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SOCIAL AND LEGAL ASPECTS OF DISENFRANCHISEMENT IN KAZAKHSTAN IN THE 1920S–1930S

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Abstract. *Introduction.* In the 1920s and 1930s, a system was formed in the Soviet Union, including the territory of Kazakhstan, in which the civil and political rights of the population were regulated not only by law, but also in accordance with the ideological principles of the ruling party. One of the key instruments for the formation of a new social structure of society was the right to vote, or rather, its restriction for certain categories of the population. The practice of deprivation of voting rights acquired a systemic and repressive character, turning into a method of social control and exclusion. *The purpose and objectives of the study:* to identify the socio-legal aspects of the disenfranchisement in Kazakhstan in the 1920s–1930s, its causes, mechanisms and consequences for society based on the study of regulatory legal acts and new archival sources. *Materials and methods.* The work uses archival documents, legislative acts, lists of people and scientific publications, and also applies such methods of processing the material and theory as historical-legal and comparative methods, content analysis and interpretation of sources, based on theories of human rights, social stratification and totalitarianism. *Results.* Based on constitutional and by-laws, a list of "unreliable" groups was formed – representatives of the clergy, merchants, officials, peasants who used hired labor, and other "class alien" elements. For them, disenfranchisement meant not only the inability to participate in elections, but also a whole range of social and legal restrictions: they could not get an education, work in governmental institutions, or get access to the social security system. *Conclusions.* Disenfranchisement based on social origin, religion, nationality, or belonging to certain social strata affected broad groups of the population. The study of the social and legal aspects of this practice in Kazakhstan allows us to understand how the discrimination model was formed, what its legal grounds were, how it was applied in practice, and what consequences it had for a significant part of the population. This contributes to an objective assessment of the socio-political legacy of that time and is important in the context of a modern rethinking of historical memory and the rule of law.

Keywords: Constitution, electoral legislation, electoral rights, disenfranchisement, social discrimination, disenfranchised people in the Kazakh ASSR, rich peasants and kulaks, special settlers, political repression, legal restrictions

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1920-1930 ЖЫЛДАРДАҒЫ ҚАЗАҚСТАНДАҒЫ САЙЛАУ ҚҰҚЫҒЫНАН АЙЫРУДЫҢ ӘЛЕУМЕТТІК-ҚҰҚЫҚТЫҚ АСПЕКТІЛЕРІ

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Аңдатпа. *Kіріспе.* 1920–1930 жылдары Кеңес Одағында, соның ішінде Қазақстан аумағында да, азаматтық және саяси құқықтарды реттеу тек заңнамалық негізде ғана емес, сонымен қатар билеуші партияның идеологиялық ұстанымдарына сәйкес жүзеге асырылды. Қоғамның жаңа әлеуметтік құрылымын қалыптастырудың негізгі тетіктерінің бірі сайлау құқығы болды, дәлірек айтқанда, оның белгілі бір әлеуметтік топтарға жіктелуі. Сайлау құқығынан айыру тәжірибесі жүйелі әрі репрессивті сипат алып, әлеуметтік бақылаудың және қоғамнан шеттету құралына айналды. *Зерттеудің мақсаты мен міндеттері.* 1920–1930 жылдардағы Қазақстандағы сайлау құқығынан айырудың әлеуметтік-құқықтық аспектілерін, оның себептерін, механизмдері мен қоғам үшін салдарын нормативтік құқықтық актілерді және жаңа архивтік дереккөздерді зерттеу негізінде анықтау. *Материалдар мен әдістер.* Зерттеу жұмысында архивтік құжаттар, заңнамалық актілер, сайлау құқықтарынан айырылғандар тізімдері мен ғылыми жарияланымдар пайдаланылды. Сонымен қатар материалдарды талдау мен теориялық негіздеуде тарихи-құқықтық және салыстырмалы әдістер, контент-талдау мен деректерді интерпретациялау тәсілдері қолданылды. Зерттеу барысында адам құқықтары, әлеуметтік стратификация және тоталитаризм теорияларына сүйенілді. *Нәтижелер.* Конституциялық және қосымша құқықтық актілер негізінде «сенімсіз» деп танылған әлеуметтік топтардың тізімі қалыптастырылды. Олардың қатарында дін қызметкерлері, көпестер, шенеуніктер, жалдамалы еңбекті пайдаланған шаруалар және өзге де «таптық тұрғыдан бөгде» элементтер болды. Сайлау құқығынан айырылу бұл санаттағы азаматтар үшін тек сайлауға қатыса алмауды ғана емес, сонымен бірге әлеуметтік-құқықтық шектеулердің тұтас спектрін білдірді: білім алуға, мемлекеттік мекемелерде жұмыс істеуге, әлеуметтік қорғау жүйесін пайдалануға мүмкіндік берілмеді. *Қорытынды.* Әлеуметтік шығу тегі, діни сенімі, ұлты немесе қоғамның белгілі бір санатына жататындығы бойынша құқықтардан айыру халықтың кең топтарына әсер етті. Қазақстандағы осы тәжірибенің әлеуметтік-құқықтық қырларын зерттеу кемсітушілік үлгісінің қалай қалыптасқанын, оның құқықтық негіздерін, іс жүзінде қалай қолданылғанын және халықтың елеулі бөлігі үшін қандай салдарлары болғанын түсінуге мүмкіндік береді. Бұл құбылысты зерттеу сол кезеңнің әлеуметтік-саяси мұрасын объективті бағалауға, сондай-ақ тарихи жад пен құқықтық мемлекет ұғымын қазіргі тұрғыдан қайта пайымдауға ықпал етеді.

Түйін сөздер: Конституция, сайлау заңнамасы, сайлау құқықтары, құқықтан айыру, әлеуметтік кемсітушілік, ҚазАКСР-дегі «құқығынан айырылғандар», байлар мен кулактар, арнаулы қоныстанушылар, саяси қуғын-сүргін, құқықтық шектеулер

Алғыс айту: 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 «айырылғандар»: әлеуметтік-құқықтық мәртебесі және бейімделу мәселелері (ЖТН: AP26195559).

Дәйексөз үшін: Қозыбаева М.М. 1920-1930 жылдардағы Қазақстандағы сайлау құқығынан айырудың әлеуметтік-құқықтық аспектілері // Отан тарихы. 2025. Т. 28. № 3. 573-590-бб. [Ағылш.].

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СОЦИАЛЬНО-ПРАВОВЫЕ АСПЕКТЫ ЛИШЕНИЯ ИЗБИРАТЕЛЬНЫХ ПРАВ В КАЗАХСТАНЕ В 1920–1930-х гг.

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Аннотация. *Введение.* В 1920–1930-х гг. в Советском Союзе, включая территорию Казахстана, сложилась система, в которой гражданские и политические права населения регулировались не только законодательно, но и в соответствии с идеологическими установками правящей партии. Одним из ключевых инструментов формирования новой социальной структуры общества стало избирательное право, точнее – его ограничение для определённых категорий населения. Практика лишения избирательных прав приобрела системный и репрессивный характер, превратившись в способ социального контроля и исключения. *Цель и задачи исследования* – выявить социально-правовые аспекты лишения избирательных прав в Казахстане в 1920–1930-е годы, его причины, механизмы и последствия для общества на основе изучения нормативных правовых актов и новых архивных источников. *Материалы и методы.* В работе используются архивные документы, законодательные акты, списки лишенцев и научные публикации, а также применяются такие методы обработки материала и теории, как историко-правовой и сравнительный, контент-анализ и интерпретация источников, опираясь на теории прав человека, социальной стратификации и тоталитаризма. *Результаты.* На основе конституционных и подзаконных актов был сформирован перечень «неблагонадёжных» групп – представителей духовенства, купечества, чиновничества, крестьян, применявших наёмный труд, и других «классово чуждых» элементов. Лишение избирательных прав для них означало не только невозможность участвовать в выборах, но и целый спектр социально-правовых ограничений: они не могли получать образование, работать в государственных учреждениях, пользоваться системой социальной защиты. *Выводы.* Лишение прав по признакам социального происхождения, вероисповедания, национальности или принадлежности к определённым слоям общества затронуло широкие группы населения. Изучение социально-правовых аспектов этой практики в Казахстане позволяет понять, как формировалась модель дискриминации, какими были её правовые основания, как она применялась на практике и какие имела последствия для значительной части населения. Это способствует объективной оценке социально-политического наследия того времени и важно в контексте современного переосмысления исторической памяти и правового государства.

Ключевые слова: Конституция, избирательное законодательство, избирательные права, лишение прав, социальная дискриминация, лишенцы в КазАССР, байство и кулачество, спецпереселенцы, политические репрессии, правовые ограничения

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» (ИРН: AP26195559).

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Introduction. The study of the socio-legal aspects of disenfranchisement in Kazakhstan in the 1920s and 1930s is of particular importance in the context of the analysis of the mechanisms of formation of the repressive policy of the Soviet state. The period of the formation of Soviet power was marked by the introduction of a class approach to the regulation of civil rights, which was reflected in the electoral system. Disenfranchisement on the basis of social origin, religion, nationality or belonging to certain social strata

affected large groups of the population, especially in multinational regions such as Kazakhstan. The study of this topic allows for a deeper understanding of the processes of social stratification, the formation of the image of a "politically alien element" and the institutionalization of inequality through legal instruments. In addition, the analysis of the legal framework and the practice of its implementation reveals the contradiction between the proclaimed principles of Soviet democracy and the real mechanisms of exclusion. This contributes to an objective assessment of the socio-political legacy of that time and is important in the context of a modern rethinking of historical memory and the rule of law.

Materials and methods. The sources used in the study were normative legal acts of the Soviet Republic and the Kazakh ASSR, including the Constitutions of 1918, 1925 and 1937, election regulations, as well as resolutions and decrees of the Central Executive Committee and the Council of People's Commissars. Archival materials were of great importance – reports, minutes of meetings, official correspondence and reports of local authorities stored in the Central State Archives of the Republic of Kazakhstan and regional archives. Publications in periodicals from the 1920s and 1930s, memoirs, letters and appeals from people deprived of voting rights were also used. In addition, scientific works of domestic and foreign researchers devoted to issues of social stratification, legal regulation and repressive policy in the USSR were involved.

Working with materials from district archives containing funds on those deprived of voting rights can reveal important aspects of this topic. In addition to lists of "disenfranchised" by district, such archives can include documents reflecting the daily life, fates of these people and the consequences of depriving them of their political rights and dispossession. Of particular value are documents from the lower level - from village councils and district executive committees – which can provide a more complete picture of the scale and mechanisms of repression. These funds have not yet been sufficiently studied by historians, although it is in them that one can find information on the actual practices of dispossession and administrative procedures, which allows one to better understand the inner workings of the repressive policy of those years.

Of particular interest are the personal files of those "disenfranchised" from their electoral rights, discovered by researchers in the country's central and regional archives. These documents contain complaints from citizens about the illegal confiscation of property and deprivation of electoral rights, minutes of meetings of city election commissions on issues of deprivation of rights, as well as historical information characterizing the main types of activity of social groups that were deprived of political rights.

The methodological basis was formed by the historical and legal analysis of regulatory documents, as well as the historical and comparative method, which made it possible to compare the practice of deprivation of rights in Kazakhstan with other regions. Using content analysis, the features of official rhetoric and administrative practice in relation to those deprived of rights were identified. Social analysis made it possible to determine the categorical composition of those deprived of rights and the consequences of this policy for their legal and social status. Discourse analysis was also used to identify the ideological foundations of the policy of social exclusion. The integrated approach provided a deep understanding of the mechanism of legal restrictions and their impact on society.

Discussion. The historiography on the topic of the research covers a wide range of studies related to the history of the repressive policy of the Soviet state, social stratification of society, as well as the formation of the legal system in the context of the formation of a totalitarian regime. In the Soviet period, this topic was practically not considered as an independent scientific object due to the ideological closed nature of the issue and the inadmissibility of criticism of state policy. Research in the field of the history of elections, class struggle and legal restrictions were of a justifying nature and were aimed at the ideological legitimization of the policy of excluding "class alien" elements from political life. Works of the 1920s–1950s covered the issue exclusively from the standpoint of the need to protect the socialist system from "counterrevolutionary" and "hostile" elements.

A significant contribution to the study of socio-legal restrictions in Kazakhstani historiography was made by such researchers as M.K. Kozybayev [Kozybayev, 1997], K.S. Aldazhumanov [Aldazhumanov, 1997], Zh.B. Abylkhozhin [Abylkhozhin, 1997], T.O. Omarbekov [Omarbekov, 1997], M.K. Koigeldiev [Koigeldiev, 2009]. Their works examine the mechanisms of the formation of a repressive system, including the deprivation of civil and electoral rights. Modern research increasingly focuses on the legal aspects of repression on social and class grounds and their consequences for society. The works of S.A. Zhakisheva (Zhakisheva, 2022) study repressions, including deprivation of civil rights, against certain categories of the rural population. Researchers Yu.V. Shapoval (Shapoval, 2022) and G.K. Mukanova (Mukanova, 2025) examine the procedure of deprivation of voting rights in the context of political repressions against the Muslim clergy in the 1920s–1930s in Kazakhstan.

A number of researchers consider the problem of disenfranchisement through the prism of human rights, social memory and the restoration of historical justice. The works of Sh.N. Nagimov, G.Zh. Aidosynova [Nagimov, Aidosynova, 2017] and S.K. Tulbasieva [Tulbasieva, 2023] focus on the regional and national characteristics of discriminatory policies that affected individual social and ethnic groups. However, in Kazakhstani historiography there is still a lack of comprehensive research devoted to the study of the social and legal aspects of the disenfranchisement of voters in Kazakhstan in the 1920s and early 1930s.

The social and legal aspects of the disenfranchisement in the 1920s and 1930s are widely reflected in Russian historiography. The works of V.N. Zemskov [Zemskov, 2003] examine in detail the mechanisms of state social control and repressive measures, including disenfranchisement, applied to various categories of the population, including special settlers. In the works of N.B. Leбина [Lebina, 1999], T.M. Smirnova [Smirnova, 2003], N.A. Fedorova [Fedorova, 2007], V.N. Belonovsky and A.A. Kalgina [Belonovsky, Kalgina, 2014] special attention is paid to the legal status of the disenfranchised, the scale of their political discrimination, and the strategies of survival and social adaptation of these citizens under the restrictions imposed by the Soviet government are analyzed. In the works of M.S. Salamatova [Salamatova, 2007], E.F. Krinko [Krinko, 2011] the features of the electoral legislation of Russia in 1918–1936 are studied in detail in the context of deprivation of voting rights. In the collective work “*Marginally v sociume. Marginally kak socium. Sibir (1920-1930-e gody)*” [Marginally v sociume, 2017], the authors analyze disenfranchisement as part of the policy of marginalizing “unreliable” groups in the 1920–1930s. The authors consider the “disenfranchised” as an excluded category of the population, ousted from social and political life, emphasizing the role of electoral discrimination in the system of Soviet social control.

At the same time, a significant number of studies focus on the regional aspects of election campaigns and the practice of depriving certain categories of rights based on local archival sources. The issues of deprivation of voting rights in various regions of the USSR, their connection with the perception of the degree of threat to Soviet power, as well as restrictions on the disenfranchised in the sphere of education and military service in the 1920s and 1930s were studied in the works of V.I. Tikhonov, V.S. Tyazhenikova, I.F. Yushin [Tikhonov et al., 1998], D.A. Polyakova [Polyakova, 2007], N.M. Morozova [Morozova, 2009], D.V. Valuyev [Valuyev, 2012], T.I. Atayev [Atayev, 2016], A.A. Kozhayeva [Kozhayeva, 2021] within the framework of the analysis of social policy and the system of public relations in the Soviet state. For example, in the collection of documents “*Sotsial'nyy portret lishentsa (na materialakh Urals)*” [Sotsial'nyy portret lishentsa, 1996] and in the works of L.N. Mazur [Mazur, 1997], as well as Yu.A. Rusina [Rusina, 1997], the features of the deprivation of voting rights in the second half of the 1920s – early 1930s in the Urals are analyzed, where former clergy, White Guards, NEPmen and dispossessed persons became disenfranchised.

Today, there is significant interest in the study of Soviet totalitarianism and the Stalin era in Anglo-American and European historiography. Among the most notable works are the studies of S. Fitzpatrick [Fitzpatrick, 1999], N. Baron and P. Gatrell [Baron, Gatrell, 2003], I. Ohayon [Ohayon, 2009], S. Cameron [Cameron, 2018], who, focusing on the history of everyday life and the lives of ordinary people under the Soviet system, link the phenomena of social inequality and marginalization of certain groups with the implementation of harsh totalitarian policies. The level of elaboration of this topic reflects the transition from an ideologically charged view to a scientific and analytical approach based on interdisciplinary methods, the use of archival materials and comparative analysis. At the same time, regional aspects of the application of electoral legislation, in particular in Kazakhstan, remain insufficiently studied, which emphasizes the relevance and potential of further research in this area.

In general, despite the existence of some scientific works, the topic of studying the social and legal aspects of disenfranchisement in Kazakhstan in the 1920s and 1930s remains relevant. Despite the vast literature on this issue, there is a shortage of works devoted to the behavioral strategies of people who find themselves in a marginal position when trying to restore their voting rights. The issue of the adaptation of “disenfranchised” in the conditions of Soviet society and the limits of such adaptation also requires a more in-depth analysis. The scientific novelty of this study lies in the study of the socio-legal status of disenfranchised in the context of the analysis of individual categories of the population in Kazakhstan, as well as the forms and mechanisms of social and class discrimination. It is important to continue work on identifying and introducing into scientific circulation archival materials from district and regional repositories, restoring the nominal lists of disenfranchised by region, which will be a significant contribution to the study of little-studied pages of history and the restoration of historical justice.

Results. One of the key mechanisms of the repressive policy of the Soviet totalitarian regime was the practice of depriving people of civil and political rights based on class, social, national or religious

affiliation. This measure, based on the principle of dividing society by class, began to be applied soon after the October Revolution of 1917. Already in the July Constitution of the RSFSR of 1918, a norm was enshrined depriving representatives of the so-called "exploiting" classes of voting rights. This legal position remained until the mid-1930s.

In the socio-political life of Kazakhstan in the 1920s and early 1930s, an important feature was the formation of a group of "disenfranchised" – citizens deprived of their voting and other civil rights on the basis of their social origins deemed unreliable. These individuals were in a special position: they were prohibited from joining trade unions, working in government bodies, and the restrictions often affected their family members. One of the main instruments for distinguishing between "us" and "them" was the practice of depriving people of voting rights. Archives contain questionnaires that were filled out when applying for a job, where the question was always asked: "Have you been deprived of your right to vote, when and for what?" The terms "disenfranchised" or "socially alien element" were used in relation to such citizens, reflecting their exclusion from the political and public space in accordance with the Constitutions of the RSFSR of 1918 and 1926.

With the adoption of the Constitution of 1936, the right to vote was recognized as universal for all citizens, with the exception of people recognized as incompetent or in prison. Thus, the practice of deprivation of voting rights officially continued for 18 years. This measure turned into an effective instrument for the transformation of the social structure of society and the state system. The exclusion of the right to vote automatically entailed a limitation of political and social status, making such people effectively "second-class" citizens. In many cases, although not in all, deprivation of voting rights became a prerequisite for the subsequent application of repressive measures against these people.

Social origin became a key criterion in the purges of party ranks and the assessment of the "reliability" of citizens. Both party members and the entire population were tested for compliance with the established requirements. In Kazakhstan, the first to fall under restrictive measures were clergymen, former traders, pre-revolutionary officials, as well as a significant portion of peasants who used hired labor, who were classified as *bais*, *kulaks*, semi-feudal lords and middle peasants. Those identified as "socially alien" were often deprived of their rights without judicial procedures – on the basis of denunciations and administrative decisions. In response, citizens deprived of their rights sought to appeal the decisions, turning to party and Soviet bodies with a request to review their cases, collecting documents and certificates, hoping to prove their loyalty or point out a mistake. However, such appeals rarely led to the restoration of rights, turning into a lengthy and ineffective process.

Disenfranchisement itself might not have had a serious impact on everyday life if it had not been accompanied by a wide range of practical restrictions. In fact, these measures affected not only participation in elections, but also significantly limited social and professional opportunities. People deprived of voting rights had no access to higher education, could not hold responsible positions, participate in court proceedings as assessors, defenders, guarantors or guardians. They were denied pensions and unemployment benefits. Participation in trade unions was also closed to them, and outside of trade unions it was impossible to advance in industry and other areas. In addition, disenfranchised people received food cards either in the lowest category or did not receive them at all.

Disenfranchisement became one of the effective tools for transforming the social structure of Soviet society and state administration. Restricting participation in the electoral process automatically entailed a reduction in political and social status, turning those disenfranchised into citizens with curtailed rights. In many cases, this measure became the first step towards subsequent repression. The key criterion for assessing the loyalty of citizens was their social origin, which determined the degree of their "reliability". As a result, large-scale checks were carried out both among party members and among the general population for compliance with the established requirements of the regime.

In the early 1920s, at the stage of establishing policy towards the disenfranchised, local executive bodies often used disenfranchisement as an additional instrument of pressure. Strengthening their positions, the Bolshevik government sought to prevent the possible strengthening of political opponents and maintain control over social processes. The main goal of disenfranchisement was to create a system of social, economic, administrative and psychological pressure on the most independent and economically active groups of the population. Over time, the state expanded the list of restrictions accompanying the loss of voting rights, extending them to various spheres of public life [Dokumenty svidetelstvuyut, 1989: 502].

The legal basis for the implementation of the repressive policy of deprivation of electoral and other civil rights in Kazakhstan in the 1920s and 1930s consisted of about 40 normative legal acts. An analysis of their content shows a systematic violation of the basic rights and freedoms of man and citizen, such as the

right to life, freedom of expression, and participation in elections. From the point of view of modern legal standards, these acts can be considered legally null and void from the moment of their adoption. The main provisions on deprivation of electoral rights were recorded in key constitutional documents - the Constitutions of the RSFSR of 1918 and 1925, as well as the Constitution of the Kazakh ASSR of 1926, while subsequent normative documents only reproduced and specified these provisions.

An analysis of the legal acts on the basis of which citizens were deprived of their voting rights in Kazakhstan in the 1920s and 1930s allows us to conditionally divide them into four main groups. The first group includes the basic legislative acts - the Constitutions of the RSFSR of 1918 and 1925, as well as the Constitution of the Kazakh ASSR of 1926 (approved by the Resolution of the Central Executive Committee of the Kazakh ASSR of February 18, 1926). These documents, at the normative level, enshrined the restriction of political rights, including deprivation of the right to vote on social grounds. The second group includes by-laws that develop the provisions of the constitutions and specify the circle of persons subject to restrictions in rights. The third group consists of instructions regulating the procedure for elections and the organization of congresses of Soviets: "On the re-election of city and village councils..." (1922), "On the elections of city and village councils..." (1925, 1926, 1930, 1934) and others. These documents detailed the procedure for applying the rules on deprivation of voting rights and expanded the list of relevant categories of citizens. The fourth group is regulatory acts aimed at eliminating violations related to electoral rights. Adopted by the Central Executive Committee of the USSR and central government bodies in 1930-1935, they provided for measures to regulate the legal consequences of unlawful decisions and streamline matters related to the restoration of citizens' voting rights [Polityuro i krest'yanstvo, 2005: 125-132].

In analyzing the first group of normative legal acts, it should be emphasized that the Constitution of the RSFSR of 1918, adopted at the V All-Russian Congress of Soviets on July 10, 1918, was a document with a clearly expressed class orientation. It officially proclaimed the dictatorship of the proletariat and the transfer of all power to the Soviets as a centralized system. The Constitution provided for the abolition of private ownership of land and introduced political restrictions for certain social categories, including deprivation of their voting rights. The Constitution of the Kazakh ASSR of 1926 reproduced these provisions. Thus, Article 2 emphasized that there could be no place for exploiting classes in government bodies, and the entire plenitude of legislative, executive and control power should belong exclusively to the workers.

The 1918 Constitution of the RSFSR did not reflect basic democratic principles such as a representative system and separation of powers, which are considered key features of a constitutional state in legal theory (Articles 31, 62). This document did not recognize the people as a whole as the source of state power and sovereignty. Basic rights and freedoms – freedom of speech, press, assembly, and union – were strictly limited to political matters and applied exclusively to the working classes of the population (Articles 14, 15, 16). The Constitution not only legitimized the possibility of using violence by the state, but also enshrined legal inequality, formalizing the division of society into classes and groups. In particular, Article 23 provided for the deprivation of rights for individuals and social groups if their actions were interpreted as harmful to the socialist revolution. This wording provided local authorities with broad scope for arbitrary interpretation and expanded application of the rules on deprivation of voting rights, which subsequently became an instrument of political pressure.

In order to ensure the "purity" of the composition of state authorities, the Constitution clearly defines the list of categories of persons deprived of active and passive electoral rights. In accordance with Article 65, the right to elect and be elected to councils was not granted to the following categories of citizens:

- a) persons using hired labor for the purpose of making a profit;
- b) citizens living on unearned income, such as interest on capital, profits from property, income from enterprises and similar sources;
- c) private traders and intermediaries in trade and commercial activities;
- d) representatives of religious organizations - monks and clergy of various faiths;
- d) former employees of the police, gendarmerie, security forces, as well as members of the imperial family;
- e) persons recognized as incompetent for medical or legal reasons (mentally ill, insane, under guardianship);
- g) citizens convicted of mercenary or dishonorable crimes, for a period established by law or a court decision.

Thus, the category of disenfranchised included those who were considered "socially alien elements" – primarily former representatives of the exploiting classes, the clergy, private traders, and individuals not

involved in collective labor. In Kazakhstan in the 1920s and 1930s, the provisions of the Soviet constitutions were used as a means of ideological and social control. Disenfranchisement was used to push the clergy, representatives of the rich peasantry, and wealthy peasants out of public and economic life, as well as to suppress political opponents. This legal basis legitimized mass practices of exclusion and discrimination, becoming the foundation for broader repressive measures. In the 1920s and 1930s, deprivation of voting rights in Kazakhstan became one of the tools of political repression, directed mainly against the wealthier strata of Kazakh society - the peasants and their families, who were evicted from their native places to remote regions of the country. These groups of the population were deprived of basic civil rights: the right to property, freedom of movement, personal integrity, education and fair trial. According to the data of the researcher S. Zhakisheva, the total number of repressed and injured among the rural and suburban population of Kazakhstan exceeded 800 thousand people only in 1928-1938 [Zhakisheva, 2024: 2].

The Constitution of the RSFSR of 1925 retained and supplemented the system of restrictions, expanding the list of people subject to deprivation of voting rights, including those who previously held leadership positions in punitive and security structures (Article 69). In turn, the Constitution of the Kazakh ASSR of 1926 in Article 79 enshrined the possibility of deprivation of voting rights not only on social grounds, but also by court decision, strengthening the legal basis for isolating "undesirable" citizens from socio-political life. This norm was in effect until the mid-1930s. According to the Constitution of 1936, all citizens who had reached the age of 18, regardless of race, nationality, gender, religion, level of education, place of residence, social origin, property status and past, had the right to participate in elections, with the exception of persons recognized as incompetent in accordance with the procedure established by law. The Constitution of the Kazakh SSR of 1937 similarly enshrined the principle of equality of all citizens, reflected in the Constitution of the USSR of 1936.

Thus, the previous constitutional provisions limited the electoral rights of the population, introducing political inequality and legitimizing repression against certain social strata. These norms actually freed state power from legal restrictions, allowing the use of any means to achieve political goals. In this context, the Constitution, instead of ensuring legality, consolidated authoritarianism and arbitrariness, having lost its legal and democratic character.

When adopting and implementing the said documents in Kazakhstan, the natural rights of man were violated first and foremost, that is, the rights that belong to a person from birth - freedom of expression and freedom of movement. Political rights were also limited, including the right to vote and be elected. A significant part of the population, for various unfounded reasons, was effectively deprived of the opportunity to participate in the management and resolution of state and public issues. Violation of political rights entailed restrictions on other fundamental freedoms, such as the freedom to choose a place of residence, professional activity and access to education. As a result, people deprived of these rights found themselves isolated from society, becoming a kind of social outcasts and losing a significant set of civil liberties.

An analysis of the second group of normative legal acts showed that the development of constitutional provisions on deprivation of voting rights was enshrined in Article 32 of the Criminal Code of the RSFSR of 1922, where the loss of rights was considered a type of punishment and a measure of social protection. This type of punishment violated the political rights of citizens. In accordance with Article 40 of the Criminal Code of the RSFSR, the loss of rights provided for the deprivation of the following rights for up to five years:

- a) active and passive electoral rights;
- b) participation in elections of professional and other organizations;
- c) the right to hold responsible positions, as well as to be a judge of the people's court, a defense attorney in court, a guarantor or a guardian.

Later, the deprivation of rights as a punishment was enshrined in Article 31 of the Criminal Code of the RSFSR of 1926 in the section "On measures of social protection applied to persons who have committed a crime." During this period, the list of deprivations was expanded, including a ban on holding elective positions in industrial and trade organizations, as well as deprivation of parental rights. Deprivation of rights could be assigned in full - for the entire complex of the specified rights, or selectively for individual categories. The term of punishment did not exceed five years, however, when deprivation of rights was assigned as an additional measure to imprisonment, it was valid for the entire period of imprisonment and was extended for the term established by the sentence.

An analysis of the third group of normative legal acts revealed that constitutional provisions were specified in the Instructions, which regulated in detail the procedure for deprivation of voting rights, and also constantly expanded the list of people subject to this measure. For example, the 1925 Instruction contained a

detailed list of categories of persons subject to deprivation of voting rights, including more than 30 positions held in the pre-revolutionary period, such as "employees and agents of the former police, all employees of the former special corps of gendarmes and security departments, as well as members of the royal house of Russia."

Every year, the Instructions expanded the categories of people deprived of their voting rights, as a result of which more and more people illegally lost these rights. This especially affected the broad strata of the peasantry, who even used seasonal hired labor. Thus, in the Instruction of 1926, in Chapter II "On Deprivation of Electoral Rights", the list of those deprived included farmers and cattle breeders who used hired labor - both seasonal and permanent, owners of mills, oil mills, handicraftsmen and artisans with permanent workers, owners of industrial enterprises, entrepreneurs, contractors and others. These provisions became the basis for subsequent processes of dispossession and debaization in the country. When studying archival materials of regional archives and the practice of deprivation of voting rights in Kazakhstan, it was revealed that in a number of regions, local authorities formed lists of those deprived, including more than 30 subcategories.

The Instructions detailed the procedure for depriving people of their voting rights. Rural and city councils kept a permanent list of names of people deprived of their voting rights in specific settlements. No later than twenty days before the elections of the relevant council, the election commission published lists of those deprived, posting them in accessible places and announcing them at meetings, in the press and other media. The lists included such data as age, gender, nationality, social origin, occupation before the October Revolution and at the time the list was compiled, as well as the reasons for deprivation of voting rights.

Thus, the list of people who were deprived of their voting rights was defined by the Constitutions and specified in the election instructions of the Central Executive Committee of the USSR and the Union republics. These lists were mandatory for all Union republics, while the Central Executive Committees of the republics had the right to make proposals on individual categories of those deprived of their rights, considering the specifics of local conditions, such as a nomadic way of life, cattle breeding and other features. Subsequently, by the resolution of the Presidium of the Central Executive Committee of the USSR of March 1, 1929, the Union republics were sent a directive to bring their election instructions "into strict compliance with the latter" [Politburo and Peasantry, 2005: 125–132].

An analysis of the practice of disenfranchisement in Kazakhstan in the 1920s and 1930s would be incomplete without taking into account the context of the election campaigns in which these processes took place. According to archival documents, from 1923 to 1934, during elections to local Soviets, special lists of citizens disenfranchised at the initiative of the Soviet government were compiled annually. Until the mid-1920s, this accounting was conducted in the form of consolidated lists, which indicated personal data and grounds for disenfranchisement. Most often, such documents were presented in tabular form by category of "disenfranchised" and were accompanied by their requests for restoration of rights, as well as correspondence between government bodies on these issues. Since 1926, registration of voters and those disenfranchised was carried out using survey cards, on the basis of which two separate lists were compiled: those who had the right to vote and those who were deprived of this right.

Lists of those deprived of voting rights were compiled, reviewed and approved by election commissions and executive committees at all levels. They were also compiled by other bodies - courts, administrative departments - within the scope of their competence. The final lists by provinces were approved by the presidiums of the province executive committees after numerous amendments. Basically, they included people who were deprived of voting rights by law automatically and without disputes. The greatest number of disagreements arose with respect to traders and people who used hired labor, since they were often mistakenly included in the lists, which caused a large number of complaints. Therefore, such lists were often accompanied by applications from those deprived of rights for restoration of rights and correspondence between various authorities on these issues.

For example, in September 1924, a list of people deprived of voting rights in the Temir district, compiled based on the results of the 1923 election campaign, was sent to the Aktobe provincial electoral commission. It included 924 people, including traders, mullahs, kulaks, former officers, clergy, preachers and other representatives of "socially alien" categories. [GAAO. F. 3. Op. 2. D. 40. L. 20–31]. Today, it is difficult to fully understand the scale of the struggle and contradictions that took place at the lowest level – in the village, aul and volost councils and executive committees, where the primary lists of disenfranchised were formed. These lists often became the subject of numerous complaints, discussions and adjustments. The archives contain applications from residents of the Temir district of the Aktobe province with requests for the restoration of electoral rights, as well as accompanying documents. As can be seen from these materials,

the facts stated in the appeals were carefully checked, and some citizens actually returned to participate in the electoral process [GAAO. F. 3. Op. 2. D. 40. L. 32–39 vol.].

Of particular interest are the lists of persons deprived of their voting rights in 1924–1925, compiled by the Aktobe Provincial Court and the Provincial Administrative Department. In 1925, the Provincial Court prepared lists of those convicted and simultaneously deprived of their voting rights based on the materials of the Kazakh and Russian departments of the criminal collegium for 1924–1925, including information on 80 persons [GAAO. F. 3. Op. 2. D. 60. L. 53–67]. According to data as of November 1925, the list of persons subject to deprivation of voting rights, compiled by the Aktobe Provincial Administrative Department, included 78 names [GAAO. F. 3. Op. 2. D. 60. L. 84–85]. The overwhelming majority of this list consisted of administratively exiled persons, as well as several former white officers and convicts. At the same time, the list of persons deprived of voting rights on the basis of Article 65 of the Constitution in Kazakh settlements in 1925 included 630 names, of which 494 belonged to representatives of the clergy - imams, mullahs, khazret-mullahs, muezzins, muhtasibs, etc. [GAAO. F. 3. Op. 2. D. 60. L. 85 ob.–94 ob.]. In addition, the list included former police officers, gendarmes, as well as representatives of the pre-revolutionary bureaucracy - managers, elders and others. The list of persons deprived of voting rights on the basis of Article 65 of the Constitution in Russian settlements, compiled on November 20, 1925, included 212 names [GAAO. F. 3. Op. 2. D. 60. L. 95–98]. Clergymen also predominated in this list, but the bulk were kulaks – people using hired labor. Clergymen were subject to deprivation of voting rights only if religious activity was their main source of income. Over time, the scale of deprivation of rights increased significantly. According to researcher U. Ismagilov, in 1926, in Aktyubinsk district alone, the number of people deprived of voting rights reached 1,029 people, and in 1927 – already 4,788. Moreover, about 40% of them were family members of people who had lost their voting rights. Thus, in 1926, a total of 619 disenfranchised persons were registered in the Chelkar district and the city of Chelkar, which constituted 0.75% of the total population [GAAO. F. 3. Op. 2. D. 101. L. 7–22]. The process of disenfranchisement intensified with renewed vigor in 1928–1929. During this period, 8,748 people were disenfranchised in the rural areas of the region. In the cities, the situation was as follows: 1,391 people in Aktobe, 436 in Chelkar, 270 in Temir, a total of 10,845 people. In Kazakh districts, such as Temir and Chelkar, disenfranchisement mainly affected religious figures – ministers of mosques, in Karabutak - Sufis and other representatives of the clergy. In response to these measures, open protests by disenfranchised people were recorded in a number of districts, including Akbulaksky, Yeleksky, Novorossiysk and Akkemersky [Bespravnyaya zhizn, 2023]. Similar practices were used in other regions of Kazakhstan. Thus, according to data for 1923–1925, in the Fyodorovsky district of the Kustanai province, 527 people were included in the lists of persons deprived of the right to vote and be elected to village councils. Among them were traders, speculators, former officers, agitators who spoke out against Soviet power, representatives of the clergy, as well as persons brought to criminal responsibility [GAKO. F. R-72. Op. 1. D. 188, GAKO. F. R-72. Op. 1. D. 362].

In Akmola province, following the results of the 1925–1926 election campaign, 3,240 people were deprived of their voting rights in rural areas, which amounted to 0.6% of the population over 18 years of age. However, already in 1926–1927, this number increased sharply to 21,633 people, or 3.3 % of the adult population. By category: if in 1925–1926, the majority of those deprived were ministers of religious cults – 817 people (25% of the total), then in 1926–1927, the main share began to be made up of people using hired labor – bais, kulaks, semi-feudal bais. There were 10,999 of these people, which amounted to 51.8% of the total number of those deprived of their rights [TsGA RK. F. 5. Op. 8. D. 93. L. 63–65, 88]. In the cities of Akmola province, according to the results of the 1925–1926 election campaign, the number of people deprived of voting rights amounted to only 1,371 people, and in 1926–1927, it was already 3,523 people. Moreover, in 1925–1926, the majority of those deprived of voting rights in the cities were ministers of religious cults–1,246 people, which amounted to 90.9 %. However, in 1926–1927, Along with religious ministers (1,591 people, or 45.1%), a significant portion were members of families of disenfranchised persons aged 18 years and over who were dependent on them – 1,445 people, or 41 % [TsGA RK. F. 5. Op. 8. D. 93. L. 63–65, 88].

The growth in the number of those deprived of rights in one locality is especially noticeable during the period of increased repressive measures by local authorities, who freely interpreted the instructions for elections to city and village councils, expanding and supplementing the categories of those deprived. This contributed to the tightening of repression and a significant increase in the number of citizens with restricted rights. For example, in December 1926, the list of people deprived of voting rights in 9 aul councils of the city of Akmolinsk included 117 people [GAGA. F. 244. Op. 2. D. 15. L. 3–7 ob.]. In December 1930, by resolution of the City Electoral Commission, a list of those deprived of voting rights for 1931 in the city of

Akmolinsk was compiled and published in the newspaper *Novaya Step'*, which already included 1,546 people, divided into 8 main categories. These included: persons using hired labor to make a profit; persons living on unearned income; traders and middlemen; the clergy; former police and gendarmerie employees; the insane and their wards; as well as members of families dependent on those deprived of voting rights and others [Novaya step, 1930: 3].

According to regional archives, local authorities often exceeded their authority by independently expanding the list of categories of citizens subject to deprivation of civil and political rights. As a result of excessive initiative by officials, tens of thousands of people from 30 different categories of the population were deprived of their voting rights in 1927 [GAAtO. F. 2. Op. 4. D. 6. L. 23]. In 1928, deprivation of voting rights affected 5,400 people from such groups as kulaks, atkaminers, bais-exploiters, cattle breeders, people living on labor income, former officers and sergeants, shamans, whisperers, mullahs, people who aroused mistrust, priests, Alash-Orda members and others [GAAtO. F. 2. Op. 4. D. 6. L. 32]. According to the research of Sh. Nagimov, in 1927, 2,307 people were included in the lists of those deprived of voting rights in the Gurevsky district. Among them were 284 mullahs, 329 kulak exploiters, 16 priests, 25 volost managers, 3 mill owners, 22 merchants, 23 shamans, 103 monks, 7 sorcerers and others. Deprivations and humiliations were experienced not only by the deprived themselves, but also by innocent members of their families - in total, 1,801 dependents lost their rights, which amounted to 50.2%. It was similarly hard for the clergy, the exploiting rich bais and the kulaks-atkaminers, who made up 20.4%, 3.6% and 9.5% of the total number of those deprived of voting rights, respectively [Nagimov, 2021].

For example, representatives of the clergy, including muezzins and azanchais, were also deprived of their voting rights. As noted in the secret note of the Eastern Department of the OGPU "On measures to combat the Muslim clergy", it was through them that the influence of the Muslim clergy on local Soviet structures was largely exercised [RGASPI. F. 17. Op. 85 D. 171. L. 82]. According to data from the Aktobe Provincial Electoral Commission, during the 1927 election campaign in the city of Aktobe, 372 representatives of the clergy, including imams, mullahs, muhtasibs and ishans, were included in the list of persons deprived of their voting rights. Thus, in the period 1923-1927, the list of categories of citizens deprived of their voting rights in Kazakhstan was significantly broader and more diverse than in other regions of the Soviet Union. The first to be subject to restrictions were bais, kulaks, participants in popular uprisings and protests, religious figures, former merchants and tsarist officials who had begun their activities before the revolution. As a result, from 1918 to 1936, hundreds of thousands of people in the republic were deprived of their voting rights solely on the basis of class or social affiliation, which was recorded in a separate article of the 1918 Constitution. This process became a kind of prologue to the large-scale terror unleashed by the Soviet regime against its own population.

According to the research of S.K. Tulbasieva, in 1928, more than 3,000 people were included in the lists of those deprived of voting rights in the districts of the city of Alma-Ata. Among them were people who used hired labor for profit, traders and intermediaries, religious ministers and monks, former police and gendarmerie employees, as well as people under 18 who were dependent on those deprived of their rights. In the archives of the city of Almaty, 2,378 personal files of such persons from the city itself and 23 of its districts were found. Most of them had nothing to do with class enemies or political opponents of the Soviet government. Thus, the practice of deprivation of rights mainly affected the wealthier strata of society - traders, clergy, entrepreneurs, former military personnel, as well as their descendants [Tulbasieva, 2023: 1-12].

In 1928, the Kyzyl-Orda City Council presented a list of 205 people deprived of the right to vote and be elected in accordance with the Constitution and election instructions. It included former white officers, administrative exiles, religious ministers, family members dependent on those deprived of their rights, as well as the mentally ill and insane. In the same year, 666 people were deprived of their voting rights in the city of Kazalinsk, including 487 traders and middlemen, 76 convicted and administratively exiled, 49 family members under 18 years of age who were dependent on those deprived of their voting rights, 25 agents of the former police and gendarmes, 13 ministers of religious cults, 11 persons resorting to hired labor, and others [KOGA. F. 2. Op. 2. D. 15. L. 257]. In 1930-1931, 484 people were deprived of their voting rights in the auls of the Kyzyl-Orda region [KOGA. F. 24. Op. 2. D. 125].

The repressive policy and disenfranchisement extended to a wide range of people. Thus, adult family members of a traitor to the Motherland who lived with him or were dependent on him at the time of the crime were also subject to disenfranchisement and exile to remote areas. Disenfranchisement was not just a formality - along with it, a person also lost other rights, as well as access to social benefits. Disenfranchised people were not accepted to work in government institutions, their families were not allowed into

educational institutions, the party and the Komsomol. They could not hold responsible positions, participate in the people's court as assessors, be guarantors or guardians. Children of disenfranchised people were immediately expelled from schools until the Resolution of the Council of People's Commissars of the RSFSR of January 31, 1930, abolished this illegal procedure.

The issue of those disenfranchised and the strengthening of requirements for the restoration of electoral rights was discussed in a report by the Secretary of the Presidium of the Central Executive Committee of the USSR A.S. Yenukidze, sent to I.V. Stalin on March 1, 1930 [Politbyuro i krest'yanstvo, 2005: 125–132]. The report stated that the categories of persons deprived of electoral rights were established in the constitutions of the union republics and the electoral instructions of the Central Executive Committee of the USSR and the Central Executive Committees of the union republics. At the same time, the constitutions contained only a general list of such citizens, and a more detailed definition of the categories was given in the electoral instructions of the Central Executive Committee of the Union and the union republics. Thus, a specific list of those disenfranchised was formed by the electoral instruction of the Presidium of the Central Executive Committee of the USSR. These categories were divided into three main groups. The following were deprived of electoral rights:

- a) people who used hired labor to make a profit;
- b) people who lived on unearned income and were engaged in trade;
- c) people who, due to their class status at the time of the elections or due to their past activities, belonged to the category of people deprived of electoral rights in accordance with the relevant articles of the constitutions of the union republics.

The report also emphasized the need to tighten the procedure for restoring voting rights. Five years of work experience was required to restore rights, and the Resolution of the USSR People's Commissariat of Labor of July 13, 1929 prohibited the registration of persons deprived of voting rights at labor exchanges [Politbyuro i krest'yanstvo, 2005: 125–132]. At the same time, it was practically impossible to find hired work outside of the labor exchange in Soviet conditions. Thus, on the one hand, according to the law, five years of work experience was required to restore voting rights, and on the other hand, departmental decrees deprived those deprived of the opportunity to work. Additional measures were applied to persons deprived of voting rights, which not only prevented them from returning to work, but also put them and their families in a completely hopeless situation.

All these obvious violations of the rights of those disenfranchised, as well as numerous complaints and appeals related to the arbitrariness of local authorities, became the reason for the emergence of normative legal acts aimed at eliminating violations of the electoral legislation. We conditionally classify these documents into the fourth group. It includes such acts as the Resolution of the Central Executive Committee of the USSR of March 22, 1930 "On the Elimination of Violations of Electoral Legislation in the USSR", the Resolution of the Central Executive Committee of the USSR of April 10, 1930 "On Measures to Eliminate Violations of Electoral Legislation and Streamlining the Proceedings of Cases Concerning the Electoral Rights of Citizens", as well as the resolutions of the Presidium of the Central Executive Committee of the USSR of July 3, 1931, March 17, 1933, May 27, 1934 and others.

The adoption of the Resolution of the All-Russian Central Executive Committee of April 10, 1930 "On measures to eliminate violations of the electoral legislation and on streamlining the proceedings concerning the electoral rights of citizens" and subsequent clarifications clearly indicated mass violations and abuses in the implementation of the electoral legislation. Those deprived of their voting rights were given the opportunity to appeal the decision within a week from the moment of its publication. Restoration of rights could occur on a general basis through local executive committees and the Kazakh Central Executive Committee. At the same time, local instructions had priority and further tightened the repressive policy, expanding and supplementing the categories of those deprived, which significantly increased the number of citizens with restricted rights. Particularly repressive was the norm of the Instruction "On elections to the councils and congresses of councils of the RSFSR", approved by the Resolution of the All-Russian Central Executive Committee of October 20, 1930, according to which not only the "deprived" themselves were deprived of voting rights, but also their family members if they were financially dependent on these persons. In essence, this meant that the number of those disenfranchised significantly exceeded the number of those directly accused.

It is important to emphasize that the disenfranchisement was far from a mere formality: along with it, a person also lost other civil and political rights, as well as access to social benefits. The "disenfranchised" were not hired by collective farms, they could not join cooperatives and artels, and they were subject to higher taxes or "fixed assignments". In the 1930s, collective farms were practically the only place for

employment. After the introduction of the rationing system, the "disenfranchised" either received lower-category food cards or lost them altogether and were forced to buy food at commercial prices. They were also denied pensions and unemployment benefits and evicted from communal apartments. Left without shelter and food, many of this group died from cold and hunger [Nagimov, 2021].

Deprivation of voting rights in documents not directly related to electoral legislation was used as a form of punishment. Thus, Article 7 of the Decree of the All-Russian Central Executive Committee "On Administrative Expulsion" of August 10, 1922, stipulated that persons subjected to administrative expulsion lost their active and passive voting rights for the duration of the expulsion, which expanded the range of those deprived of rights. Similarly, Article 21 of the Instructions for the Application of the Resolution of the Central Executive Committee and the Council of People's Commissars of the Kazakh ASSR of August 27, 1928 "On the Confiscation and Eviction of Bai Farms" established that all those deported to a new place of residence, regardless of their economic activity, were to be included in the lists of those deprived of voting rights. After resettlement, such persons were automatically included in the lists of those deprived of voting rights at their new place of residence. Thus, according to data on the bai farms of the Petropavlovsk district for 1930, out of 80 people whose property was confiscated, 53 were deprived of their voting rights [SKGA. F. 1481. Op. 1. D. 3]. According to materials from the Lisakovsky regional archive, the "Book of Registration of Kazakh Kulaks" for 1931 recorded data on 66 people deprived of their voting rights in the period from 1929 to 1930 [LRGA. F. 523. Op. 1. D. 1a.]. According to the same archival materials, the "Book of Registration of Russian Kulak Peasants" for 1931 contains information about 30 individuals, all of whom were deprived of their voting rights between 1928 and 1930 [LRGA. F. 523. Op. 1. D.1a.]. Thus, the authorities considered kulaks and disenfranchised people to be the most dangerous social groups for building a state, for the Sovietization of villages and the creation of collective farms.

During that period, the bais and kulaks were effectively deprived of the opportunity to prove their usefulness through labor, since the loss of voting rights automatically meant a ban on joining collective farms. The disenfranchised were usually equated with kulaks. Such a discriminatory norm was enshrined in the Resolution of the Central Executive Committee and the Council of People's Commissars of the USSR of October 21, 1930 "On the non-admission of kulaks and disenfranchised persons to cooperatives", which directly stated that kulaks and persons deprived of voting rights could not be members of collective farms and other agricultural cooperatives. In addition, when expelled from cooperatives, kulaks and disenfranchised people were not refunded their share contributions. Union republics were instructed to make appropriate changes to their legislation [Tragediya sovetskoy derevni, 2000: 690].

The disenfranchisement was in effect until 1936, when the Constitution enshrined the rule on disenfranchisement only for the insane and persons in custody, while all other citizens received equal rights. The implementation of this rule was enshrined in the Resolution of the Presidium of the Central Executive Committee of the USSR of March 14, 1937 "On the termination of proceedings on disenfranchisement of citizens of the USSR on the grounds of social origin, property status and past activities." The process of restoring voting rights was delayed: only the Law of the USSR of December 25, 1958 "On the abolition of disenfranchisement by court order" officially ended the use of disenfranchisement as a measure of criminal punishment.

An analysis of regulatory legal acts and archival materials shows that the deprivation of the right to vote, one of the basic political rights of citizens, became an important instrument of Soviet electoral law. Legislative acts of the 1920s and 1930s laid the legal basis for large-scale state persecution and political repression against the so-called disenfranchised – citizens deprived of the opportunity to participate in elections and elect government bodies in Kazakhstan. In response, the disenfranchised appealed to the party with requests to review their cases, providing certificates of their past activities and hoping for an error. This led to lengthy processes of reviewing complaints and new denunciations, which rarely ended in a positive decision.

Disenfranchisement had serious practical consequences. It concerned not only the loss of the opportunity to participate in elections but also deprived a person of a number of social and civil rights. Those disenfranchised could not enroll in universities, hold responsible positions, be people's assessors, defenders in court, guarantors or guardians. They were denied pensions and unemployment benefits. They did not have the right to join trade unions, and those who were not members of trade unions, in turn, were not allowed to manage enterprises. Those disenfranchised also did not receive food cards or received them at the lowest rate, which forced them to buy food at inflated prices.

People deprived of voting rights were also subject to conscription, but not into the army, but into the rear militia, where they performed exclusively economic work. They were not issued weapons, and their

personal files indicated that they were deprived of the right to defend the USSR with weapons in their hands. Instead of a military ID, they were given a special white certificate, which led to the emergence of the term "white ticket holder", which subsequently acquired a different meaning. In 1937, the rear militia was transformed into construction units of the Red Army - the so-called "construction battalions".

Disenfranchisement had a devastating effect on the entire family. Not only was the head of the family disenfranchised, but also all adult members. Children of disenfranchised people had difficulties entering educational institutions, especially universities, and finding employment. Disenfranchised people were perceived as a "toxic" social group, with whom people preferred not to have anything to do. Upon reaching adulthood, the son of a disenfranchised person automatically became a disenfranchised person. In an effort to get an education and build a career, many children were forced to officially disown their parents, often doing so publicly, through newspaper publications.

Conclusion. The Soviet government formally justified its policy towards the "disenfranchised" by the provisions of the Constitution of the RSFSR of 1918 and the Constitution of the Kazakh ASSR of 1926, which directly enshrined the disenfranchisement of the so-called "exploiting classes" - kulaks, clergy, former landowners, etc. Thus, the regime's actions were considered "legal" within the framework of Soviet legislation. However, from the standpoint of international law and universal human rights, such a practice was extremely controversial, since it contradicted the principles of equality, non-discrimination and participation in governance.

In historiography, the institution of "disenfranchised" is considered a means of social and political isolation aimed at controlling and eliminating "unreliable" segments of the population. Consequently, legal legitimacy existed only within the Soviet legal system, political legitimacy was based primarily on force, and social legitimacy caused an ambiguous reaction in society against the backdrop of repression and injustice.

Between 1918 and 1936, the extrajudicial mechanism of deprivation of political and electoral rights in the Soviet state, including Kazakhstan, effectively excluded a significant part of the population from the legal space. This practice contributed to the political neutralization of part of Kazakh society, consolidated the coercive methods of governance in the region, and paved the way for subsequent mass repression. The presented materials indicate that political purges affected even remote areas of the USSR. The analysis of deprivation of rights as a tool for managing public sentiment and the behavior of various social groups remains an important direction in the study of the history of repressions in Kazakhstan.

Sources

- GAAO – Gosudarstvennyy arkhiv Aktyubinskoy oblasti [State Archive of Aktobe Region]
GAAto – Gosudarstvennyy arkhiv Atyrauskoy oblasti [State Archive of Atyrau Region]
GAGA – Gosudarstvennyy arkhiv goroda Astany [State Archive of Astana]
GAKO – Gosudarstvennyy arkhiv Kostanayskoy oblasti [State Archive of Kostanay Region]
KOGA – Kyzylordinskiy oblastnoy gosudarstvennyy arkhiv [State Archive of Kyzylorda Region]
LRGA – Lisakovskiy rayonnyy gosudarstvennyy arkhiv [Lisakovsky Regional State Archive]
RGASPI – Rossiyskiy gosudarstvennyy arkhiv sotsial'no-politicheskoy istorii [Russian State Archive of Social-Political History]
SKGA – Severo-Kazakhstanskiy gosudarstvennyy arkhiv [North Kazakhstan State Archive]
TsGA RK – Tsentral'nyy gosudarstvennyy arkhiv Respubliki Kazakhstan [Central State Archive of the Republic of Kazakhstan]

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