhstan in the early 1920s - first half of the 1930s as an important instrument of social and political differentiation of the population in the context of the formation of Soviet power. *Goals and objectives.* The goal of the study is to analyze the legal framework and practical application of the "disenfranchised" institution in the electoral legislation of Kazakhstan in the early 1920s – first half of the 1930s, as well as to identify its role in the system of socio-political restrictions. For this purpose, the tasks are set to study the regulatory framework, define the categories of persons deprived of rights and analyze the features of law enforcement practice. *Results.* The study established that the institution of "disenfranchised" in the electoral legislation of Kazakhstan in the 1920s and 1930s served as an important legal mechanism for social and political selection, ensuring the exclusion of "unreliable" groups of the population from participation in governance and serving as an instrument for implementing the repressive policies of the Soviet government. *Conclusions.* Thus, disenfranchisement in Kazakhstan in the 1920s and 1930s was a systemically enshrined in legislation and widely applied in practice instrument of political and social discrimination aimed at strengthening Soviet power and suppressing potentially oppositional segments of society.

Keywords: Kazakhstan, disenfranchised persons, electoral law, electoral legislation, Soviet power, repressions, legal restrictions, social stratification, class politics

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1920-ЖЫЛДАРДЫҢ БАСЫ – 1930-ЖЫЛДАРДЫҢ БІРІНШІ ЖАРТЫСЫНДАҒЫ ҚАЗАҚСТАННЫҢ САЙЛАУ ЗАҢНАМАСЫНДАҒЫ САЙЛАУ ҚҰҚЫҒЫНАН АЙЫРУ ИНСТИТУТЫ

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Андатпа. *Kіріспе.* Мақала 1920-жылдардың басы мен 1930-жылдардың бірінші жартысындағы Қазақстанның сайлау заңнамасында сайлау құқығынан айыру институтының құқықтық бекітілуі мен қолданылу практикасын талдауға арналған. Бұл институт кеңес өкіметінің орнауы жағдайында халықты әлеуметтік және саяси саралаудың маңызды құралы болды. *Зерттеудің мақсаты мен міндеттері.* Бұл Зерттеудің мақсаты – 1920-жылдардың басы мен 1930-жылдардың бірінші жартысындағы Қазақстанның сайлау заңнамасындағы «лишенцы» (құқығынан айырылғандар) институтының құқықтық ресімделуі мен қолданылу практикасын талдау, сондай-ақ оның әлеуметтік-саяси шектеулер жүйесіндегі рөлін анықтау. Бұл үшін нормативтік базаны зерттеу, құқығынан айырылатын тұлғалардың санаттарын айқындау және құқық қолдану практикасының ерекшеліктерін талдау міндеттері қойылды. *Материалдар мен әдістер.* Зерттеудің материалдық базасы 1920–1930 жылдардағы нормативтік құқықтық актілерден (конституциялар, жарлықтар, нұсқаулар), мұрағаттық құжаттардан және статистикалық материалдардан тұрды. Әдістемелік негіз тарихи, құқықтық, салыстырмалы және жүйелік талдау әдістерімен қалыптасты, бұл бізге Қазақстанның сайлау заңнамасында «құқығынан айырылғандар» институтының қалыптасуы мен қолданылуының ерекшеліктерін ашуға мүмкіндік берді. *Нәтижелер.* Зерттеу 1920–1930 жылдардағы Қазақстанның сайлау заңнамасында «құқығынан айырылғандар» институты әлеуметтік және саяси іріктеудің маңызды құқықтық механизмі ретінде қызмет еткенін, халықтың «сенімсіз» топтарын басқаруға қатысудан шеттетуді қамтамасыз ететінін және Кеңес үкіметінің репрессиялық саясатын жүзеге асыру құралы ретінде қызмет еткенін анықтады. *Қорытынды.* Осылайша, 1920-1930 жылдардағы Қазақстандағы сайлау құқығынан айыру кеңес билігін нығайтуға және қоғамның ықтимал оппозициялық топтарын басуға бағытталған саяси және әлеуметтік кемсітушіліктің заңнамада жүйелі түрде бекітілген және іс жүзінде кеңінен қолданылатын құралы болды.

Түйін сөздер: Қазақстан, сайлау құқығынан айырылған адамдар, сайлау құқығы, сайлау заңнамасы, кеңес билігі, қуғын-сүргін, құқықтық шектеулер, әлеуметтік стратификация, таптық саясат

Алғыс білдіру. Мақала Қазақстан Республикасы Ғылым және жоғары білім министрлігінің гранттық қаржыландыру жобасы аясында дайындалды: «1920 жылдардың басы мен 1930 жылдардың бірінші жартысында Қазақстан қоғамының әлеуметтік құрылымы мен күнделікті өміріндегі «құқығынан айырылғандар»: әлеуметтік-құқықтық мәртебесі және бейімделу мәселелері» (тіркеу нөмірі: AP26195559).

Дәйексөз үшін: Қозыбаева М.М. 1920 жылдардың басы – 1930 жылдардың бірінші жартысындағы Қазақстанның сайлау заңнамасындағы сайлау құқығынан айыру институты // Asian Journal “Steppe Panorama”. 2026. Т. 13. № 2. 465–480 бб. (Ағыл.). DOI: 10.51943/2710-3994_2026_13_2_465-480

ИНСТИТУТ ЛИШЕНИЯ ИЗБИРАТЕЛЬНЫХ ПРАВ В ВЫБОРНОМ ЗАКОНОДАТЕЛЬСТВЕ КАЗАХСТАНА В НАЧАЛЕ 1920-Х – ПЕРВОЙ ПОЛОВИНЕ 1930-Х ГОДОВ

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Аннотация. *Введение.* Статья посвящена анализу правового закрепления и практики применения института лишения избирательных прав в выборном законодательстве Казахстана в начале 1920-х – первой половине 1930-х годов как важного инструмента социальной и политической дифференциации населения в условиях становления советской власти. *Цель и задачи исследования.* Целью исследования является анализ правового оформления и практики применения института «лишенцев» в избирательном законодательстве Казахстана в начале 1920-х – первой половине 1930-х годов, а также выявление его роли в системе социально-политических ограничений, для чего ставятся задачи изучения нормативной базы, определения категорий лишаемых прав лиц и анализа особенностей правоприменительной практики. Материальную базу исследования составили нормативно-правовые акты (конституции, декреты, инструкции), архивные документы и статистические материалы 1920–1930-х годов, а методологическую основу – историко-правовой, сравнительный и системный методы анализа, позволяющие раскрыть особенности формирования и применения института «лишенцев» в избирательном законодательстве Казахстана. *Результаты.* В результате исследования установлено, что институт «лишенцев» в избирательном законодательстве Казахстана в 1920–1930-е годы выступал важным правовым механизмом социальной и политической селекции, обеспечивавшим исключение «неблагонадёжных» групп населения из участия в управлении и служившим инструментом реализации репрессивной политики советской власти. *Выводы.* Таким образом, лишение избирательных прав в Казахстане в 1920–1930-е годы представляло собой системно закреплённый в законодательстве и широко применяемый на практике инструмент политической и социальной дискриминации, направленный на укрепление советской власти и подавление потенциально оппозиционных слоёв общества.

Ключевые слова: Казахстан, лишенцы, избирательное право, избирательное законодательство, советская власть, репрессии, правовые ограничения, социальная стратификация, классовая политика

Благодарность. Статья подготовлена в рамках реализации проекта грантового финансирования Министерства науки и высшего образования Республики Казахстан «Лишенцы» в социальной структуре и повседневной жизни общества Казахстана в начале 1920-х – первой половине 1930-х годов: социально-правовой статус и проблемы адаптации» (регистрационный номер: AP26195559).

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One of the key instruments in the fight against the so-called "class enemy," actively employed by the Soviet totalitarian regime, was the deprivation of civil and political rights based on social status, class, nationality, religion, and other criteria. Based on the idea of class division in society, this practice was introduced shortly after the October Revolution of 1917. As early as July 1918, the first Constitution of the RSFSR enshrined a provision disenfranchising members of the "exploitative" classes, and this provision remained in law until the mid-1930s.

A characteristic phenomenon in the socio-political life of Kazakhstan in the 1920s and first half of the 1930s was the emergence of the category of "disenfranchised"— individuals restricted in their voting and other rights due to their social origins deemed unreliable. These citizens found themselves in a unique position: they were prohibited from joining trade unions or holding government office, and these restrictions often extended to their family members. The procedure of disenfranchisement played a significant role in distinguishing between "loyal" and "alien" elements. Archival sources indicate that, upon hiring, questionnaires were filled out that required specifying whether, when, and on what grounds the individual had been disenfranchised. The terms "disenfranchised" or "socially alien element"— unofficial categories of citizens subject to restrictions under the 1918 and 1926 Constitutions of the RSFSR — were used to refer to such individuals. With the adoption of the 1936 Constitution, universal suffrage was proclaimed: all citizens, with the exception of those declared legally incompetent, received equal voting rights. Thus, the practice of disenfranchisement persisted for approximately 18 years.

This measure became an effective tool for transforming the social structure of society and the state. Deprivation of the right to vote automatically entailed a reduction in a person's political and social status, creating a category of "second-class citizens." In many cases, this served as a starting point for subsequent repressive measures against such individuals.

Social origin was the key criterion for assessing "trustworthiness," forming the basis for party purges and testing the population for ideological compliance. In Kazakhstan, restrictions were primarily imposed on clergy, former merchants, pre-revolutionary officials, and a significant portion of the peasantry who employed hired labor—bais (rich peasants), kulaks (folk), so-called semi-feudal elements (middle peasants), and sharuis (sharua). The identification of "socially alien" elements often occurred without judicial proceedings, often based on denunciations. These individuals were subsequently stripped of their rights and excluded from economic and public activities. Attempts to restore rights involved lengthy proceedings, complaints, and the collection of supporting documents, but rarely resulted in a positive outcome.

Formally, disenfranchisement could be limited to participation in elections, but in practice it was accompanied by a wide range of additional restrictions. Those disenfranchised were denied access to higher education, could not hold positions of responsibility, participate in the judicial system as assessors, defense attorneys, guarantors, or guardians, and were also deprived of the right to pensions and unemployment benefits. They were prohibited from joining trade unions, which automatically precluded their participation in the management of enterprises and organizations. Furthermore, they were either not provided with food ration cards at all or received them only at minimal rates.

Initially, in the early 1920s, disenfranchisement was used by local authorities as an additional measure of pressure. However, as the Bolsheviks consolidated their power, this practice became systemic. Fearing political competition, the authorities used this mechanism to limit the influence of potential opponents. Ultimately, disenfranchisement became a tool of complex pressure—social, economic, administrative, and even psychological — on the most independent and economically active segments of the population. Subsequently, the list of accompanying restrictions gradually expanded, encompassing various spheres of public life.

Materials and Methods

The material base of the study consisted of normative legal acts (constitutions, decrees, instructions), archival documents, and statistical materials from the 1920s and 1930s. The methodological basis was historical, legal, comparative, and systemic analysis, which allowed us to

uncover the specific features of the formation and application of the institution of "disenfranchised" in the electoral legislation of Kazakhstan.

Discussion

The historiography on the legal basis for disenfranchisement in Kazakhstan in the early 1920s and first half of the 1930s encompasses a wide range of studies devoted to the development of the Soviet electoral system, the formation of legal mechanisms for social differentiation, and the practice of restricting the political rights of the population under the establishment of the new political regime. During the Soviet period, this issue was not considered an independent area of scientific analysis. Studies of electoral law, class politics, and state building in the works of P.G. Volodarskiy, P.V. Terekhov (Volodarskiy, Terekhov, 1930), V.D. Menshagin (Menshagin, 1939), and others (Zakonodatel'stvo o lishenii, 1930) were primarily normative and descriptive and ideologically driven. The primary focus was on justifying the need to restrict the political rights of "exploitative elements" and legitimizing the policies of Soviet power. Issues of disenfranchisement were examined fragmentarily – as an element of class struggle and the defense of the socialist state.

Since the early 1990s, with the opening of archives and the revision of methodological approaches, a new stage in the study of the problem began. In Kazakhstani historiography, a sustained interest in the issues of the socio-legal history of the Soviet period has formed. Significant contributions to the development of the topic were made by M.K. Kozybayev (Kozybayev, 2006), Zh.B. Abylkhozhin (Abylkhozhin, 1997), T.O. Omarbekov (Omarbekov, 1997), M.K. Koygeldiev (Koygeldiev, 2009), who studied the processes of formation of the Soviet political system in Kazakhstan, including the legal basis for limiting the political rights of various categories of the population. In the studies of Y.V. Shapoval (Shapoval, 2022), S.K. Tulbasiyeva (Tulbasiyeva, 2023) shifts the focus to an analysis of the legal mechanisms of disenfranchisement in the context of repressive policies, their institutionalization, and socio-historical consequences.

In the works of Russian authors, an attempt was made to systematically analyze the mechanisms of social control and repressive policies, including the practice of disenfranchisement. In the studies of L.N. Mazur (Mazur, 1997), V.I. Tikhonov, V.S. Tyazhelnikova, I.F. Yushin (Tikhonov et al., 1999), V.N. Zemskov (Zemskov, 2003), N.M. Morozova (Morozova, 2009), V.N. Belonovskiy, A.A. Kalgina (Belonovskiy, Kalgina, 2014) and others (Marginaly v sotsiume, 2017) special attention is paid to the issues of the relationship between law and ideology, as well as the impact of the practice of disenfranchisement on the social structure of society. In a number of works by N.B. Lebina (Lebina, 1999), S. Fitzpatrick (Fitzpatrick, 2001), T.M. Smirnova (Smirnova, 2003), I. Ohayon (Ohayon, 2009), S. Cameron (Cameron, 2018) the problem is considered in the context of human rights, historical memory and assessment of the Soviet legacy.

Thus, the historiography of this topic demonstrates an evolution from ideologically driven interpretations to a comprehensive scholarly analysis using archival sources and interdisciplinary approaches. However, the regional specifics of legal regulation and the practice of disenfranchisement in Kazakhstan remain understudied, making further research highly relevant.

Results

The legal framework for disenfranchisement in Kazakhstan in the 1920s and 1930s consisted of a set of special acts that can be divided into four main groups. The first group included the fundamental legislative acts—the 1918 Constitution of the RSFSR, the 1925 Constitution of the RSFSR, and the 1926 Constitution of the Kazakh ASSR – which enshrined general provisions on disenfranchisement. All subsequent regulatory documents were derivative in nature and developed the norms enshrined in them. The second group consisted of instructions on re-elections of city and village councils, as well as on the convening of volost, district, and provincial congresses of Soviets. These acts specified the application of constitutional provisions in the area of electoral law. They were accompanied by other documents that clarified and expanded the list of categories of citizens subject to disenfranchisement. The third group consisted of regulations aimed at eliminating the consequences of gross violations of the law committed against individuals deprived of their voting

rights. These documents, adopted by the Central Executive Committee of the USSR and other central government bodies between 1930 and 1935, regulated measures to correct violations of electoral legislation and streamline the proceedings related to the exercise of citizens' voting rights (Kozybayeva, Kaipbayeva, 2024: 412).

When analyzing the first group of legal acts, it should be taken into account that the Constitution of the RSFSR, adopted on July 10, 1918, at the Fifth All-Russian Congress of Soviets, had a distinctly class-based character. It enshrined the dictatorship of the proletariat, proclaimed the transfer of all power to the Soviets as a strictly centralized system, abolished private land ownership, and introduced restrictions on political rights for certain social groups, including the right to vote and be elected. A similar approach was repeated in Article 2 of the 1926 Constitution of the Kazakh ASSR, which explicitly stated that "there can be no place for exploiters in any government body."

At the same time, the 1918 Constitution of the RSFSR did not enshrine the key democratic principles of a representative system, in particular the principle of separation of powers, considered in legal theory as a fundamental element of statehood (Articles 31, 62). The document effectively rejected the general democratic concept of the people as the source and bearer of sovereignty. Fundamental political freedoms—speech, press, assembly, and association—were interpreted primarily in political-class terms and granted exclusively to workers (Articles 14–16). Moreover, the Constitution enshrined legal inequality, allowing for the division of the population into classes and social groups and, "guided by the interests of the working class as a whole," provided for the deprivation of rights for certain individuals and categories if they were used to the detriment of the socialist revolution (Article 23).

In order to ensure the "purity" of the state apparatus, the Constitution established a list of categories of citizens who were denied the active and passive right to vote. According to Article 65, the following persons did not have the right to vote and be elected to councils: a) those who use hired labor for the purpose of making a profit; b) persons living on income from capital, enterprises or property (for example, interest, rent, etc.); c) private traders, trade and commercial intermediaries; d) monks and clergy of religious cults; e) former employees of the police, gendarmerie and security departments, as well as members of the reigning dynasty; f) persons recognized as mentally ill or insane, as well as those under guardianship; g) persons convicted of acquisitive and disgraceful crimes, in accordance with the term established by law or a court sentence. Thus, the category of "disenfranchised" included "class alien" elements, ideological opponents, representatives of former ruling groups and classes, as well as citizens who did not participate in social production work.

The aforementioned provisions of the Constitution were also reflected in the Declaration of Rights of Workers of the Kazakh SSR of October 6, 1920. Thus, Article 2 stipulated that the rights to vote and be elected were not granted to the following categories: employees and agents of the former (tsarist) police; persons recognized as mentally ill or under guardianship; those convicted of selfish and disgraceful crimes; as well as those who use hired labor for profit or live on unearned income (Obrazovaniye Kazakhskoy ASSR, 1957: 269–272). The relatively narrow circle of persons subject to these restrictions at the initial stage is likely explained by the fact that the Soviet government established in the Kazakh steppe did not yet have a clear enough understanding of the social structure of local society, its religious characteristics, mentality, and potential for resistance. Under these conditions, the tactics chosen were a gradual expansion of restrictions and a phased attack on the political rights of various categories of the population.

The 1925 Constitution of the RSFSR continued the policy of limiting the rights of certain categories of citizens, including "persons who directed the activities of the police, gendarmerie, and punitive bodies" (Article 69) in the list of those disenfranchised. In turn, the 1926 Constitution of the Kazakh ASSR, in Article 79, expanded this list to include people deprived of their voting rights by court order. This provision remained in place until the mid-1930s. The 1936 Constitution, however, expanded voting rights, establishing that all citizens who had reached the age of 18, regardless of race, nationality, gender, religion, education, residence, social status, or past history, had the right to participate in elections, except for people recognized as insane. A similar provision was enshrined in the 1937 Constitution of the Kazakh SSR.

These constitutional provisions violated citizens' fundamental rights to participate in elections, creating political inequality and legitimizing repression and violence against entire social groups. Power was effectively placed outside the legal framework, justifying any action to achieve political goals. The constitution thus enshrined elements of totalitarian control and the lack of accountability of the state apparatus, rendering it unconstitutional and illegal. The application of these norms in Kazakhstan in the 1920s and 1930s, which limited the electoral rights of certain groups, became the basis for the struggle against the clergy, the rich, and other ideological opponents, as well as for subsequent political repression.

The second group consisted of Decrees of the All-Russian Central Executive Committee, such as the "Instructions on the Re-Elections of City and Village Councils and on the Convocation of Volost, District, and Provincial Congresses of Councils" (1922), "On Approval of the Instructions on the Elections of City and Village Councils and on the Convocation of Congresses of Councils" (1925 and 1926), as well as Resolutions of the All-Russian Central Executive Committee, such as the "Instructions on Elections to Councils and Congresses of Councils of the RSFSR" (1930 and 1934) and other normative acts that clarified the application of constitutional norms in the area of electoral law. This group also included additional acts that expanded and specified the list of people deprived of voting rights.

An analysis of the second group of regulations revealed that constitutional provisions were further developed in these instructions, which detailed the mechanism for disenfranchisement and expanded the scope of those "disenfranchised." The broad interpretation of the concept of "disenfranchised" and the grounds for disenfranchisement allowed local authorities to arbitrarily interpret the reasons for disenfranchisement, making it possible to include virtually any group of citizens deemed a threat to the state. To limit local arbitrariness, the Resolution of the Presidium of the Central Executive Committee of the USSR "On Re-Elections to the Soviets" of January 16, 1925, stated that "provincial executive committees must pay serious attention to cases of unjustified and illegal disenfranchisement of individual citizens who, according to the precise meaning of the relevant articles of the constitutions of the Union republics, are not disenfranchised." The instructions also contained a detailed list of persons subject to disenfranchisement, including more than 30 categories, among which were "employees and agents of the former police, all employees of the former special corps of gendarmes and the security department, and members of the royal house in Russia" (Kozybayeva, 2014: 262).

According to the Resolution of the Presidium of the Central Executive Committee of the USSR "On the Application of the Instruction on Re-elections to the Soviets" of April 8, 1925, the data provided by the Presidium of the Central Executive Committee of the USSR showed that local authorities continued to broadly interpret the articles of the constitutions of the union republics that defined the categories of persons deprived of voting rights, as well as Chapter 4 of the instruction of the Central Executive Committee of the USSR of January 16, 1925, concerning re-elections to the Soviets and persons deprived of voting rights.

Local authorities included in the category of "disenfranchised" not only non-laboring and counterrevolutionary elements mentioned in the constitutions of the Union republics and the aforementioned instruction, but also groups such as artisans with subsidiary enterprises, ministers of churches and religious institutions, watchmen, singers, organists, members of church councils, and others. One of the reasons for including these categories in the list of "disenfranchised" was the desire to impose a tax on them, levied in exchange for their performance of duties as rural officials (Kozybayeva, 2025: 575).

However, the Presidium of the Central Executive Committee of the USSR noted that such a broad interpretation of the constitutions of the Union republics and the instructions of the Central Executive Committee of the USSR was unacceptable, especially if the grounds for disenfranchisement were unrelated to the motives used by the Soviet government to exclude certain groups of citizens from elections. No applications by individuals or groups could serve as grounds for disenfranchisement without confirmation by the competent authorities specified in Article 10. In particular, artisans with subsidiary enterprises, such as mills, grain crushers, or oil churns, could not

be included on the list of "disenfranchised" solely on the basis of their ownership of such enterprises. Likewise, church ministers, choristers, church watchmen, organists, members of parish councils, and others were not to be disenfranchised solely on these grounds. Psalm-readers, cantors, and muezzins, if their occupation was not their primary profession, were also not subject to disenfranchisement. In this regard, a decision was made to review the lists of persons deprived of voting rights, compiled on the basis of a broad interpretation of existing norms, and, in particular, to reconsider the issue of depriving of voting rights those who were classified as such only on the basis of a tax collected instead of fulfilling the duties of rural executives (Sobraniye zakonov, 1925: 633–635).

By the Resolution of the Presidium of the Kazakh Central Executive Committee of June 26, 1926, it was stipulated that, taking into account the specific living conditions of the Kazakh Soviet Socialist Republic, in addition to the categories enshrined in Article 65 of the Constitution and Article 22 of the USSR Central Executive Committee Instruction of January 16, 1925, on re-elections to the Soviets, additional groups were to be included in the list of persons deprived of voting rights. These included: 1) district and sub-district resettlement chiefs who performed the functions of peasant chiefs in the pre-revolutionary period on the territory of the Kazakh Soviet Socialist Republic; 2) representatives of the Muslim clergy - imams, khazrets, muftis, members of spiritual administrations (qazis), muhtasibs, as well as other persons holding official positions directly related to the administration of religious worship. At the same time, mullahs who possessed a theological education but did not carry out religious service and were engaged in agriculture or teaching literacy and religion were not subject to inclusion among those deprived of voting rights, since religious activity was not their main occupation; 3) persons using hired labor, while emphasizing the need to take into account the provisions on the temporary use of hired labor in peasant (including Kazakh) farms, where it was allowed as auxiliary during the agricultural year. Particularly noted was the inadmissibility of a broad and unfounded interpretation of constitutional norms that clearly define the categories of citizens subject to deprivation of voting rights, taking into account the local conditions of agricultural and livestock farming (SAAR. F. 3. Inv. 1. C. 114 P. 117).

Every year, the list of categories of citizens disenfranchised grew, leading to the illegal exclusion of an ever-increasing number of people. This particularly hampered the situation of large sections of the peasantry, who employed even seasonal hired labor. For example, in the Decree of the All-Russian Central Executive Committee "On Approving the Instructions on the Elections of City and Village Soviets and on the Convening of Congresses of Soviets" of November 4, 1926, Section II "On the Deprivation of Electoral Rights" included farmers and livestock breeders using hired labor (seasonal or permanent), mill and oil mill owners, artisans and craftsmen employing permanent labor, industrial enterprise owners, entrepreneurs and contractors, and others among those ineligible to participate in elections. These provisions became the basis for further processes of dispossession and debayization in the country. Having studied archival materials from regional archives and analyzed the practice of disenfranchisement in Kazakhstan, it was possible to establish that in some regions, local authorities compiled lists of "disenfranchised" individuals, which included more than 30 different subcategories.

The procedure for disenfranchisement was clearly regulated in the Instructions. According to these rules, village and city councils were required to maintain a permanent record of citizens disenfranchised in individual rural and urban settlements. Then, no later than 20 days before the elections for the relevant council, the electoral commission published and prominently displayed lists of those disenfranchised, as well as announced them at meetings and in the press. These lists included detailed information: age, gender, nationality, social origin, activities prior to and current to the October Revolution, and the reason for disenfranchisement. Those disenfranchised could appeal this decision within a week of the publication or display of the list. Complaints were submitted to the electoral commission that compiled the list. This commission, in turn, was obliged to forward the complaint to the higher-level electoral commission within 24 hours, along with the relevant findings. The final authority for appealing against the unlawful deprivation of voting rights was the Presidium of the Central Election Commission of the Republic.

In connection with the formation of a network of grassroots electoral commissions, the Presidium of the Kazakh Central Executive Committee issued a number of mandatory instructions in a letter dated November 28, 1926. The document noted that Article 14 of the All-Russian Central Executive Committee's instructions on re-elections to Soviets and the convening of Soviet congresses stipulated the disenfranchisement of exploitative elements in the villages – that is, farms that went beyond the labor-based model, through enslaving transactions, the use of hired labor as the primary means, and other similar factors. At the same time, it emphasized that uniform and universal criteria for distinguishing between labor-based and non-labor-based farms could not be established for all regions of the republic. In this regard, it was prescribed that such a distinction be made in each specific case at the local level - by the aul and village electoral commissions, which were charged with the responsibility of compiling lists of both persons deprived of voting rights and voters (SAAR. F. R-73. Inv. 1. C. 500. P. 100).

The instruction of the Presidium of the Kazakh Central Executive Committee dated December 27, 1926, provided clarifications that were mandatory for application in determining the categories of persons subject to disenfranchisement during re-elections to the Soviets. The document indicated the need to supplement the established list, taking into account the specifics of Kazakhstan. In particular, it was proposed to include the following categories: the so-called "atkaminers" – persons known among the Kazakh population as unofficial clan administrators and intermediaries in the aul, who, for remuneration (in money or livestock), carried out activities detrimental to the interests of the poor and semi-proletarian strata; taubs - clergymen, as well as persons who practiced the economic enslavement of the population by providing, for example, dairy cattle for use under obviously enslaving conditions (SAAR. F. R-73. Inv. 1. C. 500. P. 256).

Thus, the list of persons deprived of voting rights was established in the Constitutions and clarified in the electoral instructions of the Central Executive Committee of the USSR and the Central Executive Committees of the Union Republics. This list was mandatory for all Union Republics, while the Central Executive Committees of the Republics had the right to amend and supplement the all-Union instructions, taking into account local peculiarities, such as the nomadic way of life, the peculiarities of livestock farming, and others. Subsequently, a special Resolution of the Presidium of the Central Executive Committee of the USSR dated March 1, 1929, issued a directive to the Central Executive Committees of the Union Republics "to bring the electoral instructions in those Union Republics where these instructions contain deviations into strict conformity with the latter" (Institut vyborov, 2010: 131–132). In cases where instructions were violated when compiling lists of individuals deprived of voting rights, immediate measures were required to revise these lists in both cities and rural areas. An audit of the review of complaints regarding unlawful deprivation of voting rights and petitions for reinstatement was also required, involving prosecutorial oversight, and holding those responsible for violating electoral legislation accountable.

Thus, the April 10, 1930, All-Russian Central Executive Committee (ARCEC) Resolution "On Measures to Eliminate Violations of Electoral Legislation and on Streamlining the Process of Cases Concerning Citizens' Electoral Rights" and subsequent clarifications undoubtedly testify to widespread abuses and violations in the implementation of electoral legislation. Individuals deprived of their voting rights were allowed to appeal the regulation within one week of its publication; their rights could be reinstated on a general basis, through local executive committees and the Kazakh Central Executive Committee.

According to the Decree of the Central Executive Committee and the Council of People's Commissars of the USSR "On the Prohibition of Kulaks and Disenfranchised Persons from Joining Cooperatives" of October 21, 1930, kulaks and other individuals deprived of the right to vote for councils could not be members of collective farms and other agricultural cooperatives, as well as industrial cooperative associations (artels) and consumer societies. This rule did not apply to members of families that included Red partisans, Red Army and Red Navy soldiers (both enlisted and commanding), rural teachers, and agronomists loyal to Soviet power, provided they vouched for their family members. At the same time, the share contributions of the kulaks and dispossessed people, who were excluded from cooperative organizations, were not returned, and the share contributions

were turned into funds for the cooperative and collectivization of the poor and farm laborers (SARF. F. 5446. Inv. 1. C. 458. P. 116–117).

Local instructions took precedence and further strengthened the repressive policy, expanding and expanding the categories of those disenfranchised, thereby significantly increasing the circle of citizens with infringed rights. The provision of the Instruction "On Elections to Soviets and Congresses of Soviets of the RSFSR, "approved by the Resolution of the All-Russian Central Executive Committee of October 20, 1930, was illegal and repressive. It deprived" family members of persons deprived of their voting rights in cases where they are financially dependent on persons deprived of their voting rights" (Sobraniye zakonov, 1930: 846–858). According to this provision, not only the disenfranchised themselves were deprived of voting rights, but also their family members. In fact, their number significantly outnumbered the disenfranchised themselves.

It should be noted that the institution of disenfranchisement during that period not only denied citizens the right to vote and be elected. It was also illegal, as it restricted other social rights. It's worth noting that absolutely all wealthy social strata whose property was confiscated had previously been deprived of their voting rights. At their new place of residence, those deported were added to lists of those disenfranchised. Thus, the authorities viewed kulaks and disenfranchised individuals as the most dangerous social groups for state building, the Sovietization of villages, and the creation of collective farms.

All clergy, muezzins, and azanchis were also disenfranchised, since, as noted in a note marked "top secret" by the Eastern Department of the OGPU "On measures to combat the Muslim clergy," it is through them that the influence of the Muslim clergy on the lower Soviet organs is exercised, for the most part" (RSASPH. F. 17. Inv. 85. C. 171. P. 82). The list of persons disenfranchised by the Aktobe Provincial Electoral Commission during the 1927 election campaign in the city of Aktobe included 372 persons, representatives of the clergy (imams, mullahs, muhtasibs, ishans).

At the same time, bais and kulaks had no opportunity to prove their worth through their labor, as deprivation of the right to vote automatically entailed a ban on joining collective farms. As a rule, those deprived of the right to vote were equated with kulaks. This illegal regulation was enshrined in the Resolution of the Central Executive Committee and the Council of People's Commissars of the USSR "On the Non-Admission of Kulaks and Deprived Persons to Cooperatives" of October 21, 1930, according to which kulaks and other individuals deprived of the right to vote for councils could not be members of collective farms and other agricultural cooperatives. Moreover, the kulaks and dispossessed peasants expelled from cooperative organizations were not refunded their share contributions. The governments of the Union republics were asked to "introduce into the legislation of the Union republics the changes arising from this resolution" (Tragediya sovetskoy derevni, 2000: 690).

The issue of those disenfranchised and the tightening of the procedure for reinstatement of electoral rights was raised in the report of the Secretary of the Presidium of the Central Executive Committee of the USSR A.S. Yenukidze to I.V. Stalin on March 1, 1930, on the issue of "disenfranchised" (Politbyuro i krest'yanstvo, 2005: 125-132). This report noted that the circle of individuals deprived of voting rights was defined in the constitutions of the Union republics and in the electoral instructions of the Central Executive Committee of the USSR and the Central Executive Committees of the Union republics. However, the constitutions of the Union republics provided only the most general list of categories of citizens deprived of their voting rights. This list was specified in the electoral instructions of the Central Executive Committee of the Union and the electoral instructions of the Union republics. Thus, the categories of individuals deprived of voting rights were determined by the electoral instructions of the Presidium of the Central Executive Committee of the USSR. These categories were divided into three main groups: a) individuals who resorted to hired labor for profit; b) individuals who lived on unearned income, as well as those engaged in trade; and c) individuals who, due to their class status at the time of the elections or their past activities, belong to the category of those deprived of voting rights, in accordance with the relevant articles of the constitutions of the Union republics.

The report also spoke of the need to tighten the procedure for restoring voting rights. Five years of work experience was required to have one's voting rights reinstated, and the Resolution of the USSR People's Commissariat of Labor of July 13, 1929, stipulated that It was forbidden to register with labor exchanges deprived of their voting rights (Politbyuro i krest'yanstvo, 2005: 125-132). This is despite the fact that it was impossible to find hired work outside the labor exchange under Soviet conditions. Thus, on the one hand (by law), five years of work experience was required to restore the disenfranchisement of those deprived of their voting rights, on the other hand (departmental order) they were deprived of the opportunity to engage in work. Additional measures were applied to those deprived of voting rights, which not only did not allow the disenfranchised person to return to working life, but also put him and his family in an absolutely hopeless situation.

All these obvious violations of the rights of those disenfranchised and numerous statements and complaints from them about the arbitrary actions of local authorities led to the emergence of regulatory legal acts aimed at eliminating violations of electoral legislation, which we conditionally classified as the third group. The third group of normative legal acts includes such documents as the Resolution of the Central Executive Committee of the USSR "On the Elimination of Violations of Electoral Legislation in the USSR" of March 22, 1930, the Resolution of the Central Executive Committee of the USSR "On Measures to Eliminate Violations of Electoral Legislation and on Streamlining the Proceedings of Cases Concerning the Electoral Rights of Citizens" of April 10, 1930, the Resolution of the Central Executive Committee and the Council of People's Commissars of the USSR "On Preventing Kulaks and Dispossessed Persons from Participating in Cooperatives" of October 21, 1930, the Resolution of the Presidium of the Central Executive Committee of the USSR "On the Procedure for Restoring the Civil Rights of Evicted Kulaks" of July 3, 1931, March 17, 1933, May 27, 1934, and others.

According to the decree of the Central Executive Committee of the USSR of September 27, 1934, "On Amendments and Supplements to the Instructions on Elections to the Soviets," significant adjustments were made to the electoral instructions. Specifically, farmers and livestock breeders who, in addition to their primary farms, owned commercial or industrial enterprises (e.g., mills, grain mills) equipped with mechanical engines or operated using permanent or seasonal hired labor were excluded from the list of categories of citizens subject to disenfranchisement. Also excluded from the list of "disenfranchised" were individuals who systematically leased complex agricultural machinery, owners of large fishing vessels who leased them out, and those who provided the population with means of production or loans under onerous conditions. At the same time, new categories were included in this list: kulaks, evicted from the boundaries of the villages and settlements in which they had previously lived for anti-Soviet and anti-collective farm actions, as well as traders, speculators, hucksters, trade intermediaries, middlemen and usurers.

Section IV of the instructions ("On the Procedure for Restoring Electoral Rights") established an additional rehabilitation mechanism. Specifically, the children of exiled kulaks—both those living in special settlements and places of exile and outside them—could have their voting rights reinstated by district executive committees at their place of residence, provided they participated in socially useful labor and demonstrated conscientious performance. Furthermore, provisions were made for the reinstatement of kulaks deported from their former places of residence for anti-Soviet and anti-collective farm activities, provided they demonstrated their unconditional honesty in their new places of residence and their support for Soviet government measures. The general rule established a five-year period from the date of exile, after which reinstatement was possible, while for individuals who had worked for at least three years in the gold and platinum industries, this period was reduced to three years. Decisions on reinstatement were made by the central executive committees of the union and autonomous republics, as well as by regional and provincial executive committees, based on submissions from the relevant bodies of the People's Commissariat of Internal Affairs. It was specifically stipulated that individuals in this category who were high-performing workers and actively involved in public life, particularly young people, could have their voting rights reinstated early. Moreover, the reinstatement of the rights of the head of the family also extended to other family members, provided there were no other grounds for disenfranchisement.

Based on Article 41 of the RSFSR Electoral Instructions for the 1934 Re-Elections and the Resolution of the All-Russian Central Executive Committee of the USSR of September 27, 1934, at a meeting of the Central Electoral Commission under the Presidium of the Kazakh Central Executive Committee in November 1934, a petition from the NKVD of the Kazakh ASSR to restore the voting rights of 1,696 special settlers and their children residing in special settlements in Kazakhstan was considered and granted. The petition stated that some of the settlers, former kulaks, had proven themselves to be exemplary laborers during their stay in special settlements in Kazakhstan in 1931–1932. They demonstrated their commitment to party and government policy by actively working at the Karugol enterprises in Karaganda, the Stepanyak gold industry, the Akzhal state farms, and by engaging in agricultural development. These settlers not only worked conscientiously but also participated in public cultural and mass work in the villages, thereby earning the trust of the authorities (CSA RK. F. 813. Inv. 1. C. 109. P. 1–62).

Disenfranchisement was considered a punitive measure in documents not directly related to electoral law. For example, Article 7 of the Decree of the All-Russian Central Executive Committee "On Administrative Expulsion" of August 10, 1922, stated that individuals subject to administrative expulsion were deprived of active and passive voting rights for the duration of their expulsion, thereby expanding the category of individuals subject to disenfranchisement. Article 21 of the Instructions for the Implementation of the Resolution of the Central Executive Committee and Council of People's Commissars of the Karelia ASSR of August 27, 1928, "On the Confiscation and Eviction of Bai (Bay) Farms" also confirmed that "all those exiled are subject to inclusion in the list of those deprived of voting rights in their new place of residence, regardless of whether they establish a working farm there or not." This provision can be interpreted as disenfranchising all major bays subject to property confiscation. Thus, these documents were also illegal and of a repressive nature.

Repressive policies and disenfranchisement were extended to a wide range of individuals. Thus, adult family members of traitors to the Motherland, who lived with them or were dependent on them at the time of the crime, were also subject to disenfranchisement and exile to remote areas. Disenfranchisement was not a mere formality; it also meant the loss of other rights and access to social benefits. They were barred from government employment, and their family members were barred from educational institutions, the Party, and the Komsomol. Those disenfranchised were barred from positions of responsibility, including jurors in the People's Court, guarantors, and guardians. Children of disenfranchised individuals were immediately expelled from school until the Council of People's Commissars of the RSFSR issued a decree on January 31, 1930, which repealed this illegal practice.

The number of people deprived of voting rights in Soviet Russia demonstrated a steady upward trend. In 1924, there were approximately 700,000 of them in the RSFSR, representing approximately 1.6 % of the total number of voters. By 1926, this figure had increased to 4.5 %, and in 1927, it reached 7.7 % (in rural areas, the corresponding figures were 1.1% and 3.3 %). In the cities of the RSFSR, the growth was particularly noticeable: in 1926, there were 219,745 people (4.2 %), in 1927, there were 612,236 (7 %), and by 1929, there were already 727,365 people (7.2%), representing a more than threefold increase in three years. On the scale of the entire USSR, in 1929, approximately 8.6 % of the adult population were deprived of voting rights, while in 1927 this figure was 7.7 % (Vybory v soveti, 1928: 21).

In Kazakhstan, a similar dynamic was also observed: if in 1929 the share of disenfranchised people was 3.8% of the total number of voters, then in 1930 it increased to 95,266 people, or 5.2 %. During the elections to city councils, the figures remained high: in 1929 – 22,798 people (12.7 %), in 1930 – 28,467 people (about 12 %) (CSA RK. F. 5. Inv. 10. C. 208. P. 1–7). In general, according to data for 1930, there were almost 2.5 million disenfranchised people in the RSFSR, and at least 4 million people in the USSR (Fitzpatrick, 2001: 295). However, the approximate nature of these estimates indicates a lack of precise information on the true scale of the phenomenon among government agencies. The increase in the number of disenfranchised individuals was due not so much to improved identification, but to the transition to administrative-command management methods associated with the curtailment of the New Economic Policy.

Disenfranchisement remained in effect until 1936, when the constitutional provision restricting disenfranchisement to only those insane and those in custody was enshrined; all other citizens were granted equal rights. This constitutional provision was enshrined in the Resolution of the Presidium of the Central Executive Committee of the USSR "On the Termination of Proceedings on Disenfranchisement of Citizens of the USSR Based on Social Origin, Property Status, and Past Activities" of March 14, 1937. The process of reinstatement of voting rights dragged on for a long time, and the USSR Law "On the Abolition of Disenfranchisement by Court Order" of December 25, 1958, formalized the abolition of disenfranchisement by court order as a criminal penalty.

Conclusion

An analysis of legal acts and archival documents reveals that the disenfranchisement of citizens as an inalienable political right became a central element of the Soviet electoral system. Legislation adopted in the 1920s and 1930s laid the legal foundation for state persecution and mass political repression against those disenfranchised – individuals who had lost the right to participate in elections and be elected to state and local government bodies in Kazakhstan.

The adoption of the aforementioned documents and their implementation in Kazakhstan primarily violated fundamental human rights, such as the right to free expression and the right to freedom of movement, which are natural and belong to a person from birth. Political rights, such as the right to vote and be elected, were also violated. A significant portion of the population was deprived of the right to participate in governance and decision-making on state and public issues for various unjustified reasons. The violation of political rights also entailed restrictions on other natural human rights, such as the freedom to choose one's place of residence, movement, professional activity, and the right to education. As a result, those deprived of political rights were effectively marginalized from society, becoming outcasts and losing a wide range of civil rights.

Overall, the Soviet government introduced the category of "disenfranchised" to, based on the idea of class struggle, exclude "non-proletarian" and potentially disloyal groups from political life, strengthen control over society by depriving them of rights and social opportunities, and simultaneously facilitate the redistribution of their property and resources in favor of the state and the "working people." This policy was clearly demonstrated in practice in Kazakhstan, where, during collectivization and campaigns against the *bais* (rich landowners), they and their families were disenfranchised and their access to work, education, and food supplies was restricted. This allowed the authorities not only to ideologically "cleanse" society of "exploitative" groups but also to suppress potential resistance, force people to demonstrate loyalty, and simplify the confiscation of property and livestock for the benefit of collective farms and the state. As a result, the institution of disenfranchisement became an important instrument of political control, social pressure, and economic redistribution in the region.

Sources

SAAR — State Archive of the Aktobe Region
 SAAR — State Archive of the Abay Region
 SARF — State Archive of the Russian Federation
 RSASPH — Russian State Archive of Social-Political History
 CSA RK — Central State Archive of the Republic of Kazakhstan

Источники

ГАОО — Государственный архив Актюбинской области
 ГАОА — Государственный архив области Абай
 ГАРФ — Государственный архив Российской Федерации
 РГАСПИ — Российский государственный архив социально-политической истории
 ЦГА РК — Центральный государственный архив Республики Казахстан

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