

**LAND COMMISSIONS IN KAZAKHSTAN:
THE PROBLEM OF CIVIL SOCIETY PARTICIPATION IN LAND GOVERNANCE.**

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ABSTRACT

Akbikesh Mukhtarova

Land Commissions in Kazakhstan: The Problem of Civil Society Participation in Land Governance.

Dissertation Advisor: Professor, Dr. Colin Knox

Since Land Commissions (LCs) with civil society engagement functioning under local municipalities (akimats) is a recent phenomenon in Kazakhstan (2018), except for media reports, little to no attention is paid in academic literature to the work of present institutions. The research analyzes the following research questions why Land Commissions were created and whether they produced the expected results that form a transparent, accountable, and inclusive land granting policy subsystem. The research thesis, in addition, seeks to analyze the question: what conditions facilitated the success or failure (underperformance) of these newly introduced institutions in Kazakhstan? The work applies two theoretical models: "A Subsystem Adjustment Model of Policy Change" (Howlett & Ramesh, 2002) and "A Strategic Interaction Model of Institutional Change" (Pelizzo & Stapenhurst, 2011).

The research applies qualitative research methods, such as a revelatory cross-sectional multiple case study, considering the work of Land Commissions in four regions of Kazakhstan: East Kazakhstan, West Kazakhstan, Zhambyl, and Pavlodar regions at the district levels. Also, the study uses non-participant observation of Land Commission sessions in selected case regions.

Furthermore, the paper applies in-depth semi-structured expert interviews with national interviewees, namely, senior officials (Heads of Land Departments of local municipalities, Directors of regional offices of the National Chamber of Entrepreneurs, and civil society

representatives). Moreover, the author conducted interviews with international experts working for such international organizations as UN-HABITAT, CADASTA International, OXFAM, and other organizations to study the international experience of civil society component inclusion in land governance. The full interview transcripts with international experts are coded and analyzed using the NVIVO software program. Additionally, the paper applies critical discourse analysis of textual (written) texts, spoken texts, and visual materials (e.g., posters, photos) to study how LCs' work is portrayed in official state documents and media.

Considering that this topic is understudied, it is anticipated that the analysis of the work of Land Commissions in Kazakhstan might have both academic and practical relevance. Namely, it could be potentially interesting for the broader audience of scholars interested in institutional/policy change studies and the problems of civil society engagement in land governance in the broader Central Asian/Eurasian context.

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GLOSSARY OF TERMS.

AISGZK	Automated information system of the state land cadaster
Akim (Kazakh)	the Head of an akimat, a municipal, district, or provincial government (akimat) in Kazakhstan
Akimat	local executive body – collective executive body, hosted by the mayor (akim) of the region, city of republican significance and a capital city, district (city of regional significance), carrying out the local government and self – government within its competence in relevant territory (Law of the Republic of Kazakhstan on Local Government and Local Self-Government, dated 23 January 2001).
Atameken	National Chamber of Entrepreneurs of the Republic of Kazakhstan
CDA	Critical Discourse Analysis
CPT	Brazil Pastoral Land Commissions (The Comissão Pastoral da Terra)
CSO	Civil Society Organizations
GIZ	German Development Agency
ILC	International Land Coalition
La Vía Campesina	International farmers organization founded in 1993 in Mons, Belgium, formed by 182 organizations in 81 countries
LANDac	The Netherlands Land Academy
LANDex	Global Land Governance Index
Latifundist	A large landowner
LCs	Land Commissions
LGAF	Land Governance Assessment Framework
LRC	Land Reform Commission
Maslikhat	is a local representative body in Kazakhstan that is elected by a population of a region, district and city
MH	Million Hectares
MST	Brazil's Landless Workers Movement
Prindex	Global Property Rights Index
VGGT	Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security. Food and Agriculture Organization of the United Nations.

CHAPTER 1. INTRODUCTION.

Kazakhstan is the ninth largest country globally, where agricultural land comprises 80 % of the land area. (UNDP, 2020; World Bank Database, 2019). However, opaque land granting systems and land corruption lead to the problem of land inequality in the country. According to media resources referring to the statistical data of the Ministry of Economy, 65 large farmer households' control 2,122 million hectares (MH) of agricultural land in Kazakhstan. (Jakub, 2016). "While since 2016, the Ministry of Agriculture found nine MH of land not in use. In 2018 alone, 2.57 MH were not used or used with land code violations." (Satubaldina, 2019). During the land protests in 2016 in the major cities of Kazakhstan, protestors raised, among many other issues, their grave concerns over the concentration of land in the hands of latifundists and corruption in the land sector. The problem of ineffective land use and the control of the land by large landowners was also raised by high-ranking officials, by the First President of Kazakhstan N. Nazarbayev in 2016, and by President Tokayev in 2019:

"A whole layer of so-called "latifundists" has developed in the country, [...] without a solution to this issue, it is already impossible to have a qualitative development of domestic agro-business." (State of the Nation Address by the President of Kazakhstan Kassym-Jomart Tokayev, 2019).

1.1. Problem Statement.

During the first decades since gaining Independence, the land granting process was highly centralized in Kazakhstan, with few stakeholders engaged in land governance, including mainly state authorities, but with limited access of civil society to the decision-making. The legislation granted local mayors (akims) and Land Departments of local municipalities (Akimats) significant competencies in the land governance system. For instance, according to Article 19 of Land Code 2003:

"Competence of mayors (akims) of cities of district subordination include: 1) grant of land plots to the private ownership and private land use; 2) proposal to the district (city) akimat on the issue

of seizure of land plots, including for the state requirements [...]; 6) implementation of state control over the use and protection of land." (Land Code of the Republic of Kazakhstan, 2003).

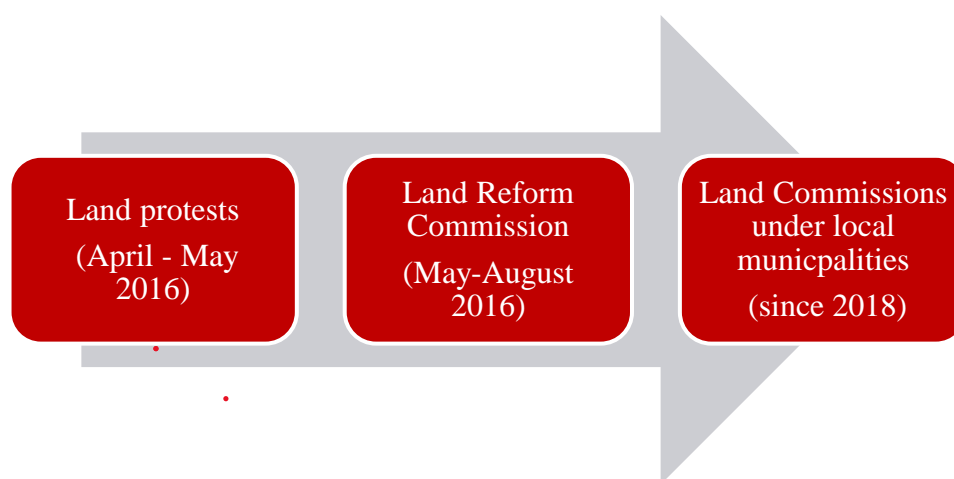
Therefore, lengthy, top-down, bureaucratic mechanisms of land granting policy and absence of means of civic control led to the situation when public officials and large agro-corporations own most agricultural lands in Kazakhstan. For instance, media reports that Ivolga Holding owns 1,5 MH, Alibi-Holding owns one MH, also one MH of the agriculture lands are owned by KazExportAstyk corporation, 700, 000 hectares by Agro Center Astana, and other holdings. (QazaqZerno, 2016). During the few decades, such a system with limited stakeholders involved was highly prone to corruption. In 2016 Deputy Attorney General of Kazakhstan Mr. Marat Akhmetzharov stressed that:

"Local municipalities - Akimats disrupt the land allocation process, use different schemes, and the land becomes subject to speculation. Auctions and tenders are not being held. The most attractive areas are given to specific individuals. Other stakeholders are unable to get them." (Mukanov, 2018).

At the end of March 2016, the Minister of National Economy, Erbolat Dossayev, announced the plans of the government to sell agricultural land for private ownership and extend the lease terms for agricultural land to foreigners from ten to twenty-five years. Such top-down initiation, without prior reconciliation and general discussion of the Amendments to the Land Code (2003) raised the wave of discontent, resistance, and mass protests in major cities of Kazakhstan such as Aqtau, Aktobe, Uralsk, Semei, Almaty, Astana/Nur-Sultan in 2016. Though the main trigger for land protests was the fear of foreign land acquisition, the protestors also raised such problems as the opaque system of land granting without civic control mechanism, growing land inequality in the country as well as corruption in the land sector. The Head of the State, the First President, N. Nazarbayev, emphasized that these mass land protests showed the failure of the government to communicate with the population and to explain the norms of the Land Code correctly. Right after land protests in May 2016, the state authorities made one step forward and created a Special Land Reform Commission (LRC) at the state level as a temporary institution to discuss land reform with civil society

representatives (NGOs, businesses, think tanks, academia, media). Special Land Reform Commission (LRC) functioned as a temporary institution to discuss the amendments to the Land Code from May to August 2016. As a result of civil society engagement, a moratorium on temporary land use for agriculture purposes to foreigners, foreign legal entities, and other vital Amendments to the Land Code (2003) were introduced. Among them was the inclusion of civil society to land governance and the establishment of such new permanent institutions as Land Commissions under local municipalities (since 2018).

Figure 1.Chronology of Events.



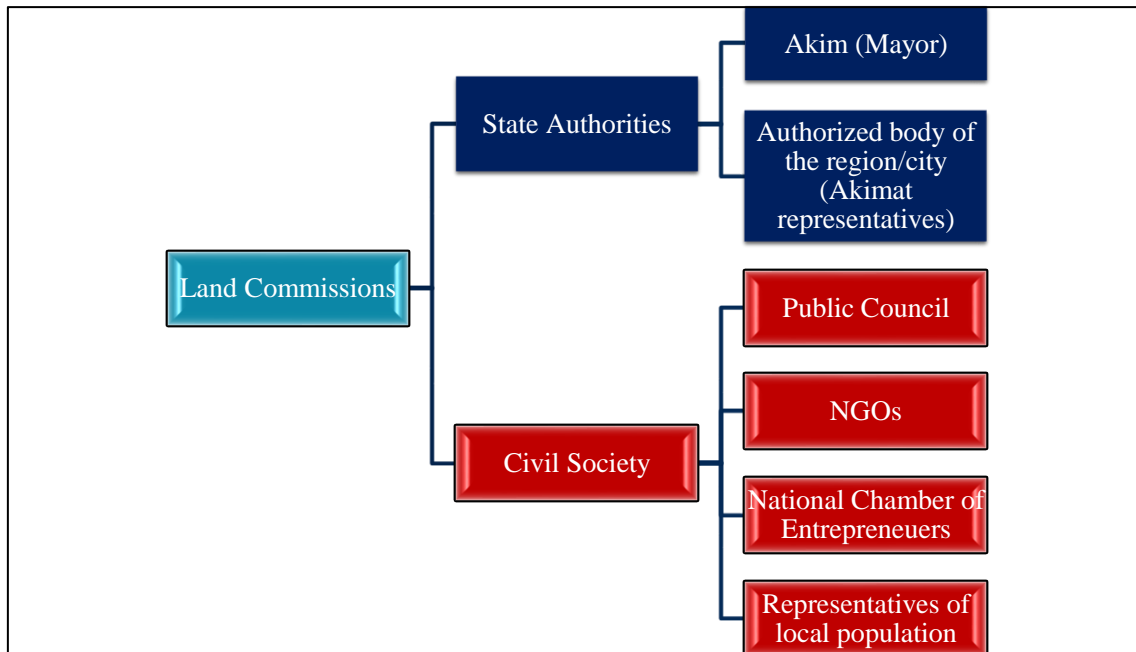
According to the new amendments to the Land Code, such newly established institutions as Land Commissions have the authority:

"to prepare opinions on granting rights to land plots on determining the winner of a competition for granting the right to temporary land use (lease) for a fee for running a peasant or farm enterprise, agricultural production." (Land Code of the Republic of Kazakhstan, 2003, with Amendments 2018).

According to the Land Code Amendments, Article 43, LCs at provincial and district levels shall constitute 50% of civil society and 50% of state authorities. By civil society is understood representatives of non-governmental organizations in the agro-industrial complex, public councils, local governments, and other sectoral non-governmental organizations representatives of the National Chamber of Entrepreneurs of the Republic of Kazakhstan (Atameken). (Land Code of the Republic of Kazakhstan, 2003, with Amendments 2018). Before 2018, such

institutions functioned under local municipalities, called the Commissions, but they were comprised entirely of state authority representatives (namely, Land Departments representatives of the local governments).

Figure 2.The composition of Land Commissions under local municipalities. (2018).



(Land Code of the Republic of Kazakhstan, 2003, with Amendments 2018).

These introduced changes, such as the establishment of Land Commissions, were possible to consider as "critical junctures" that could potentially lead to paradigmatic shifts in the Kazakhstani policy-making system by including civil society in the decision-making process in land governance. However, recent corruption scandals, e.g., when Land Commissions members with the knowledge of civil society representatives in some districts granted land plots to their close relatives, raise severe public concerns about the fairness of present newly established institutions. (Akhmediyeva, 2020). This situation caused heated public debates in the country, particularly in the expert community (expressed in media opinions of members of Land Reform Commission, legal experts, e.g., B. Bazarbek, public activist, B. Taizhan, and others).

Five years after land protests, in 2021, the Land Reform Commission (LRC) at the state level was again established to address pressing issues in land governance. Interestingly those activists who initially (in 2016) advocated for civil society inclusion in land governance, namely were

advocating for Land Commissions establishment, changed their minds and, this time, suggested the abolish shortly (presumably by 2023) such institutions as Land Commissions due to their ineffectiveness. Therefore, this Kazakhstani case in the inclusion of civil society in land governance raises particular interest for research, when despite the inclusion of new actors in the policy subsystem, this does not lead to institutional change.

1.2.How is the researcher going to address the problem?

The work of Land Commissions will be studied in the framework of broader academic discussions on institutional change studies, with the application of two theoretical models: "A Subsystem Adjustment Model of Policy Change" (Howlett & Ramesh, 2002) and "A Strategic Interaction Model of Institutional Change" (Pelizzo & Stapenhurst, 2011). Models can complement each other in analyzing the central question of why despite the introduction of new ideas and new actors to the policy subsystem (namely, the civil society component to LCs), the subsystem remains resistant to those changes and again returns to the previous condition of "statis." The notions of "new ideas and news actors" are taken from Howlett and Ramesh (2002). Therefore, applying the Howlett & Ramesh model will help us identify the exogenous and endogenous factors that lead and hinder institutional changes. At the same time, A Strategic Interaction Model of Institutional Change (Pelizzo & Stapenhurst, 2011) allows taking a deeper look into the domestic policy-making process by identifying the responses to the endogenous crisis of two main actors: the ruling elite and civil society.

In terms of methodological approach, the work applies a revelatory cross-sectional multiple case-study, analyzing the work of Land Commissions in four regions of Kazakhstan (East Kazakhstan, West Kazakhstan, Pavlodar & Zhambyl region) at the district level. The rationale for present cases selection consists of the equal geographic representation of four regions representing: East, West, North (presented by Pavlodar), and Zhambyl region (representing the South of the country). Also, in-depth semi-structured elite interviews with state authority and civil society components of Land Commissions and the expert community are conducted.

The research focuses, using Eden & Ackermann's (1998) expression on Players and Subjects; therefore, semi-structured interviews are conducted with representatives of those groups of national stakeholders.

Figure 3. Map of Stakeholders developed based on the Power & Interest Grid.



Power & Interest Grid (Eden & Ackermann, 1998).

Besides, the work uses non-participant observations of LCs sessions in selected regions. Moreover, the work applies a critical discourse analysis of textual (written) texts, spoken texts, and visual materials (images: e.g., posters, photos); Such an analysis will help us analyze the causes of LCs establishment and explore state officials (ruling elites) and public responses to the crisis (endogenous shock).

1.3. Relevance. Why is the subject of this research important?

Present research work gains academic relevance in investigating the question: why institutional change occurs? Furthermore, in exploring the subject whether the introduction of Land Commissions can be seen as a particularly critical juncture that could lead to substantial institutional changes from top-down, centralized to a system that forms more inclusive, transparent, and accountable land granting. Thus, it is expected that the research might contribute to the exploration of the problem as to whether the entrance of “new ideas and new actors” (Howlett and Ramesh, 2002) lead to institutional changes, if not, then why the system remains

“immune” to those introduced changes. Using the typology of innovation developed by Henderson & Clark (1990), it is assumed that this research has certain features of the architectural type of innovation, which considers: “changes in the nature of interactions between core components while reinforcing the core design concepts.” (Henderson & Clark, 1990, p. 26 as cited in Mallah Boustani & El Boustani, 2017, p. 519). It is anticipated that the work also has practical relevance, as having features of formative research allows to observe the ongoing phenomena (the work of LCs in selected regions); and to identify the challenges faced by the institution as well as to suggest policy recommendations for land granting system transformation with civic control mechanism enhancement.

Considering the lack of scholarly works dedicated to the problem of civil society engagement in land governance, it is anticipated that the present thesis might contribute to the existing knowledge by:

- Exploration of the question of how citizens' engagement in land governance is portrayed in official documents and media sources.
- To understand the dynamics of changes in land governance, namely why, despite the inclusion of the civil society component and the creation of formal institutions of citizen participation such as Land Commissions, this process does not lead to institutional changes and does not foster grassroots engagement in land governance.
- What are the factors that further as well as hinder those institutional changes?
- In addition, this paper might shed light on the dynamics of interaction between different stakeholders (state officials and civil society) in Land Commissions.
- In terms of external validity, the paper contains the interview results with international experts covering the problem of inclusive decision-making in land governance and experts' opinions on lessons drawn from civil society engagement in land governance in different contexts.

CHAPTER 2. LITERATURE REVIEW.

Academic scholarship captures different dimensions of land governance while focusing mainly on agrarian (Richani, 2012, Ceddia et al., 2014), legal (Miller & Pope, 2000, Messerli et al., 2016, Ho, 2001), economic aspects (Song et al., 2016, Wegren, 1997; 2009). However, less attention is paid to land governance in its public policy dimension (e.g., Chauveau et al., 2006, Deininger, Selod & Burns, 2011). In particular, this holds for Central Asian countries, where the lack of academic works studying state-society relationships in land governance and the absence of scholarly works exploring the work of such institutions as Land Commissions under local municipalities is observable (Childress, 2004; Jones, 2003).

2.1. Land Governance and “Good Land Governance”.

Since the scope of our interest considers institutional changes in the land sector from a public policy perspective, much emphasis is paid to the notion of land governance. There is no clear-cut definition of land governance; hence, it is possible to find dozens of definitions of this notion in academic literature. The researchers Enemark et al. (2009) view Land Governance as a complex system involving: "policies, procedures, institutions, and processes by which land, property, and other natural resources are managed." (IGI-Global, 2009, in Enemark, McLaren, & Molen, 2009, p. 5). While the widely cited definition of land governance, by Palmer et al. (2009) in a working paper on Land Tenure, prepared for UN-Habitat and FAO, defines land governance as:

"the rules, processes and structures through which decisions are made, implemented and enforced about access to land and its use, the manner in which the decisions are implemented and enforced, the way that competing interests in land are managed." (Palmer et al., 2009, in Lisher, 2019; Kramer et al., 2021).

In comparison, Chauveau et al. (2006) and Saturnino et al. (2010) criticize such broad definitions of land governance, stressing the importance of considering not only technical and administrative aspects of land governance but also its political and social dimensions.

Chauveau et al. (2006) stress that land governance should be seen as the product of social interaction between actors and institutions, where different actors seek to win access to land

resources, and political and legal authorities seek to legitimize control over access to land. (Ibid, 2006, p. 40). Similarly, Saturnino et al. (2010) suggest considering land governance as a political process contested by multiple state and societal actors. The researchers stress the problem of the emergence of competing concepts of land governance, where one camp of researchers (e.g., Akram-Lodhi et al., 2009) see land governance as the process of how to govern the process of land allocation. While another camp of researchers (e.g., Assies, 2009) considers land governance as a process of democratizing access to land. (Saturnino, Borrás & Franco, 2010). Thus, such a dichotomy of economic and political aspects of land governance causes confusion and difficulties in operationalizing this notion both by practitioners and academia.

In recent years the widely spread the notion of "Good Land Governance" and "Good Governance in Land Administration" (Espinoza et al., 2016), (Zakout et al., 2006). The researchers Zakout et al. (2006) define good land governance as a governance system that aims to protect the property rights of individuals and enterprises based on following good governance principles like accountability, transparency, the rule of law, effectiveness, efficiency, and public participation. Zakout et al. (2006) share their vision of how these principles can be implemented to improve land governance. The researchers stress that accountability could be improved by implementing uniform standards in land governance that can be monitored. While introducing the principles of transparency can be achieved through transparent staff recruitment, civic engagement can be achieved by enhancing the mechanism of civic control (via hotlines, customer surveys) and other measures. However, Zakout et al. (2006) view civic engagement instead at the level of policy evaluation than at the agenda-setting or decision-making stage of a policy cycle.

A growing body of literature studies the implementation of "Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries, and Forests in the Context of National Food Security (VGGT)" (FAO, 2012), which was endorsed by the international organizations as Committee on World Food Security, and later, has been supported by United Nations, FAO, and G20 as well as other international organizations. Thus, since 2012, academic literature has

examined different aspects of VGGT principles implementation in different contexts, e.g., Cortula (2021), Kramer et al. (2021), and others.

Overall, the line of criticism applied to Good Governance in Land Administration or Good Land Governance is their vague and rather declarative character. Also, considering the principles of transparency, accountability, and participation, less has been studied about the correlation of these principles. For instance, Welch's (2012) findings show that: "participation is positively associated with transparency, but transparency does not lead to participation." (Welch, 2012, p. 93.). However, academic literature still lacks research on the correlation between these principles, particularly in land governance studies. Therefore, as the researchers Espinoza et al. (2016) argue, the development of criteria, and indicators that could measure the quality of land governance and principles brought up a normative concept of good governance. (Espinoza et al., 2016, p. 74). However, the boundaries of these notions and their correlation to each other are still understudied, particularly in land governance.

2.2. Land Commissions.

It is possible to notice the neglect of the topic on Land Commission in international academic scholarship, which lacks works analyzing the interplay between state authorities and civil society in institutional settings such as Land Commissions. This could be explained by the actual absence of such institutions or the termination in their work; for instance, in developing countries, Land Commissions functioned at the beginning of the 20th century in New Zealand, Australia, some Latin American countries. If to consider those countries where some forms of Land Commissions are currently functioning, such as Brazil, South Africa, Ghana, the academic scholarship pays little to no attention to the role of Land Commissions as potential driver of policy/institutional changes in land governance. For instance, the researchers Poletto (2015) mentions that attempts of state authorities in Brazil to introduce Land Reforms from "above" cause resistance from the side of societal actors, which leads to quite "unusual" actors as the Catholic Church and political parties, e.g., Communist Party, to be involved in land governance,

which is expressed in establishing the Land Pastoral Commission in 1970. However, the work does not capture in detail the work of Land Pastoral Commissions and how societal actors are involved in the latter's work. More profound analysis on the work of Land Pastoral Commissions (CPT) contains the work of the researcher Hoddy (2022), considering the work of the present non-profit organization in Brazil in times of political transition, as the author defines it, in time frames from 1979 up to 1990s. The researcher makes a comprehensive overview, considering the work of these institutions from transformative justice framework lenses. The author views CPT as a "justice in transition actor" arguing that CPT further to the emergence of transformative dynamics in land governance and the formation of the "critical consciousness," which lead to the bloom of advocacy activism culture in Brazil. (Hoddy, 2022).

One of the limitations of the work is that the researcher does not apply qualitative or quantitative research methods such as interviews, surveys, or critical discourse analysis or other research methods. Therefore, the paper presents itself rather an overview of the work of CPT based on the analysis of works presented on the official website of the organization and other secondary sources. Hoddy (2022) stresses the problem of the absence of academic works analyzing the work of CPTs in-depth. The author pointed out the need for in-depth studies with applying different research methods for future research. Namely, the exploration of "the nod on liberation theology as a cognitive framework" through exploring activists' motivations and commitments in CPT activities participation. Though, the researcher admits: "this have not been explored in depth in this article, though they remain central to transformative practice." (Hoddy, 2022, p. 15).

We encounter the same problem while reading the researcher Cliffe (2000), who mentions the history of the Land Claims Court and Commission in South Africa just briefly. The present institution claims the author was established to prevent societal cleavages and ensure equal land access to the Black population. However, the work also lacks an in-depth analysis of the work of the Land Claims Court and Commission and the analysis of the "failure" of this institution in

helping the rural Black population to get equal access to land as the White population in South Africa.

Few works, such as Ehwi & Asante (2016) analyze the Land Commission's work in Ghana. The Ehwi & Asante (2016) research provides a comprehensive overview of Ghana's transition from customary to statutory law. The research analysis identifies problems in the Land Commission's work, for instance, the long duration of application processing (slow flow of digitalization process), deficiency of trained and motivated staff (absence of performance-based pay), and land corruption. The research is informative, however, the absence of a clear description of the theoretical and methodological parts could be considered one of the limitations of this work.

Thus, currently, academic scholarship captures the work of Land Commissions rather superficially, while mentioning just forms of actions without providing insights as to why institutional change occurs and whether the establishment of such institutions leads to structural changes in considered policy subsystems and, if not, why these institutions are failing in their performance. Since we apply the notion of policy subsystems and "homeostatic" change in the research, it is essential to consider how the academic literature analyzes these notions.

2.3. What is Policy Subsystem?

Public policy analysts argue that the notion of a policy subsystem is rooted back to the 1950s-60s of the twentieth century when popularity gained the so-called system thinking approach, which calls for a more comprehensive analysis of complex public policy processes. Namely, this approach was coined in the work of David Easton "A Systems Analysis of Political Life" (Easton, 1965), which later were complemented by the results of: "O'Connor (1973), Habermas (1975), King et al. (1975) on system thinking." (Crowley et al., 2020, p. 13). Since the 1960s up to the early 1990s in academic literature, there were predominant views that a policy subsystem has clearly defined internal structure. For instance, researchers Jenkins-Smith et al. (1991) emphasized:

"following Hecló (1978), Kingdon (1984), Sabatier (1987), and Salisbury et al. (1987), we conceive the policy process as an operative within partially segmented "policy subsystems," made up of those institutions and actors that are directly involved in the policymaking process in a specialized policy." (Jenkins-Smith et al., 1991, p. 852).

Considering actors of policy subsystems, researchers Baumgartner & Jones (1991; 1993) view subsystems as a complex system with power relationships interplay characterized by constant changes of different old and new interest groups, thus:

"Subsystems labeled as policy monopolies, which are subsystems controlled by a set of policy actors whom all favor one policy image and path for policy development for the subsystem." (Baumgartner & Jones, 1991; 1993 in McGee & Jones, 2019)

With the spread of globalization ideas and horizontal ties and networks at the end of the 1980-s and the beginning of the 1990s, public policy analysts are finding it harder to define the internal structure and boundaries of policy subsystems. Moreover, still in the 2020s, researchers are concerned with the same problems in defining the boundaries of policy subsystems.

"Where are 'we' in the systems we create?" this question ask researchers Crowley et al. (2020) and add that any policy subsystem and its boundaries being socially constructed have somewhat imaginary boundaries. (Crowley et al., 2020, p. 23). Therefore, as Nohrstedt and Weible (2010) point out still: "subsystem boundaries per se might become subject to uncertainty and debate." (Nohrstedt & Weible, 2010, p. 15).

The academic scholarship suggests the following typologies of policy subsystems as closed (Baumgartner & Jones, 1991; Wilson, 2000), open policy subsystems (McGee & Jones, 2019), (Crowley et al., 2020), reactive (Young, 1970), adversarial and collaborative (Weible & Sabatier, 2009). However, defining the boundaries of a policy subsystem is problematic. Later, evolved at the end of the 1990s-2000s, ideas of transnational networks and global civil society stimulated further discussions on difficulties in defining "external" or "exogenous" to the policy subsystem and the effects of "internationalization" on domestic policies. According to Kaldor (2003), Keck

& Sikkink (2002), Anheier (2007) development of modern technologies free access to the Internet led not just to the erosion of the autonomous power of the nation-state but, most significantly changed the behavior of people who are no longer just passively consuming public services but currently could easily: "create new issues and categories, and to persuade, to pressurize and fast mobilize other people." (Keck & Sikkink, 2002, p. 89). Therefore, the development of modern technologies changed the way of thinking and perceptions that communication between the citizen and the government is predominantly linear, e.g., hierarchical, and even popular policy approaches of the top-down or bottom-up policymaking process start to sound somewhat obsolete. The new threats and challenges to national, transnational, and global security (e.g., COVID19 pandemic, environmental problems, climate change, international terrorism) forces scholars to question how we can currently define a policy subsystem? Whether policy subsystem comprises just institutions or also ideas? Moreover, how to define now the boundaries of policy subsystems?

While accumulating existing knowledge in academic scholarship on policy subsystems, Nohrstedt and Weible (2010) suggest that policy subsystems, despite all ambiguity of the notion, have the following five identifiable properties:

"1. Policy subsystems contain an uncountable number of components within their boundaries; 2. They demarcate the integrated and nonintegrated actors on a given policy topic; 3. Policy subsystems are interdependent (horizontally) and nested (vertically); 4. Have a degree of authority or potential for authority; 5. Subsystems undergo periods of stasis, incremental change, and major change." (Nohrstedt & Weible, 2010, p. 8).

While assuming that subsystems undergo periods of stasis and change, it is interesting in this case to consider debates in the academic literature on the causes of institutional changes. In application to our case, the discussions on endogeneity and homogeneity of policy subsystem change are paramount.

2.4. Institutionalism, and drivers of Institutional and Policy Change.

Much academic literature is devoted to institutional change studies (North, 1990; Mahoney & Snyder, 1999), which explains the establishment of institutions as one of the policy responses to a domestic crisis (Blyth, 2002). However, it is possible to notice a gap in the existing academic literature, namely, the lack of scholarly works analyzing land governance through lenses of institutional change studies.

It is essential to mention that there is no single study of Institutionalism, as each school of Old Institutionalism and New Institutionalism views the process of genesis, change, decline, and reproduction of institutions and drivers of those changes differently. There is no agreement among academic scholarship on drivers of institutional changes. The researcher Rennkamp (2019) makes a comprehensive overview of key drivers or determinants of institutional change identified in the academic literature. The researcher identified five such determinants:

"Key determinants of institutional change are: (i) external and internal events and dynamics in the political economy (Hall & Thelen, 2009); (ii) the nature of conflicts, material interests and power relations (Knight, 1992; Streeck & Thelen, 2005); (iii) the relative power of various actors to organize coalitions to defend or change existing institutional arrangements (Hall, 2010); (iv) shared storylines and the coalitions' ability to dominate a political discourse (Hajer, 1995; Leifeld & Haunss, 2012) and (v) shared ideas, identities and common knowledge creation (Culpepper, 2008; Wendt, 1999)." (Rennkamp, 2019, p. 758)

As is visible, Rennkamp (2019) mentioned authors who are adherents of different schools of Institutionalism. In this thesis, the author applies the theoretical Models (Howlett & Ramesh, 2002; Pelizzo & Staphenurst, 2011), which are closer to understanding institutional change to Historical Institutionalism, which explains institutional changes by the response of key actors (ruling elites and civil society) to exogenous and endogenous factors/shocks.

Jointly with the institutional change in this work, the notion of policy change is applied. There is no agreement on a common definition of policy change in the academic literature as various theoretical frameworks see policy change differently.

"Very generally, policy change means replacing existing policies with one or more other policies. New policies can be adopted; the existing ones can be changed or terminated (Lester and Stewart, 1996, p. 136 as cited in Sinko, 2016, p. 233). However, as researchers Howlett & Cashore (2009) mentions: "one of the main challenges of studying policy change is operationalization." (Howlett & Cashore, 2009 as cited in Pierce, 2022, p. 147).

Each theoretical school considers different drivers of policy change. For instance, adherents of the Advocacy Coalition Framework (ACF) see the interaction of competing coalitions within policy subsystems as one of the critical factors for policy change. (Kim and Roh, 2008, p. 678).

While Heclo (1974) saw policy change as:

"being a product of both (1) large scale social, economic, and political changes and (2) the strategic interaction of people within a policy community involving both competitions for power and efforts to develop more knowledgeable means of addressing the policy problem." (Heclo, 1974 as cited in Pierce, 2022, p. 147).

Sabatier (1998) adds that different actors (e.g., elites) and their reactions to changing socio-economic and political contexts could be seen as drivers of policy changes. (Sabatier, 1998, p. 130). Thus, as this overview shows, researchers disagree upon, e.g., defining institutional and policy change and the drivers of such changes (namely, about the effects of exogenous and endogenous factors).

Within the scope of this research, we focus on policy changes, namely whether the inclusion of civil society in LCs led to the changes in land allocation policies in Kazakhstan. However, it is impossible to consider and analyze policy changes without paying attention to the institutional changes. Institutional change is understood as change not only in formal institutions (legal norms and regulation and the formal creation of institutions such as LRCs and LCs) but also in changes in informal institutions and constraints. In this case, while analyzing the creation of LCs, it is possible to agree with the researcher Douglas North (1990), who emphasized:

"Although formal rules may change overnight due to political and judicial decisions, informal constraints embodied in customs, traditions, and codes of conduct are much more impervious to deliberate policies." (North, 1990, p. 6).

Thus, this research focuses on institutional and policy changes and the factors that led to and hindered those changes. It is crucial to mention that the international academic scholarship abundantly captures the topic of institutional changes in Land Governance (Ho, 2001, Zhu, 2004); however, much attention is paid to changes in land tenure regimes or land rights regimes rather than to changes through the establishment of new institutions, for instance, any forms of Land Commissions. Thus, although abundant, the theme of institutional change studies in land governance captures mainly the legal rather than institutional dimension of those changes. (Zhu, 2004; Grajales, 2018). Therefore, this research attempts to fill this existing gap in the academic literature.

Exogenous and endogenous factors of institutional and policy change.

The complexity of all interrelationships between various actors in the policy subsystem leads to the spread of scholarly works that attempt to capture the effects of "external" influences, such as internationalization and globalization, on domestic policy systems. External effects were seen previously mainly as effects of macro-structural contexts on domestic policy subsystems, for instance, effects of external shocks such as worldwide/ regional economic crisis on the banking system of the particular country and its unemployment rates. Before Howlett and Ramesh (2002), researchers Baumgartner & Jones (1991) and Coleman & Perl (1999) defined "exogenous" factors that exert influence on domestic policy subsystem change, e.g., policy diffusion, policy learning, external shocks, venue change. The authors also identified factors that, in opposite contribute to the self-sustenance of policy subsystems such as path-dependence (Coleman & Perl, 1999), (Mahoney & Snyder, 1999), (Baumgartner & Jones, 1991). Bryan Jones (1994), in *Reconceiving Decision-Making in Democratic Politics*, stresses that not just actors but also new ideas influence domestic policy systems. It should be emphasized that the author also identified two endogenous and two exogenous factors that exert influence on policy subsystems, such as:

"Exogenous: 1) event-driven changes, such as a war or the crash of the stock market; 2) process-driven change, such as urbanization; Endogenous: 3) representational change, such as Congressional response to shifts in public opinion; and 4) conflictual change, such as members of a policy community leaking information to oppositional groups, changing venues, and expanding issues." (Wilson, 2000, p. 250).

It is essential to underline that academic scholarship defines that internationalization is not equal to globalization. For instance, researchers Bernstein and Cashore (2000) view globalization as being: "limited to its economic manifestations" (Bernstein & Cashore, 2000, p. 72) while

Internationalization:

"refers to when policies within domestic jurisdiction face increased scrutiny, participation, or influence from transnational actors and international institutions, and the rules and norms they embody." (Bernstein & Cashore, 2000, p. 72).

This work of Bernstein & Cashore (2000) contributes to the academic scholarship while defining those transnational actors and the rules and norms they embody that may influence the domestic policy subsystem. Following this logic, Howlett and Ramesh (2002) view the effects of internationalization as the interplay between (old/new) actors and ideas. The researchers suggest that "Policy Change Propensities of Major Change and Stability Processes" (Howlett & Ramesh, 2002, p. 39) analyzes the dynamics of policy change by considering the continuity of "old actors and old ideas" collision with "new actors and new ideas" within policy subsystem. The researchers mention that some policy subsystems, despite exogenous and endogenous factors, "self-sustain" and return after some time to the previous condition of "stasis." Therefore, the whole system undergoes rather homeostatic changes. (Howlett & Ramesh, 2002).

A few years after, suggesting a revision of existing taxonomies on policy change, researchers Howlett & Cashore (2009), in their thought-provoking article entitled "The Dependent Variable Problem in the Study of Policy Change: Understanding Policy Change as a Methodological Problem," complement previous studies on a policy change by proposing three mechanisms of policy change such as:

"neo-homeostatic" one in which paradigmatic changes occur through endogenous shifts in goals; a "quasi-homeostatic" in which exogenous factors influence changes in objectives and settings; and a "thermostatic" one in which durable policy objectives require that settings adapt to exogenous changes." (Howlett & Cashore, 2009, pp. 33-34).

However, researchers are not entirely explicit about whether all three changes may take place in one policy subsystem or few and whether the effects of such changes are short or long-term. The novelty of the research is that authors emphasized the difficulties in defining the dependent variable in institutional/policy change studies (the precise unit of analysis) as to the policy subsystem exert influence on the variety of factors. Thus, researchers provided the stimulus for the next generation of policy analysts to think about the mechanics of these changes.

Applying the Policy Adjustment Model of Policy Change developed by Howlett and Ramesh (2002) to particular case studies turns into a difficult task. Two reasons could explain this gap: first, the high level of ambiguity and abstraction in defining what "exogenous" and "endogenous" factors are; secondly, the difficulty in operationalizing the model. For instance, researchers Howlett & Cashore (2009) see the problem in defining the dependent variable in policy change studies and the "imaginary" nature of policy subsystem boundaries.

Few researchers attempted to apply Howlett and Ramesh's "Subsystem Adjustment Model of Policy Change," but in application to other than land governance spheres, for instance, in consideration of exogenous shocks to the case of Canadian Banking Regulation, where the researcher Williams (2009) focuses explicitly only on two exogenous factors named in Howlett and Ramesh Model (2002) such as systemic perturbations and subsystem spillovers. While researcher McNutt (2012), in the analysis of "The External Face of E-government," as well as Busch and Jörgens (2005) in "International Patterns of Environmental Policy Change and Convergence," just in few short lines mention the Subsystem Analysis of Policy Change Model (Howlett and Ramesh, 2002).

2.5. Land Reform in Central Asia/Kazakhstan.

Shifting the focus in the literature review from purely "theoretical" aspects, the attention should also be drawn to the lack of scholarly works capturing land reforms and land governance in Central Asia and Kazakhstan. One of the few works related to land reform in Central Asia of the researcher Jones (2003) compares Land Reform in three Central Asian states, namely Kazakhstan, Kyrgyzstan, and Uzbekistan. The author describes Kyrgyzstan as a "role model" for neighboring countries, which shows the successful transition from state-owned to private land ownership. In this case, Kazakhstan's "failure" in land reform, the researcher explains by the absence of institutional capacities in land governance, as the author emphasizes: "one key problem is Kazakhstan is a lack of institutional process for the registering, buying or selling of land." (Jones, 2003, p. 270).

One of the weaknesses in Jones's work is that the researcher does not provide an in-depth analysis on how exactly the absence of institutional settings negatively affects land granting policies in three Central Asian countries. Thus, it is not entirely clear whether the "failure" of land reform in Kazakhstan is due to a lack of institutional settings or any other reasons. Another work that captures Land Reform in Kazakhstan is by researchers Hierman & Nekbakhtshoev (2014) that analyzes the research question of whether land policies in three Central Asian states (namely Kazakhstan, Kyrgyzstan, and Tajikistan), are ethnically biased in favor of a "titular" groups, meaning Kazakh population.

Considering the existing gap in the literature related to land reform studies in the Central Asian context, the present work suggests an original view to land granting policies in Central Asia through the prism of nationalism studies. A limitation of the work is the absence of clearly formulated research questions and a lack of evidence to support the hypothesis. Researchers themselves admit that based on this somewhat limited amount of data, they could not find solid

evidence supporting the hypothesis that land policies are ethnically biased in favor of a titular group in three Central Asian states.

Several scholarly works, written in Kazakh, Russian and English languages, study of land reform in Kazakhstan, such as Ospanov B.H., Duyssenbekov Z.D. (2001), Lerman, Z. (2009), as well as land protests in Kazakhstan in 2016, e.g., Heuer & Hierman (2022), Dubuisson (2020) and others.

The work of Heuer & Hierman (2022) analyzes Kazakhstan's government responses to land protests 2016, namely based on the research Earl classification of different tactics of repression, Heuer & Hierman (2022) studied the application of these tactics, e.g., coercion and channeling during the land protests 2016. Researchers found that the government (or elites) applied both repression tactics during the land protests equally. As the researcher stressed, much emphasis was paid to the role of elite mediation as a form of channeling tactics. The named channeling tactics included, as the author stressed, the situations:

"when officials personally encouraged protesters to relocate to non-public spaces and the effort of officials to personally usher protest into non-public venues and/or to offer themselves as mediators to prevent public grievance articulation." (Heuer & Hierman, 2022, p. 6).

Interestingly, in this case, it seems the fact that researchers do not explicitly cover in the paper the establishment of the Land Reform Commission (LRC) at the Republican level created right after the land protests. The officials presented the creation of LRC and the consequent establishment of LCs exactly as a public space or venue for dialogue and communication between different stakeholders to discuss problems in land governance. Overall, the deficiency of scholarly works and in-depth studies of Land Reform Commissions (2016/2021) and Land Commissions in Kazakhstan is observable in academic scholarship.

2.6. Civil society as a potential driver of institutional changes in Central Asia/Kazakhstan.

One aspect of the research directly related to the institutional change is the role of civil society; therefore, attention should be paid to this aspect. While analyzing the works on civil society studies, one may notice that several researchers, while pointing to the "descriptive," "deeply contested" nature of the term civil society, perceive it mainly as a "Western" concept, thus, not - applicable in a non-Western world. (Anheir, 2007, p.45; Glinchikova, 2007, p.122, p.124; Moema, 2007, p. 104).

In the non-Western, e.g., Asian context, the notion of civil society in its direct translation as "civil society" is not widely used as in Western countries. The researchers Spires (2018), Avenell (2018), Bae (2018) stress that in the Asian context, the notion of civil society is understood and interpreted as "welfare societies" and linked with such activities as volunteering, charity, and even the provision of welfare services such as cleaning, maintaining roads, organizing local festivals, celebrations, and ceremonies. Researchers, e.g., Spires (2018), Avenell (2018), Bae (2018), mention that in countries like China, Japan, South Korea, Singapore, civil society is based on a Culture of Corporatism and Culture of Associationism and even on religious and philosophical concepts as "Thick Confucian Communitarism" (Kim, 2014, p. p.88). Interestingly, scholars mention the incompatibility of the Western notion of civil society with Asian understanding; thus, if Western researchers perceive civil society actors as "a mix of political bloggers, social media consultants, e-democracy innovators, human rights activists, and transparency advocates" (Sifry, 2011), in non-Western context (e.g., Asian), civil society is seen instead as community-based organizations such as: "neighborhoods, villages, private and civic organizations/associations." (Kim, 2014, p.88).

Considering how civil society is captured in the academic literature on Central Asia, it is possible to notice that some researchers emphasize the limitations in applying a Western understanding of civil society to the local Central Asian context. According to Dissenova et al.

(2002): "to commonly apply Western definitions of civil society to Kazakhstan forces the scholar to the sole conclusion that civil society does not exist." (Giffin, Earle & Buxton, 2004, p.24). Thus, scholars point out the non-existence of civil society in its Western interpretation. The researcher Buxton raises one of the critical problems regarding the notion of civil society in the Kazakhstani/Central Asian context, precisely why NGOs and foreign donors are working in the region and trying to "manufacture" civil society from outside, without paying much attention to history and culture of Kazakhstan. (Buxton, 2011a, p. 53).

While analyzing the question related to the understanding and interpretation of the notion of civil society in Kazakhstan, it is essential to pay attention to historical legacies and "intellectual heritage" (Anheier, 2007, p.43) of the term civil society. Interestingly, in academic literature and the reports of international organizations, e.g., Asia Development Bank (2015) as a starting point in the evolution of civil society in Kazakhstan is considered the Soviet times. For instance: "prior to Independence the development of civil society in Kazakhstan had occurred in two stages: before 1985 and the era of glasnost and perestroika (1985-1991)" (Asia Development Bank, 2015, p.2).

However, civil society can be rooted far before the establishment of the Soviet Union. Kazakhstan has a rich legacy of political and legal thought, where vividly are presented notions of civic activism, a peaceful society, and active citizenship. Noteworthy to mention that it is possible to find references related to concepts of citizenship and civil society in works of ancient Central Asian philosophers, for instance, in works of Abu Nasr Al-Farabi, "The Virtuous City." If to look at pre-Soviet period, in the article, the Kazakhstani author Gulnar Kendirbayeva (1999): 'We are children of Alash...' the author considers the role of Kazakh intelligentsia at the beginning of the 20th century. The researcher stresses that it is possible to distinguish two groups of Kazakh intelligentsia at the beginning of the 20th century, namely Western-oriented leaders and Islamic-oriented editors:

"Islamic-oriented editors of the magazine *Aiqap* - Mukhamedzhan Seralin (editor-in-chief), Bakhytzhan Qarataev and Zhikhansha Seidalin, and the second group of Western-oriented leaders of the national movement *Alash* grouped round the newspaper *Qazaq* (Alikhan Bokeikhanov (1866-1937), Akhmet Baitursynov (1873-1937), Myrzhaqyp Dulatov (1885-1937), Mustafa Shoqay (1890-1941) and others" (Kendirbayeva, 1999, p. 5).

The researcher stresses that *Alash* Party leaders, in their works (published articles and speeches), emphasized that the Kazakhs can keep the nomadic lifestyle but also shall study the sciences, culture, and technology from Western countries.

The researcher (Bankoff & Oven, 2019) also emphasizes that understanding Kazakhstan's civil society requires more in-depth consideration of the country's historical legacies. The researchers underline that Kazakhstan has traces of “nomadic communitarianism” and inherited from the Soviet time's “socialist-inspired collectivism”. Bankoff & Oven argue that traces of these both nomadic and the Soviet past influence the current social structure of Kazakhstani society and the nature of civic engagement, in particular in rural areas. As authors mention:

"Organized into three tribal federations or hordes, Elder, Middle and Younger, clan designation together with its loose territorial affiliation was important in governing social relations between groups and regulating nomadic land-use from at least the late sixteenth century." (Bankoff & Oven, 2019, p. 380).

Later, with Soviet rule, the foundations of socialist civil society allowed some forms of activism in the party-state specified organization, social volunteering groups. Also, farmers' organizations into joint small-size cooperatives called "kolhozy" played a crucial role in formatting this culture of socialist collectivism.

A similar line of different forms of collectivism, e.g., reliance on family ties rather than on the state or non-profit organization, is possible to find in the work of Nezhina & Ibrayeva (2013). The authors found that the lack of effectiveness of NGOs in modern Kazakhstan is possible to explain by the highly collectivist culture of Kazakhstani society, where problems are being solved not by independent private action but rather by engaging the network of loyal group members (Nezhina & Ibrayeva, 2013). Therefore, as Nezhina & Ibrayeva (2013) stress, in

contrast to Western countries where the distance between the state and society is close, the distance between the state and society is high in Kazakhstani society. Therefore, instead of challenging state authorities and advocating for policy changes: "citizens wait for authorities to offer a solution." (Nezhina & Ibrayeva, 2013, p. 355). Such a behavior is possible to explain, argue researchers, as by legacies of collectivism as well as the totalitarian past and repressions against Kazakh intelegensia in 20th century.

While analyzing the academic literature on civil society in Central Asia/Kazakhstan, it is possible to see some cleavages pointed out by academic scholarship:

- The cleavages between Western and non-Western understanding of civil society; (Buxton, 2011a).
- Cleavages related to the role of historical legacies (one group of researchers see as a starting point of Kazakhstani civil society development the post-Independence period 1990, while the other group stresses the importance of considering inherited historical legacies).
- The cleavages in the role of external actors, namely forms of external pressure/influence on local civic culture development: Western neoliberal democratic versus authoritarian diffusion from neighboring countries (Russia, China, and other countries). (Jackson, 2010), (Ziegler, 2016)
- In addition, the difference in the importance of urban versus rural population in the society (Bankoff & Oven, 2019).

To explain the latter point, researchers (Bankoff & Oven, 2019) argue that academic scholarship focuses only on urban civil society (NGOs, think tanks working in big cities like Almaty and Nur-Sultan). The researchers stress that academic scholarship erroneously neglecting the studies on forms of collective action and civic activism in rural areas in Kazakhstan.

Considering the role of civil society in institutional settings like for instance Public Councils (2015) or National Council for Public Trust (2019), it is possible to distinguish the works of Colin Knox and Saltanat Janenova (2018), Schiek (2022). The works of researchers Colin Knox and Saltanat Janenova on Public Councils (2018) contribute to civil society studies in Kazakhstan and a broader Central Asia region and provide an in-depth analysis of civil society's constraints in local institutional settings.

While the researcher Schiek makes a comprehensive overview of the National Council for Public Trust (2019), considering this institution as the means of depoliticization. The researcher distinguishes four narratives: first, when the state promotes conflict resolution through creating such institutions as National Council for Public Trust and promoting such programs of "listening state," secondly spreading the political message of inclusiveness, thirdly, proclaiming that such Councils could generate solutions to collected in the society problems, and fourthly, linking all these discourses to democracy and consultation. (Schiek, 2022, p. 12).

Thus, as Schiek argues, the Kazakhstani government promotes a "state approved model of participation." (Ibid, p.18). However, the failure of such state-organized civic engagement and formally created Councils consists of excluding relevant actors from participation in this state-society negotiation process. Therefore:

"a 'better than nothing' perspective may conclude that official narratives are shifting towards more participation and are being 'tested' in institutional experiments. A more critical perspective stresses the illusory picture of participation painted by these narratives..." (Schiek, 2022, p. 19).

Therefore, this rather formal and superficial form of civic engagement and state-organized dialogue and the initiation of conflict resolution institutions lead rather to superficial nature of such Councils and the failures of such organizations to promote institutional changes.

2.7. Land Corruption.

As mentioned earlier, institutional change studies link directly with formal and informal constraints: corruption and nepotism. Thus, another set of problems is essential to consider how academic literature captures land corruption. Interestingly, in international academic scholarship describing the forms of land corruption, researchers briefly cover land corruption in local administrations, for instance, the role of village or city mayors in the system of land governance. In this case, it is possible to distinguish the works on land corruption in China, Taiwan, and the Philippines (You, 2014, Song et al., 2016) and the innovative piece of work of the group of Spanish researchers López-Valcárcel, Jiménez & Perdiguero (2017) on the influence of local corruption on neighboring municipalities.

The academic scholarship suggests consideration of different typologies of land corruption such as grand corruption in land governance (Song et al., 2016; Cai, Henderson, and Zhang, 2013), administrative corruption (Wren-Lewis, 2013, Kakai, 2013), and petty corruption in the land sector (Mutondoro, 2016; Brankov, 2013 in Mukhtarova, 2021). Interestingly, researchers mainly consider corruption in the land sector as a form of political corruption. However, while referring to the fact that political corruption is: "extremely hard to document" (Ibid, p. 372), neither of the researchers provide any concrete shreds of evidence or cases which can justify their assumption that corruption in the land sector is indeed can be seen as one form of political corruption.

Another weakness in the existing literature lies in reliance on the same data (e.g., the World Bank, Transparency International) and lack of own empirical evidence from the case countries (e.g., Brankov et al. on Serbia, Kakai on Benin); therefore, empirical evidence in these works is absent or very few. Independently from the variation in terms of geographical coverage (Australia, Benin, Serbia, China), the researchers writing on corruption in the land sector mainly provide almost identical evidence taken from Transparency International or other resources on

land corruption. For instance, almost identical evidence on land corruption in Bangladesh, Mexico, Kenya, and India can meet both in the articles of (Mutondoro et al., 2016, p. 13; Brankov et al, 2013, p. 370). This could be considered one of the severe weaknesses in current academic scholarship covering the topic of corruption in the land sector. Though, understandably, empirical data on corruption practices are hard to find since they could be undocumented, particularly in developing countries with authoritative political regime types; however, on the other hand, the works lacking empirical evidence sound lacking support evidence of researchers' argumentation.

It is also possible to mention the lack of scholarly works covering land corruption issues in Central Asia/ Kazakhstan. There are few works covering issues of land governance Almagambetov, N (2005), Kurmanova, G. (2014). However, little to no research is done (except media reports and reports of international organizations) covering corruption in the land sector in Kazakhstan or a broader CA region.

Though the main actors involved in land distribution are local urban or rural municipalities, very few works cover the problem of land corruption in Kazakhstan, such as Davletbayeva, & Zagrebin (2020), Ashirbekov (2019), and others. The lack of scholarly works on land corruption can be explained by the difficulties in getting access to data due to the sensitivity of the topic on land corruption.

Summarizing the literature review section, the author identified several gaps in the existing academic literature:

- Absence of academic works on Land Commissions in Kazakhstan and the lack of scholarly works capturing the work of such institutions worldwide.
- Much academic literature is devoted to institutional change studies (North, 1990; Mahoney & Snyder, 1999), which explains the establishment of institutions as one of the

policy responses to a domestic crisis. Researchers' opinions differ on factors that lead to institutional changes. Despite the abundance of academic literature on institutional change studies in land governance, the researchers focus mainly on legal, economic, rather than institutional aspects of those changes.

- Lack of scholarly works analyzing the role of civil society as a potential driver of institutional changes (except few, e.g., Knox & Janenova, 2018, 2020, Jones, 2003 et al.)
- Deficiency of academic research capturing the problem of informal constraints (e.g., clientism, land corruption) in Kazakhstan and Central Asian countries; and accountability studies in land governance, except several works applying mainly The World Banks Land Governance Assessment Framework (LGAF) to different regional contexts.
- The shortage of works that define exogenous and endogenous factors that lead and hinder policy and institutional change in land governance worldwide and Central Asia/Kazakhstani context.

In this regard, the novelty of the research consists in the attempt to fill the gap in the existing academic literature and to apply the Adjustment Model of Policy Change to the case of the Land Commission in Kazakhstan by defining exogenous and endogenous factors that lead as well hinder those changes. Considering all mentioned above gaps in the academic literature, the author of the thesis formulated the research questions, indicated in Chapter 3.

CHAPTER 3. RESEARCH QUESTIONS AND THEORY.

3.1 Research Questions.

RQ 1. Why were Land Commissions created?

Which endogenous and exogenous factors precipitated the introduction of Land Commissions?

RQ 2. Has the inclusion of civil society improved the effectiveness of Land Commissions?

RQ 3. What conditions facilitated the success or failure (underperformance) of these newly introduced institutions in Kazakhstan?

3.2. Hypothesis.

Land commissions in Kazakhstan have resulted from endogenous shocks rather than rational decision-making.

(If endogenous shock is taking place, then the state (ruling elite) reacts by the establishment of new institutions such as Land Commissions, though the role of the latter can be somewhat "cosmetic" than substantial).

The inclusion of civil society component in Land Commissions has led to establishing a new policy subsystem with more transparent, accountable, and inclusive land granting policy.

(If the civil society component is included in the work of Land Commissions (LCs), then LCs produce the expected results that are better, more transparent, accountable, and inclusive land granting policy).

3.3. Research Assumptions.

1) Endogenous shock (land protests 2016) established a new institutional setting such as LCs with a civil society component.

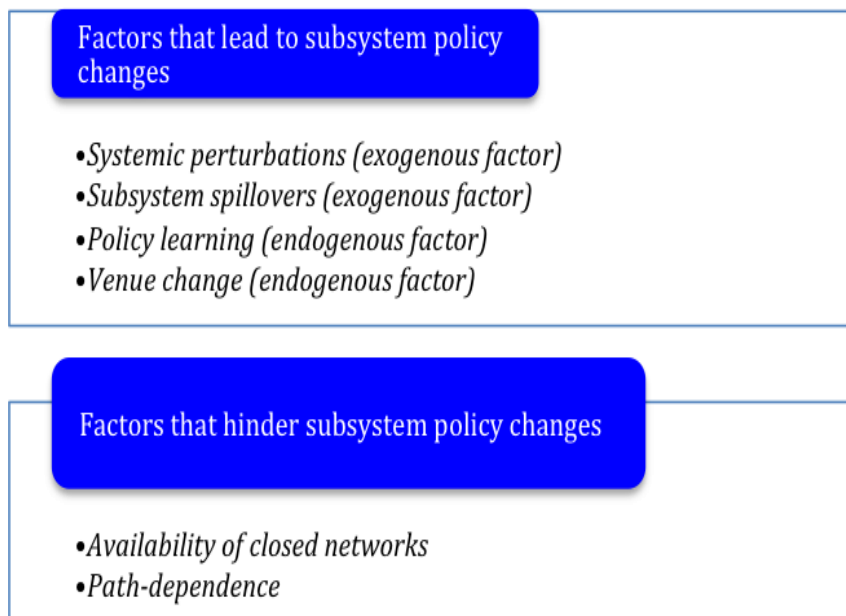
2.) The introduction of the newly adopted institution of civic control as Land Commissions under akimats (local municipalities) has led to land granting policy change from top-down to a transparent, inclusive, and accountable bottom-up policy subsystem.

3.4. Theory.

To analyze research questions and to test research hypotheses as to why do or do not institutional change occurs, the research applies "A Subsystem Adjustment Model of Policy Change." Developed by the public policy analysts Howlett and Ramesh (2002), this Model considers exogenous and endogenous factors leading and hindering policy subsystem changes.

One of many strengths of this model is that it allows us to view not only the influence of Internationalization (exogenous factors) and domestic (endogenous factors) leading to policy changes but also to explore what factors could hinder those changes, for instance, path dependency and availability of closed networks.

Figure 4. Subsystem Adjustment Model of Policy Change.

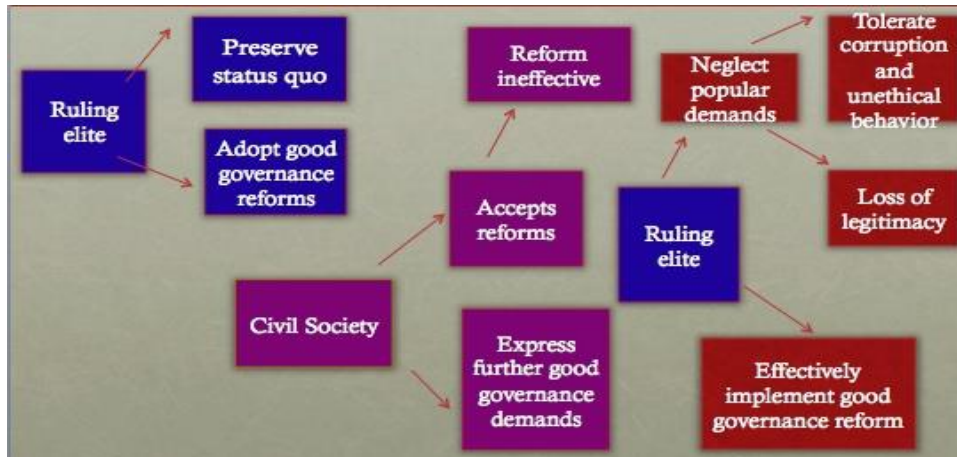


Howlett and Ramesh (2002).

In addition, to analyze why new institutional settings as Land Commissions under local municipalities were introduced, the paper applies "A Strategic Interaction Model of Institutional Change and Performance" developed by Pelizzo & Staphenurst (2011). It is anticipated that the

application of this model will help analyze whether the introduction of LCs can be seen as a response to the domestic shock (crisis), leading to institutional change and whether this institutional change can be seen as a somewhat "cosmetic" measure. It is anticipated that both theoretical models may complement each other.

Figure 5. A Strategic Interaction Model of Institutional Change and Performance.



Pelizzo & Stapenhurst (2011).

3.4.1. Rationales for applying a Subsystem Adjustment Model of Policy Change (Howlett and Ramesh, 2002).

Howlett & Ramesh (2002) argue that in a globalized world, policy regime changes that happen at the domestic (country) level are due to the factor of internationalization, which could be considered as the intrusion of external elements into otherwise stable domestic policymaking processes. (Howlett & Ramesh, 2002). Therefore, the domestic policymaking process is seen as *stable*, while internationalization is an exogenous factor: "a vital catalyst promoting processes inducing change and undermining those maintaining stability." (Howlett & Ramesh, 2002, p. 43). Researchers stress that internationalization leads to dramatic policy shifts: "by introducing new actors and ideas into policy regimes, thereby undermining the stabilizing aspects of policy monopolies and path dependencies" (Howlett & Ramesh, 2002, p.44). To understand the effects of Internationalization, one needs to comprehend the relationship between two variables, namely *actors and ideas*, where actors can be seen as individuals as well as

institutions, rules, and norms. Therefore, changes in the dynamics of interaction between actors and ideas might help understand the dynamics of policy change (Williams, 2009).

Howlett & Ramesh (2002) distinguish four aspects of the policy-change process: *systemic perturbations*, *subsystem spillovers*, *policy learning*, and *venue change* (Howlett & Ramesh, 2002)

Systemic perturbations are seen as critical moments when the policy changes due to different crises, catastrophes, the situations when new actors and new ideas can enter the system. If to apply to our case, it is possible to consider mass land protests in 2016 as a crisis moment in the system that further to policy change and the consequent establishment of the Land Reform Commission (2016) and later, Land Commissions under local municipalities with the inclusion of the civil society component.

Another factor of change, according to Howlett & Ramesh (2002), are *subsystem spillovers*, which are also seen as an "exogenous factor" or as a process when activities (ideas) in one subsystem "spillover" to other policy subsystems. Overall worldwide discourses on human rights, e.g., in our case, land rights and on the necessity of civic engagement in governance, might have a spillover effect on domestic policies in developing countries.

The next factor named by the authors is a *policy learning process*, which researchers understand as a process in which policymakers learn from the experience with similar policies. If to apply to our case, the idea of establishment of Public Councils (and Land Commissions) with the engagement of civil society groups is:

"not new; they (Public Councils) have been established in other developing countries in the former Soviet Union, sub-Saharan Africa, Latin America, and South Asian countries." (Knox & Janenova, 2018, p. 8).

A gradual paradigm shift and gaining of the popularity of the initiatives in introducing civil society in various institutions in Kazakhstan is observable in recent years, for instance, Public Councils (2015), Land Reform Commission (2016), Land Commissions under local municipalities (2018), National Council of Public Trust (2019).

Howlett and Ramesh see policy learning as an endogenous factor. Therefore, if to apply it to the context of Kazakhstan, this means that within the system, while establishing those Councils (institutions), the system learns new ideas and introduces those "exogenous" forms of institutions with civil society engagement to the local ground.

Finally, the fourth factor of change, named by Howlett & Ramesh (2002), is *venue change*, which refers to the process when some policy actors might change the venue (e.g., from the legislature to executives) to represent their ideas better. These are the factors that authors consider as decisive for a policy change. In our case, the dynamics of state-society interactions on Land Reform in Kazakhstan evolved from a protest movement to establish a new venue as Land Commissions, allowing for a more civilized form of a dialogue between state authorities and civil society. This can be seen as a particular process of institutionalization when actors (ruling elites and civil society/and public) change the venue of interaction (from the street protests to the establishment of institutions for dialogue and communication). Indeed, whether this dialogue is sincere and effective or just formally functioning is the subject for further analysis. The significance of Howlett & Ramesh's (2002) Model of Policy Change work is that it allows us also to identify *factors that prevent policy change* such as *path dependence* which is known as a process: "when current policy decisions are influenced by the institutional and behavioral legacies of past decisions." (Pierson, 1993; Rose, 1990 as cited in Howlett & Ramesh, 2002, p. 38). Another factor that can terminate the process of policy change is the availability of *closed networks* when "old" actors prevent "new" actors from entering the system.

The creation of Land Commissions, the composition of which according to new Amendments shall consist of 50% from civil society organizations (which on an open, transparent, and competition basis shall collectively regulate the process of land granting) raises some resistance from "old" actors. For instance, according to the legislation, all sessions of Land Commissions shall be open to the public and be recorded on video. However, there is significant evidence that many sessions of Land Commissions are being held with some violations, e.g., without video

recording or proper participation of civil society representatives. For instance, land rights experts report to the media on incidents of conflict of interests when members of Land Commissions, in some cases, grant land to their relatives or acquaintances (Akhmetdiyeva, 2020). Therefore, despite strengthening the role of Land Commissions with civil society engagement, some actors resist those changes. Thus, the sub/system again returns to the previous condition of stasis.

The Subsystem Adjustment Model can be instructive for present research to explain policy subsystem changes by exploring the dynamics of including new ideas and actors into the domestic policymaking process.

Our possible contribution in applying the Model to the case.

The Subsystem Adjustment Model of Policy Change (2002) is based on a few assumptions, namely on the role of internationalization as an exogenous process affecting domestic policy subsystems through the entrance of "new ideas and actors into otherwise stable domestic policy subsystem" (Howlett and Ramesh, 2012, p. 33). The cornerstone of the Model is an exploration of the interplay between (old/new) ideas and (old/new) actors.

Table 1. Policy Change propensities of Major Change and Stability Processes.

Policy Change Type	Requisite Variables	Configuration of Subsystem Change and Stability Processes
Change in policy goals	Presence of new actors	Systemic perturbations or spillovers and policy learning or venue change
	Presence of new ideas	
Change in program specifications	Continuity of old actors	Policy learning or venue change and closed networks
	Presence of new ideas	
Change in policy instrument types	Presence of new actors	Systemic perturbations or spillovers and path dependency
	Continuity of old ideas	
Change in instrument components	Continuity of old actors	Closed networks and path dependency

Howlett and Ramesh (2002, p. 39)

Following the authors' idea at the initial stages due to internationalization, *new actors and ideas* enter and dominate the policy subsystem while *undermining policy monopolies and path dependencies*. This process leads to the implementation of new policy goals and instrument types. Therefore, researchers assume that the interplay between old/new ideas and old/new actors may lead or, on the opposite, impede subsystem policy changes.

Though researchers, as presented in the Table 1, do not see this process as a sequential one, in its application to the present case, we would like to apply it in this consecutive manner.

Namely, the author sees the application of Policy Change propensities of Major Change and Stability Processes in the following way:

At the initial stage, after land protests 2016, or using the researchers' terminology, after the systemic perturbation, it was possible to observe *the entrance of new actors* (civil society component) *and new ideas* (policy learning, subsystem spillovers, and the venue change) into otherwise stable policy subsystem. This leads to the shift in subsystem *policy goals*, namely, establishing the Land Reform Commission (2016) as a platform for communication between state officials and civil society.

In the next stage, following Table 1, although new ideas such as the inclusion of civil society component were declared and formally were added to the structure of Land Commissions (LCs) under local municipalities, however, *the continuity and the dominance of old actors* (using Howlett and Ramesh terminology, so-called, closed networks) is observable. Thus, changes at this stage are just at the level of *program specification*, when formally the civil society component was included in LCs. However, the mechanism of selection of the civil society component is not clearly defined as well an independent evaluation mechanism of the work of LCs is also missing.

Next is the path-dependence with the persistence of old ideas, namely some forms of obedience to local mayors' authority (Akim's) and local officials predominant in the subsystem, over the new ideas of transparency and inclusion and democratization of the decision-making process.

Several scandal cases covered in the media where Land Commission Members' relatives won competitions and by the decision of LCs were granted land plots (Akhmediyeva, 2020) could serve as vivid examples of such failures in the policy implementation and the expectation that the introduction of civil society component may lead to a new policy subsystem formation. Therefore, though the instrument type has changed, *the predominance of old ideas* is still observable in the subsystem.

At the final stage, it is possible to notice the predominance of the closed networks and path dependencies, namely the situation when the subsystem returns to the condition of "homeostasis" due to *the continuity of old ideas and old actors*. Such a situation leads to the public disappointment that new ideas and new actors could change the policy subsystem. The expert community expresses their views that the complete termination in work and even dissolution of LCs (due to predominance of nepotism corruption practices) in the next few years is possible. Therefore, our research is expected to test the Howlett and Ramesh Model, namely its application to the actual case of LCs in Kazakhstan. Namely, the research will test the idea of authors, who argue that new ideas and new actors:

"become elements of a new policy regime and as such, tend to promote the formation of new policy monopolies and path dependencies, albeit on a different trajectory and with different membership than old regimes they displaced." (Howlett and Ramesh, 2002, p. 42).

The thesis contribution consists of testing this core statement of belief expressed by Howlett and Ramesh that the entrance of new ideas and new actors leads to forming a new policy regime and a new trajectory of policy change.

The researcher assumes, contrary to ideas of Howlett and Ramesh, that despite the entrance of new ideas and new actors to the policy subsystem, the formation of a new policy regime with further formation of *new policy monopolies and new path dependencies* hardly could be expected. Our case might show this persistence and sustainability (using Howlett and Ramesh terminology) of old ideas and old actors in the subsystem, the dominance of which again returns the subsystem to the condition of "homeostasis."

Thus, in our view, a Subsystem Adjustment Model of Policy Change is quite a unique framework that will help us analyze the whole cycle of the process of policy change in "homeostatic" policy subsystems. Thus, the application of the present theoretical Model gains significance in the exploration of this interplay between old/new ideas and old/new actors in the policy subsystem.

3.4.2. Rationales for applying “A Strategic Interaction Model of Institutional Change and Performance” (Pelizzo & Stapenhurst, 2011).

Howlett and Ramesh (2002) consider systemic perturbations (economic crisis, catastrophes, or, e.g., in our case, `land` protests) as factors leading to policy changes. However, the researchers do not explicitly define the actors of the policy subsystem and how they respond to those shocks. In this regard, the application of "*A Strategic Interaction Model of Institutional Change and Performance*" (Pelizzo & Stapenhurst, 2011) might be helpful in the identification and "unpacking" of the notion of actors involved in the policy subsystem.

Also, it is believed that the application of this theoretical framework will help us to analyze the question of whether the introduction of LCs can be seen as a response to the domestic shock (crisis), leading to institutional changes, or in the opposite, whether this institutional change can be seen as a rather preventive "cosmetic" measure.

The Model explains the causes of the institutional change, which the researchers see as: "a response to a crisis (real or perceived), in which ruling elite and reformers (civil society) interact, and in which a substantive institutional change is the only one of several possible outcomes." (Ibid, 2012, p. 4).

The researcher differentiates between two sets of actors within the domestic system, such as *ruling elites and civil society*, and considers policy responses of both of those actors to the crisis. The ruling elite confronted with public discontent/ e.g., land protest movement, may respond *in two ways: either by preserving the status quo or introducing new institutions* (if public demands are strong enough, which is impossible to neglect).

In their turn, *society* may respond to the newly adopted institutional changes by accepting those changes, although they might be somewhat "cosmetic" and ineffective or can express further reasonable governance demands. In the latter case, ruling elites may react in three ways:

1. Either by accepting those demands and improving the system further, though it may lead to the loss of some of the previous system benefits;
2. To neglect public demands, which potentially might lead to the loss of legitimacy and another crisis;
3. To ignore public demands by tolerating corrupt/unethical behavior which will lead to the crisis of the institution and the system as a whole. (Pelizzo & Staphenurst, 2011).

Therefore, it is anticipated that the Model allows unpacking the problem of the institutional change by analyzing more profoundly actors involved in a land granting process and their responses to the crisis (presumably) expressed in the establishment and the strengthening the role of Land Commissions.

Why were alternative theoretical frameworks (e.g., Advocacy Coalition Framework) not applied?

Advocacy Coalition Framework (ACF) assumes that actors can be aggregated into: "a number of advocacy coalitions composed of people from various organizations who share a set of normative and causal beliefs and who often act in concert." (Sabatier, 1988, p. 133).

The researchers Sabatier (1988; 1991), Sabatier & Weible (2007), consider the critical characteristics of advocacy coalition in a commonly shared belief system and distinguishes three categories of beliefs: "deep core beliefs, policy core beliefs, and secondary aspect beliefs." (Sabatier & Weible, 2007). Except for a shared system of beliefs, members of advocacy coalitions should be "actively" concerned with the particular problem; and each coalition should have a strategy for proposing policy change. While proposing policy changes, all different coalitions should be interested in changes and view a continuation of the status quo as unacceptable. (Sabatier and Jenkins-Smith 1999, p. 146 as cited in Olsson, 2009, p. 172). In

addition, ACF considers the availability of "policy brokers" - those actors whose task is to mitigate conflicting interests and strategies between different advocacy coalitions. Most importantly, policy brokers should be neutral and not support any coalition.

In recent years, academic scholarship has emphasized serious ACF's weaknesses in explaining policy changes, namely, the framework limitations in defining different features of "advocacy coalitions." Sabatier (1988) saw advocacy coalitions as grouped around common "deep core beliefs," however, as Kim & Roh (2008) stress: "it is doubtful whether its "deep core beliefs" are stable enough to guide the selection of "policy core beliefs" and "secondary aspects of beliefs" and whether those core beliefs are more important than policy interests as determinants of coalition formulation." (Scharpf, 1993, as cited in Kim & Roh, 2008, p. 669.) Moreover, researchers assume the ACF fails to explain the strategic interactions among coalition members.

The reason why ACF was not applied to this research is due to the absence, in our view, of core critical characteristics required for ACF application in explaining the Kazakhstani context.

First of all, there is an absence of clearly active and separately distinguishable "advocacy coalitions" that share a common belief system and have an adopted strategy to implement those proposed changes. Namely, the absence of active private or public organizations that advocate for the inclusion of civil society in land governance and have a clear strategy or program on how to change the land allocation process, making it more inclusive, transparent, and accountable. The difficulties in obtaining the interview data for this research indirectly signal the absence of such strong coalitions, ready to share their views and strategies with the public and advocate for changes. In the case of Kazakhstan, it is possible to distinguish the active position of some civil society activists and individuals. However, these individuals do not form and grouped into what is possible to call advocacy coalitions.

Secondly, in ACF, at least one group of actors – e.g., "policy brokers" should be neutral to all coalitions and mitigate conflicting strategies. It is difficult to call civil society or state officials a

neutral side in Kazakhstan. Thus, in Kazakhstani context, it is challenging to define such an important actor as "policy brokers" in the application to our case.

Thirdly, according to ACF, all coalitions should be interested in breaking the "status quo" situation. However, in our case, large argo-business and latifundists could be interested in preserving the "status quo" rather than changing the land allocation process and including civil society. Thus, considering the absence of all essential characteristics, the ACF was not applied in our research case.

Applying the "homeostatic" subsystem Model better fits our empirical work. The application of this model helps to analyze the problem of why despite the entrance of new ideas and new actors (e.g., ideas of land governance digitalization and new actors as civil society), the subsystem remains "immune" to the introduced changes. Using Howlett & Ramesh's terminology, the homeostatic subsystems, after some time, self-adjust and self-equilibrates in routine circumstances, despite introduced changes. (Howlett & Ramesh, 2002, p. 32).

In the absence of active advocacy coalitions in the context of Kazakhstan, both applied in this work Model focus on such actors as ruling elites and civil society and analyzed their responses to external and internal shocks. The theoretical frameworks selected for this research, namely a Subsystem Adjustment Model (Howlett & Ramesh, 2002) and a Strategic Interaction Model (Pelizzo & Stapenhurst, 2011), investigate the responses of those actors who are interested in the preservation of "status quo" situation. In contrast, the ACF focus mainly on responses of "active" actors interested in breaking the status quo situation. Considering all these indicated reasons, both Models are anticipated better fit our research case than other theoretical frameworks.

3.4.3. Why is the combination of two theoretical frameworks applied?

Howlett and Ramesh (2002), while mentioning the role of different exogenous and endogenous factors leading or in opposite that hinder policy changes, briefly mention such factors as, e.g., systemic perturbations and path dependencies. In this case, the Model of Institutional Change (Pelizzo & Staphenurst, 2011) is seen as a helpful framework for identifying actors (ruling elites and civil society) and these actors' responses to mentioned by Howlett and Ramesh systemic perturbations.

While applying Howlett and Ramesh's Model to the actual case, the author could face the problem of ambiguity and difficulty in operationalizing such notions as systemic perturbations (e.g., land protests). Therefore, to establish the causal mechanism between the factors influencing the policy change, we need to consider also actors involved in this process. Thus, the author assumes that it is possible to merge two theoretical models to explain the institutional change in application to the present research case.

CHAPTER 4. DATA AND METHODOLOGY.

4.1. Data collection.

Different data collection techniques have been employed to triangulate research evidence and prevent bias, such as in-depth semi-structured expert interviews with national and international interviewees, non-participant observation of Land Commission sessions, and archival data analysis. Namely, the researcher analyzed video recordings of Land Reform Commission sessions (in 2016 and 2021) and video recordings of LC sessions in four regions of Kazakhstan (West, East, Zhambyl, and Pavlodar regions).

In addition, the research applies the critical discourse analysis analyzes speeches of the Head of The State, The First President Nursultan Nazarbayev, and the President Kassym-Jomart Tokayev (Addresses to the Nation 1997-2022) as well as media reports of the national government-backed – KazPravda (in Kazakh, Russian, English languages) and the international Radio Azattyq media source (in Kazakh and Russian languages), since 2016 till 2021. The author studied publications related to land reform and land protests 2016 (including the Critical Discourse Analysis of textual and visual images of both media sources).

4.2. Research methods.

The research applies qualitative methods, namely revelatory cross-sectional multiple case study, in-depth expert interviews with international and national interviewees, non-participant observations of Land Commission sessions, and critical discourse analysis.

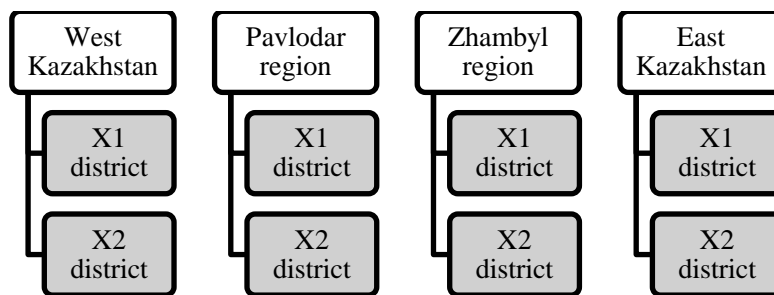
4.2.1. Revelatory cross-sectional multiple case study.

The researcher Yin (2009) defines a revelatory case study as research: "when the investigator has an opportunity to observe and analyze a phenomenon previously inaccessible to scientific observation." (Yin, 2009, p. 42 as cited in Bryman, 2012, p. 70).

Since Land Commissions created under local municipalities is a recent phenomenon, it feels a lack of academic works done in this field that analyze the work of these newly established institutions in Kazakhstan.

For the case study analysis, the researcher selected Land Commissions in four regions of Kazakhstan at district levels. The rationale for case selection is a geographic representation of four regions of Kazakhstan representing East, West, North (Pavlodar region), and South (Zhambyl region). Multiple case studies have embedded units of analysis within each case, where each case consists of two units of analysis. The units of analysis defined for this research are Land Commissions under local municipalities at regional and district levels (e.g., one Land Commission at the regional level and two LCs at district levels in each selected region).

Figure 6. Revelatory multiple cross-sectional case-study design.



The research applies multiple case studies covering different country regions to prevent bias. It is crucial to point out that large-scale farms in Pavlodar (the North) and West Kazakhstan prevail, while in the South (Zhambyl) and East Kazakhstan, medium and small size enterprises are predominant. According to the data of the information platform Qoldau and the information provided on the websites of local municipalities, a large amount of available land was used ineffectively in all four selected regions. (Akimat of East Kazakhstan region, 2021; Akimat of Pavlodar region. (2021); Akimat of Zhambyl region, 2021; Akimat of West Kazakhstan region, 2021; Qoldau. kz. (2021).

A significant strength of the revelatory case studies is the possibility of getting new knowledge that is hard to find in other sources of information. When the researcher can move beyond the

formal representation of particular events and see the interaction of different actors in a particular setting, such naturalistic observations, and explorations of reality allow us to get the "unpredictable" information that could be different from the shared knowledge, or which comes with "surprise and discovery." Therefore, this revelatory approach requires: "lengthy immersion, engagement and related periods of participant observation." (Marcus, 2009, 22, as cited in Trigger et al., 2012, p. 514). Considering the fact that by 2023, institutions such as Land Commissions will be abolished, the conduction of the research in this timeframe when these institutions are still functioning helps us analyze the ongoing work of the Land Commissions in four regions of Kazakhstan and gain first-hand information directly from the interviews with LC members and LC sessions observations.

4.2.2. Non-participant observations.

The work of Land Commissions in selected regions was analyzed using such methods as in-depth semi-structured interviews with Head of Land Departments at the regional and district levels and other expert community and non-participant observations of LCs sessions (the analysis of video recordings of LC sessions). Unfortunately, the pandemic situation does not allow direct participant observation of LC sessions, which are being held online due to pandemics. According to the Land Code (2003) Amendments, Article 43: "Procedure for grant of a right of the land plot: The audio, video recording of a meeting of the land commission is mandatory." (Land Code, 2003). However, no unified online platform exists where video recordings of Land Commission sessions are available. Each municipality at the city, district, village levels upload LC session video recordings on their websites or YouTube/Facebook pages. Therefore, to find video recordings of LC sessions in four regions and different districts, the researcher had to search on the Internet separately the website of each municipality or their Facebook page or YouTube channel.

Considering that Kazakhstan is divided into about 170 municipalities, finding, and accessing the video recordings of LC sessions in each separate municipality is time-consuming and

inconvenient for users. In addition, live streams are not always present on the official websites of municipalities. In some cases, the quality of the uploaded video is inferior, with sound and visual problems.

The author prepared and sent the supporting Letter signed by the Dean of the Graduate School of Public Policy, Nazarbayev University, asking municipalities (akimats) in four regions for permission to view real-time Land Commission sessions. However, while responding that LCs online sessions are available on local municipalities' websites or Facebook accounts /YouTube, the live real-time sessions were not always accessible.

4.2.3. In-depth semi-structured expert interviews.

An essential source of data collection was in-depth semi-structured expert interviews. In-depth interviews are conducted with a single person (expert) on the predetermined topic to gain more profound knowledge about the research subject. Expert interviews are a type of interview conducted with an expert to gain specific knowledge related to this field. There are some debates in academic scholarship about the differences and commonalities between elite and expert interviews. For instance, the researcher Littig (2009) stresses no significant difference between these two types of interviews. Although not identical, the definitions of the respective target group (experts and the elite) for such interviews overlap.

"In fact, central themes in both methodological traditions include the problems of gaining access to the elite or to experts (particularly at a high level) as well as the specifics of interaction and the actual interview process itself. The focus of interest in both generally lies on the professional (functional) elite and professional experts." (Littig, 2009, p. 98).

In contrast, researchers Van Audenhove et al. (2019) emphasize that despite commonalities between elite and expert interviews, there are also many differences between these two types of interviews.

For instance: "(1) whether expert interviews can lead to objective knowledge, (2) what we can understand under elites and experts, (3) how power and bias influence the outcome of the data obtained." (Ibid, 179).

Since this dissertation specifically targets specialists having professional expertise in land governance and practical experience in working in /for such institutions as LRC or LCs, it is possible to define the type of interviews conducted as expert interviews. Though, it is essential to point out that several interviewees hold senior positions in their organizations (CEO., Directors, Heads of Land Departments). However, several international and national interviewees are working for the non-profit sector or academia, or just as citizens are being invited to Public Councils or the work of LCs in their district's villages. Therefore, the type of interviewees conducted is possible to define as expert interviews rather than elite interviews, as the target audience was persons with professional experience in this land governance field.

Analyzing the question of a sufficient amount of in-depth interviews, there is no common opinion on this point. The researcher Dworkin points out that:

"While some experts in qualitative research avoid the topic of "how many" interviews "are enough," there is indeed variability in what is suggested as a minimum. An extremely large number of articles, book chapters, and books recommend guidance and suggest anywhere from 5 to 50 participants as adequate." (Dworkin, 2012, p.1319).

While many researchers stress that in-depth interviewing for qualitative research is most important, not the quantity of the interviews but rather the quality and the value of the information it is possible to obtain from in-depth interviews (to gain new insights knowledge).

Depending on the types of research, for instance, Creswell for grounded theory methodology finds enough is twenty-thirty interviews, while phenomenology from five to twenty-five, some researchers as Morse (1995) call the number of six in-depth interviews. (Creswell, 1998. p.64 and Morse,1994, p.225 in Mason, 2010).

National Interviewees.

The researcher prepared a list of fifteen interview questions asking about the benefits and risks/limitations of civil society inclusion to the LCs. In addition, asking what kind of problems interviewees see in the work of LCs, whether the civic control and the digitalization process may help prevent problems related to land corruption and bureaucratization in decision-making in

land governance. The author identified the list of eighty persons, including representatives of Ministries, local municipalities, NGOs, academia, as it was intended to conduct interviews with state officials: members of the Land Reform Commission (2016/2021), representatives of different Ministries, local municipalities in four selected regions, including state authority and civil society component of LCs such as Public Councils, agro-holdings, business community representatives as well as an expert community (academia). To minimize the bias in the research, the researcher also contacted and interviewed those representatives of civil society who are not present in LCs. Overall, the author invited more than forty organizations to interview (sending invitations in Kazakh and Russian languages by email, what app, telegram, to more than 70 individuals).

For four months (from May to September 2021) of the data collection process, the author contacted via post, email, phone different state and non-profit organizations multiple times. However, the Ministry of Agriculture of Kazakhstan, the Ministry of Information and Social Development of Kazakhstan, did not respond to any of the sent inquiries. The author invited local municipalities in four regions to the interview. However, Zhambyl and Pavlodar region municipalities at regional and district levels, while ensuring that the interviews would be held ("tomorrow" or "during next days"), even sent official sealed and stamped responses that they provide render assistance in conducting interviews, however, later did not respond or offer any interviews or comments. One of the interviewees who were ready to give an interview later refused, mentioning that he cannot give an interview because he needs first: "to consult about the answers to the interview questions with senior officials." While apologizing, other interviewees mentioned that they find the topic related to land governance sensitive and that the interview questions are hard to answer, particularly those questions related to land protests and reasons for LCs establishment. The researcher suggested reducing the interview questions to ten questions and skipping questions related to land protests. Despite this fact, some interviewees did not

respond to the interview invitations. While several agreed for the interview, underlining not to ask the questions related to land protests during the interview.

Interestingly, even political activists, whom the researcher contacted, while initially agreeing to give an interview and even suggesting themselves the exact date and time for the interview, on the designated interview day did not appear online, in the scheduled time and even on the following day stop responding to telephone, WhatsApp or email messages without any explanation of the reasons. Since several interviewees mentioned the topic's political sensitivity problem, the author assumes that this was the main reason why several individuals, while initially agreeing to the interview, later changed their minds. It is essential to mention that the most responsive was the East Kazakhstan region among other selected regions, where Heads of Land Departments at the regional and district levels and representatives of the business community (Heads of Atameken regional departments) responded to all interview questions.

The Head of the regional Eastern Kazakhstan department provided the list of seventeen heads of local Atameken departments. The researcher contacted all seventeen persons sending invitations in Kazakh and Russian languages. Only three out of seventeen responded positively. Therefore, the researcher managed to conduct interviewees with three Heads of the Chamber of Entrepreneurs (Directors) at the city, district, and village levels in the East Kazakhstan region and four Heads of Land Departments of local municipalities also in East Kazakhstan. Thus, the East Kazakhstan region interviewees were most responsive among other individuals invited to the interviewee in selected case regions.

The researcher contacted various NGOs and think tanks working in human rights protection, political reforms, and other sectors in four regions of Kazakhstan. Interestingly, civil society representatives were less responsive than representatives of state authorities. Some NGOs working in civic rights protection mentioned that they were incapable of providing interviews because they did not have specialists in land governance. While representatives of academia

(Senior lecturers at the University, Professors of the Academy of Sciences) who agreed to the interview mentioned that they felt uncomfortable talking about the land issue because they previously had a negative experience and even "pressure" while researching the topic related to land governance and land rights. Therefore, overall, considering the political sensitivity of the topic, for the author, it was tough to persuade contacted persons to give interviewees. Even though the data collection period lasted four months (the author constantly wrote and contacted different organizations), the response rate of national interviewees was low compared to international experts.

After four months of constant work in reaching the different organizations and independent experts to interview five Heads of Land Departments of local municipalities at regional and district levels, three representatives of Chamber of Entrepreneurs at district and village level, two representatives of academia (one think tank and one University professor), one political activist (Member of LRC 2016), and two-person representatives of Public Councils at the district and village level gave interviews. Overall, the author interviewed fourteen national interviewees (Heads of Land Departments, regional Directors of Atameken, members of Land Reform Commission 2016, and other independent experts: political scientists, economists) and twenty-one international interviewees, specializing in inclusive decision-making in land governance at the broader international context in different regional settings. Thus, overall, the researcher conducted thirty-five in-depth semi-structured expert interviews for the thesis. The interviewees were held in Kazakh, Russian and English languages, via Zoom, Microsoft Teams, also phone calls. Three individuals responded to interview questions in writing by sending answers to the email address.

Table 2. National interviewees.

Interviewee's position	Region	Level		Interview Type
		Regional	District/City	
Heads of Land Departments (Akimats)	Eastern Kazakhstan region	1	3	Zoom – 1 Phone calls -3 Written response- 1
	Western Kazakhstan region		1	
National Chamber of Entrepreneurs (Directors of the regional/district office)	Eastern Kazakhstan region	2	1	Zoom – 1 Phone calls -2
Public Council Representatives	Pavlodar region		2	Written response – 2
Academia/Think Tank	Nur-Sultan		2	Phone call – 1
	Almaty			Written response 1
Land Reform Commission Members	Nur-Sultan Almaty		2	Total: 14 Interviewees

Table 3. Codes of anonymous national interviewees.

Interviewee's Position	Code
State authority representative (e.g., Head of Land Department of local municipality)	SAR. 1
Civil society representative: The National Chamber of Entrepreneurs (Atameken)	C. NCh.E. 1
Civil society representative: Public Council representative	C. PC. 2
Civil society representative: Member of Land Reform Commission (2016/2021)	C. LRC. 3
Civil society representative: Academia & Thinktank representative	C. A&Th.T4.

Why were in-depth expert interviews selected over other research methods (e.g., surveys)?

Since our research is trying to test the hypothesis of whether the inclusion of civil society component led to LCs effectiveness, the methodological question arises how to measure LCs effectiveness? There are three possible ways to do it: Firstly, to acquire the land data and to analyze how many lands were given before and after the LCs with civil society engagement and to whom this land was granted (large agri-business corporations or small-scale farmers)? However, it is impossible due to the absence of such data. There are heated debates in society on the importance of opening land ownership data; however, currently, such data are inaccessible. Secondly, another quantitative method that was possible to apply is conducting surveys by asking whether respondents see the difference in the work of LCs with and without civil society component? However, this method was not applied for several reasons: the sample size should be large enough to be representative; usually, these methods involve researchers hiring consulting agencies with staff specializing in surveys and having enough financial resources to pay surveyors. Unfortunately, the author of this research does not possess enough financial resources to conduct such research. In addition, time constraints should be considered as collecting the representative sample size requires a significant amount of time for survey data collection and analysis. Another problem is that survey results could be subjective: those who got land can respond that LCs were working well, while those who did not can respond negatively.

The third method is applying qualitative methods through elite/expert interviews. Authoritative international organizations like ILC, The World Bank, and others apply this method to construct international indices measuring land governance effectiveness. The reason for applying this method is that experts in contrast to the general population can better define the causes of LCs underperformance. Moreover, most importantly, they can share in in-depth interviews their views on why LCs was created and why it is in/practical. Therefore, this research method was selected over other alternatives.

In-depth semi-structured expert interviews with international interviewees.

The rationale for selecting international interview partners is to explore the problem of inclusive decision-making in land governance in different contexts. Overall, thirty international interview partners were identified and contacted. Twenty-one responded positively, and few could not participate due to objective reasons such as COVID19, family leave, and other objective reasons.

It should be underlined that the coding classification of international interviewees is rather conditional. Many specialists working for state authorities, e.g., for governments of different countries as consultants, at the same time could have an affiliation in different universities or think-tanks worldwide. While providing government consultancy services, some specialists could work for a business or run their independent consultancy agencies. Thus, presented above coding classification is rather conditional. The international interview partners are senior experts (Directors of independent consulting agencies in geospatial science and land management, senior expert or regional consultants in land governance and land administration at UN-HABITAT, GIZ, ILC, PRINDEX, OXFAM International, Cadaster International, LANDac, and other authoritative organizations. All interviewees have more than 15-30 years of experience in land governance in Sub-Saharan Africa, the Middle East, EU, Australia, Latin America, East Asia, and Eurasian countries. The author asked questions what the benefits and limitations associated with civil society engagement in land governance are and how it is possible to address these challenges.

Table 4. International Interviewees.

Nº	Position	Affiliation
1.	Ph.D., Post-Doctoral researcher with expertise in Open Data Development in Land Governance, Land Corruption studies.	School of Agriculture, Policy, and Development (SAPD), University of Reading, UK
2.	Senior Land Governance Adviser Senior Lecturer	Global Property Rights Index (Prindex); Department of Economics and Marketing, De Monfort University, Leicester, UK
3.	Co-Chair	The Netherlands Land Academy (LANDac), Utrecht, The Netherlands
4.	Co-Chair	The Netherlands Land Academy (LANDac), Utrecht, The Netherlands
5.	Regional Program Specialist- Brazil and Mozambique	CADASTA Foundation, Washington, DC, US
6.	Sector Project “Land Governance” Advisor	German Development Agency (GIZ), Berlin, Germany
7.	Global Land Program Lead	Oxfam International
8.	Senior management, one of the authors of “Fit for Purpose Land Administration” program	Geospatial consulting company, UK
9.	Research Consultant – Small Scale Agriculture, Land Governance	The Utrecht University, The Netherlands
10.	Land Administration Expert and Management & Finance Trainer and Consultant	The Government consultant, Birzeit University, Palestine
11.	Sector Project Land Governance	German Development Agency (GIZ), Berlin, Germany
12.	Associate Professor, specialization - Land Administration	Swinburne University of Technology, Australia
13.	Researcher, the research unit Water Resources and Land Use	Institute for Social-Ecological Research (ISOE Frankfurt Germany, Water Resources and Land Department
14.	Land Administration Advisor	UNECE, Kadaster International, The Netherlands
15.	Assistant Professor of governance resilience at the Department of Governance & Technology for Sustainability	Department of Governance & Technology for Sustainability, Twente University, The Netherlands
16.	Coordinator for East Asia and Pacific Region	Prindex, Global Land Alliance, Vientiane, Laos
17.	Senior legal researcher	Columbia Center on Sustainable investment, New York, USA
18.	Global NES Facilitator	International Land Coalition, Rome, Italy
19.	Land Valuer	Uganda National Roads Authority, Kampala, Uganda
20.	Consultant, Country Research & Engagement for Arab World	UN-Habitat, Land Portal Foundation, Khartoum, Sudan
21.	Adjunct Professor of Sociology	University of Rio-Grande do Sul, Porto Alegre, Rio- Grande do Sul, Brazil

Table 5. Codes of anonymous national interviewees.

Interviewee's Position	Code
Government consultants	I.G.SAR.1.
National Development Agency (Germany, The Netherlands, and other countries).	I.G.NDA.2
UN agencies specialists -consultants	I.IG.UN.3
International and national non- governmental organizations (NGOs)	I.CC.NGO.1.
Academia & Think tank	I.CC. A&Th.T.2.

Land governance digitalization is expected to solve the challenges associated with land corruption and land governance bureaucratization. However, again, it raises the question of who will get access to land data and how civil society/the overall population can prevent the problem of the "elite" land grabbing and growing land inequalities. Therefore, an international component of the research was included to study best practices in civil society inclusion to land governance and ways to address challenges in the land governance system (land corruption, bureaucratization, the problem of creating open land data infrastructure, and other issues).

4.2.4. Critical discourse analysis.

Any reform related to land is sensitive and causes heated debates in any country of the world as land is associated with the question of ownership (whether private or collective) and closely linked with public feelings as patriotism or identity questions. Therefore, it is possible to agree with the opinion of Weiner (2007): "Institutions need to be understood in terms of their institutionalizing discourse." (Weiner, 2007, p. 4).

It is possible to agree with author Li (1996), who pointed out that discourses on land are not only about 'struggles over resources' but are also 'struggles over meanings' (Li, 1996).

Thus, applying critical discourse analysis will help us: "to trace the process by which ensemble of ideas, concepts and categorizations are translated into institutional patterns." (Weiner, 2007, p.4).

Therefore, a critical discourse analysis of textual (written) texts, spoken texts, and visual materials (images: e.g., posters, photos) will be applied in work; namely, land protesters: "ways of expression: slogans, banners, and placards." (Begum, 2015, p. 85). Such an analysis with the application of CDA will help us analyze the causes of LCs establishment and explore state officials (ruling elites) and public responses to the crisis (endogenous shock).

It is essential to mention that the main Chapters of the thesis are based on Research Questions posed in the research and have the following structure.

Namely, Chapter 5, based on expert interview results with national interviews and critical discourse analysis of official documents and media, the Chapter analyzes the reasons for Land Commission's establishment, addresses Research Question 1.

While Chapter 6 relies on the case study in four regions of Kazakhstan (with the application of interviews and non-participant observation) and interview results on inclusive decision-making with international experts, it addresses research question 2.

Chapter 7, based on the interview results with national interviewees and results of non-participant observations of Land Commission sessions in four regions of Kazakhstan, addresses research question 3 of the Ph.D. thesis.

Therefore, to increase the credibility and validity of the research, the thesis applies multiple research methods to case study research, expert interviews, non-participant observation, and critical discourse analysis (CDA) to triangulate research findings.

CHAPTER 5. WHY WERE LAND COMMISSIONS CREATED? PUBLIC AND STATE RESPONSE TO THE ENDOGENOUS SHOCK.

During the 20-th century, for almost seventy years, Kazakhstan was part of the Soviet Union, a country with a totalitarian regime characterized by a highly centralized system of administration and repression against civil society representatives. In the post-Independence period (in the early 1990s), efforts have been undertaken to eliminate the remnants of the totalitarian past. However, ineffective checks and balances in the political system, weak civil society participation, absence of active political opposition, informal constraints (clients, tribalism) lead to flourishing corruption in the country. At present, Kazakhstan ranks 102-the place out of 180 on Corruption Perception Index. (Transparency International, 2021). Moreover, Transparency International Kazakhstan reports that land relations authorities are among "the most corrupt state bodies" (Transparency Kazakhstan, 2021).

Though, Kazakhstan is currently moving toward the openness of land data. Since January 2022, the website of the Automated information system of the state land cadaster (AISGZK) should open available information about landowners, both individuals and legal entities. (AISGZK, 2022). However, media reports that the system is not working properly. (Total.kz, 2022). Another step that might further accountability and transparency is establishing land limits on land ownership of land one person is allowed to own or rent. These are initial steps directed to address the problem of land inequality and the appearance of the class of latifundists, who own large parcels of land but ineffectively use it.

As the Chairman of the Land Management Committee of the Ministry of Agriculture of the Republic of Kazakhstan, Gulzhakhan Bimendina pointed out, only in 2020, due to space monitoring in four regions of Kazakhstan, 8.3 million hectares of unused land were identified.

"4.2 million hectares were returned to state property, 4.8 million hectares were involved in agricultural turnover". (Kazakhstan Today, 2021).

Despite this initial progress, such as creating the institutions with civic control as LCs, the decision to abolish Land Commissions by 2023 raises serious concerns and questions why civil society engagement in land governance does not further transparency, accountability, and inclusiveness of the land governance system Kazakhstan. Therefore, studying these institutions' establishment history and the reasons for their in/effectiveness gains paramount importance.

Rationales for an expert interview and Critical Discourse Analysis (CDA) methods application.

As mentioned previously, the structure of the Ph.D. thesis follows the research questions posed in the dissertation. This Chapter, based on expert interview results with national interviews and critical discourse analysis of official documents and media, addresses Research Question 1. exploring reasons for Land Commission's establishment.

It is essential to mention that national interviewees who agreed to the interview and those who initially agreed but later refused to give the interview underlined that they find the topic of the study on Land Commissions sensitive. In particular, interviewees found problematic to answer the questions related to land protests 2016 which led to the Land Commissions' creation.

All information available on the reasons for LCs creation is possible to receive from primary sources such as interviews with witnesses of these events, expert community, official sources of information (documents, protocols), or media sources. While academic literature modestly captures these events, much publicly available information is presented only in official documents and media. Thus, to triangulate research findings, the author applies expert interviews and Critical Discourse Analysis (CDA) to analyze which endogenous and exogenous factors lead to the establishment of LCs. By the endogenous and exogenous factors are meant those factors identified in the Howlett and Ramesh theoretical framework (two endogenous: subsystem perturbations, subsystem spillovers; and two exogenous: policy learning, venue change),

The application of Critical Discourse Analysis (CDA), jointly with expert interviews in this case, allows us to analyze:

"how using language, image and other modes of communication [...] the discourse creates the meaning, to persuade people to think about events in a particular way." (Machin & Mayr, 2015, p.1).

Considering the land is a contextual notion, much emphasis should be paid to how land policies are conceptualized, defined, and perceived by state officials and the public. As it is possible to agree with author Li (1996), who pointed out that: "discourses on land are not only about 'struggles over resources' are also 'struggles over meanings" (Li, 1996). Therefore, "institutions need to be understood in their institutionalizing discourse." (Weiner, 2007, p. 4).

The Chapter is structured in the following way: first, it analyzes how the notions of *Land and Civil Society* were presented in National Addresses of the First President N.Nazarbayev, during the two decades from 1997 to 2017 - before and after land protests. Secondly, the author applies CDA of two media sources (in Kazakh, Russian, English languages), namely the state-backed *Kazachstanskaya Pravda* newspaper and the international *Radio Azattyq Kazakhstan* (Radio Liberty) independent media resource analyzing differences in portraying of land protests 2016 and the reasons for the consequent establishment of the Land Reform Commission (2016) and LCs (2018).

This Chapter is also based on primary sources, namely expert interview results with national experts to analyze their vision of land protests in 2016 as a factor that presumably led to civil society component inclusion to Land Commissions in 2018.

Critical Discourse Analysis (CDA).

There is no single, homogeneous notion of Critical Discourse Analysis. This method typically analyzes:

"new texts, political speeches, advertisements, school books, etc., exploring strategies, that appear normal or neutral on the surface but which be ideological and seek to shape the representation of events and persons for particular ends." (Machin & Mayr, 2015, pp. 4-5).

The author of the thesis applies Faircloughian understanding of discourse analysis as the analysis of power relations: "how discourses shape and (re)produce social life, and what kind of inequalities and interests might this seek to perpetuate, generate and legitimate?" (Ibid, p. 24). In this case, CDA application help to analyze the discourse on particular events, not solely as ways of communication but rather as a means of social construction.

While conducting interviews with national interviewees, most of them underlined that land protest 2016 served as a catalyst event leading to the inclusion of civil society in land governance and the consequent establishment of LCs. Therefore, as a starting point of the events leading to LCs creation is possible to consider land protest 2016, when in major cities of Kazakhstan, people raised their voices against the announcement by the top-down initiation of new Amendments to the Land Code. During land protests, the population raised their concerns and fears of land grabbing by foreign actors and national latifundistas, powerful and wealthy actors, and problems of growing land inequality in the country, lack of access to land to the overall land population, and land corruption.

All information we possess on land protests 2016 is represented in official statements of state authorities or media sources. Therefore, jointly with interview results, the analysis of official state discourses on land and civil society (before land protests) and media portrayal of 2016 events gain crucial importance in understanding the causes of the consequent inclusion of the civil society to land governance in 2018.

5.1. Concepts of "Land" and "Civil Society" in State of the Nation Addresses.

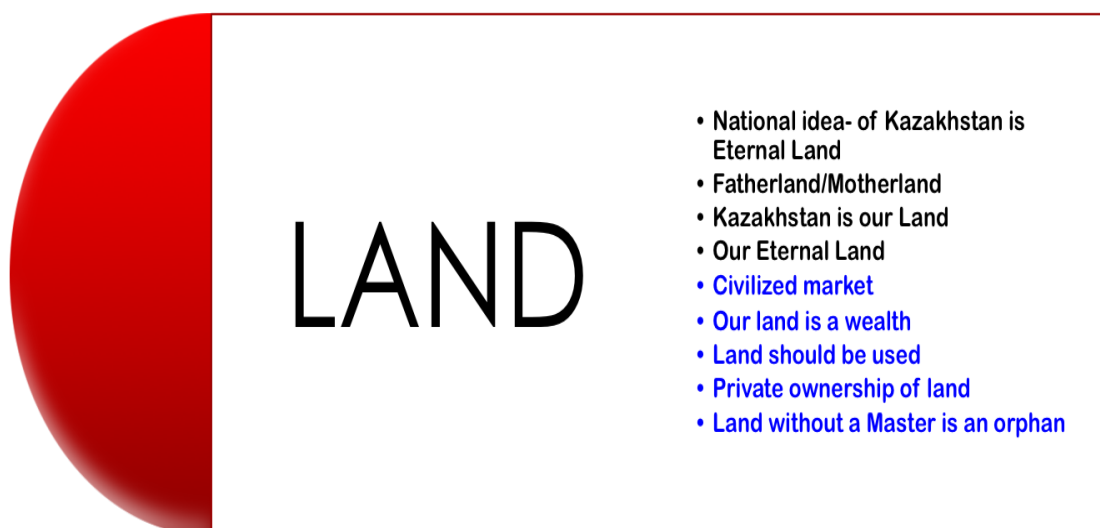
The research will be incomplete if to neglect the analysis of how state officials presented and communicated to the public the notions of *land and civil society* before the 2016 events (land protests). Addresses to the Nation of the President could serve as a valuable source of this information. It is crucial to point out that Addresses of the President to the Nation serve as a program document presenting the country's future development strategies. For instance, such strategies as "Kazakhstan 2030" and "Kazakhstan 2050" were announced during the annual

Addresses of the President. Therefore, Addresses to the Nation could be considered one of the essential sources of information, namely, showing how the concepts (in our case as land and civil society) are being defined and conceptualized by state authorities to the population. It is possible to agree with researchers Chimbarange et al., (2013) that:

"Language acts as a vehicle for propagating the ideologies, values, and aspirations of those in power...as every political action is prepared, accompanied, influenced by and played out through language." (Chimbarange et al., 2013, p. 277)

The question may arise why the analysis starts from the year 1997? The explanation is that at the end of 1996 – President N. Nazarbayev made his First Address to the Nation of Kazakhstan for the year 1997. Before 1997 such forms of communication as Addresses to the Nation did not exist. Analyzing the First President N. Nazarbayev's Address to the Nation during the two decades (2007-2018), it is possible to distinguish several main discourses: one on the cultural meaning of land and another line of discourse on the economic value of land.

Figure 7. The concept of “Eternal Land” in State of the Nation Addresses of the First President Nursultan Nazarbayev (1997-2018). (self-constructed).



Starting from the first Address to the Nation (1997), the First President underlined that land is one of the fundamentals of sovereignty:

"We shall vainly await forgiveness if we lose our statehood if we waive strategic fundamentals of sovereignty, our lands, and resources." (State of the Nation Address by the President of the Republic of Kazakhstan -Nursultan Nazarbayev, October 16, 1997 — Akorda, 2021).

The First President uses such pronouns as *"Our land"* about the past common legacies. For instance: *"our parents who cultivated it"*, and *"our common history."* At the same time, binding the concept of land also with the future: *"It is our children who are destined to live and work on this land jointly."* (Ibid., 1997)

Another line of discourse is related to the economic value of land and its importance for the country's economic development, when the First President points out that farmers must receive mechanisms to bring the rights of land use to market, stressing that possessing land and strategic transit potential Kazakhstan should not stay aside of geopolitical and geoeconomic processes. (State of the Nation Address by the President of the Republic of Kazakhstan Nursultan Nazarbayev, October 16, 2000 - Akorda, 2021).

While underlying the need to develop institutes of private ownership of land, at the same time, N. Nazarbayev pays attention to the problem of corruption from which suffer all sectors of the economy, including land governance and the agricultural sector. Starting from 2002, the narrative on land ownership has become stronger. As the First President mentioned in 2002:

"Answering this question, we, as a rule, slide towards the philistine thesis - "we sell the Motherland," without realizing that private ownership of land is, first, the peasant's confidence that his land will not be taken away. Ownership of land is a motivation for its arrangement so that there is something to pass on to your children. A land without a master is an orphan." (State of the Nation address by the President of the Republic of Kazakhstan - Nursultan Nazarbayev, April 16, 2002 - Akorda, 2021).

Moreover, as an argument supporting this statement, First President N. Nazarbayev binds this argument with the ecological reasons, mentioning that an ecological catastrophe precisely overtakes no man's land. While pointing out the need to use resources such as land, the First President underlined the need to adopt the law "On Private Property in Land." (Ibid)

Right after the Addresses of the First President, "Land Code" was adopted in 2003, where Art. 3 of the Land Code allowing both state ownership and private land ownership in Kazakhstan. (Land Code, 2003).

In the State to the Nation Addresses in 2003, First President N. Nazarbayev reminds that state support for the rural economy and the introduction of private ownership of land is essential to support the development of the country's agricultural sector and solve social problems in rural areas. (State of the Nation Address by the President of the Republic of Kazakhstan- Nursultan Nazarbayev, April 16, 2003 - Akorda, 2021)

Interestingly that the problem of growing land inequality in the country and the necessity of inclusion of the principles of transparency and accountability in land governance starts to appear in the President's speeches only from 2006 - 2008, when N. Nazarbayev stresses that:

"We must stop the practice of non-transparent land distribution schemes... The inspections carried out by the Government showed that Land around Astana and regional centers had been purchased in advance for front companies and individuals. And now, selling these lands at market prices. Some people, *including many officials, are getting rich at the expense of the State, without investing anything*". (State of the Nation address by the President of the Republic of Kazakhstan -Nursultan Nazarbayev, February 6, 2008 – Akorda, 2021)

For the first time, the First President pays attention to the problem of elite land grabbing by wealthy and influential actors and the need for transparency in land governance in the Address to the Nation. The Head of the State warned that law enforcement measures will be undertaken in case of intransparent practices and manipulation with the land. Nazarbayev underlined that the government must offer large landowners who ineffectively use these lands to voluntarily return them to the State. (State of the Nation address by the President of the Republic of Kazakhstan-Nursultan Nazarbayev, February 6, 2008 – Akorda, 2021)

While pointing out the need to establish better control over the land allocation process and making it more transparent and inclusive, the First President at the same time entrusts oversight functions to the Nur-Otan Party and deputies of local akimats/maslikhats.

"It would be good if the Nur Otan party and its parliamentary faction took this issue under their control. They (these representatives) should take an active part in the implementation of the specified set of measures and take the above tasks under special control." (Ibid)

Now most critical moment to which special attention should be paid is the years closer to the land protests (2016). Starting from 2011 in State to the Nation Addresses, the notion of civil

society engagement and the importance of self-governance becomes stronger in First President Addresses. During the first decades of the post-Independence period, the idea of civil society was rather broadly defined in the Addresses to the Nation as "Eurasian society," which should combine traits and characteristics of all cultures and civilizations: Western, Eastern, Russian and own Kazakh. (State of the Nation Address by the President of the Republic of Kazakhstan Nursultan Nazarbayev, October 16, 1997 — Akorda, 2021). From 2000, the discourse on self-government and civil society engagement to land governance has become more profound.

While pointing to the totalitarian legacies of the country during the Soviet times, N. Nazarbayev underlined:

"We are from the society where the term non-governmental mass media was equal to "people's enemies." We are from the society where criticism against the authorities had a banal end - a prison or madhouse. We are from the society where there was one party with one monopolistic right on truth." (State of the Nation Address by the President of the Republic of Kazakhstan Nursultan Nazarbayev, October 16, 2000 – Akorda, 2021).

While continuing this statement on the transition from the totalitarian past to future perspectives of building a democratic society, N. Nazarbayev underlined that the country made significant achievements in the direction of democratization in the past ten years. As shreds of evidence of the moving in this democratization direction, N. Nazarbayev named: free elections, existence, and functioning of more than 18 thousand NGOs and about 2.5 thousand media outlets, about 90% of them are private. (State of the Nation Address by the President of the Republic of Kazakhstan Nursultan Nazarbayev, December 14, 2012 – Akorda, 2021)

For the following decades, particular emphasis is paid to the need to develop civil society institutions, namely, to pay attention to three fundamental elements the development of civil society institutions, decentralization, and the creation of a stable political-party system. Starting from 2014, the notion of related national legacies and national ideas and ideology becomes inseparable from the concepts of land in the speeches of the First President.

As the First President N. Nazarbayev stressed:

"We, the people of Kazakhstan, are a united nation! And our shared destiny - our Mangilik Yel or the Eternal Land – is our great country of Kazakhstan! Mangilik Yel is the national idea of our shared Kazakh home". (State of the Nation Address by the President of the Republic of Kazakhstan Nursultan Nazarbayev, "Kazakhstan 2050 Strategy", December 6, 2012 – Akorda, 2021).

The discourse analysis reveals that in the Addresses to the Nations, this inseparable link between the notions of "Land" with "Independence," "Eternal Land," "Sacred Land," "Land of our Ancestors," which is communicated to the public. This is an essential aspect because while institutionalizing the discourse, the notion of land is conceptualized and becomes inseparable from the National Idea of "Eternal Land."

In March 2016, National Economic Minister Yerbolat Dossayev unveiled plans to auction 17,000 square kilometers of farming land and the possibility of extending the agricultural land lease period to foreign actors (investors) from ten years to twenty-five years; the population very negatively reacted to these plans. These plans announced by the state officials sounded like absolutely contradicting all previous discourses that land is sacred and has a special meaning. If previously a concept of land communicated by public officials as "Our Motherland," "Our Eternal Land," or "Our sacred Land," now the discourse changed underlining more economic value of the land. Thus, strategies for introducing the new amendments to the Land Code (2003) emotionally touched the public and were negatively accepted by the population. Thus, this clash between the notion of land as sacred and inseparable from Independence and Motherland notion, with economic aspects of consideration of land as a purely economic object, was observable. As evidence of this clash in discourses is possible to consider the posters that activists were holding during land protests in 2016, wherein in Kazakh and Russian language were written: "Selling the Land –is like selling your Motherland." (Asaytai, 2016).

Picture 1. A participant during the land protest holds a poster with the inscription in Kazakh: "Sale of land – is the sale of the Motherland." Atyrau, April 24, 2016.



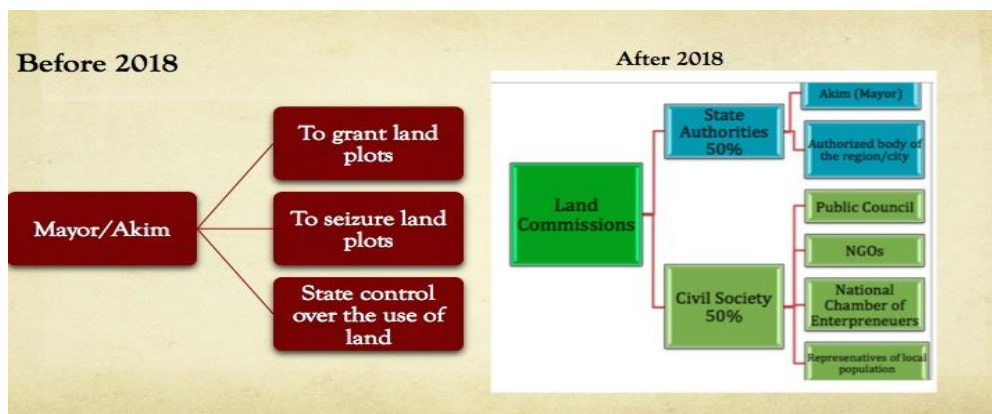
Photo by Sania Toiken. Asaytai, M. (2016, May 16). Radio Azattyq.

Our analysis reveals two problematic areas: one is the contradiction of discourses on land and the second one is the contradiction in speeches on civil society engagement in land governance. Namely, there was a contradiction between the historical-cultural aspect of the notion of land and the economic aspect and value. Although logically, there are different dimensions, one is cultural; another is economical. The posters that people were having during the land protests 2016 signify the importance of the historical-cultural meaning of land as a sacred notion, "Eternal Land," "Our Land," "Land of our Ancestors," and "Land as a National Idea." The adverse reaction of the population to the ideas of selling and renting land (in particular, to foreigners) shows clashes and rejection of the very idea of consideration of land as a purely economic commodity or the object for a sale or rent.

After land protests in 2016, the establishment of LRC and LCs, civic control was introduced to land governance. As to the notion of civil society, while pointing out the need to develop strong civil society institutions, the oversight functions or policy evaluation are entrusted to a relatively small number of stakeholders, such as the the ruling Nur-Otan party and local maslikshats. In accountability studies, the independence of the overseer from the overseen actors serves as the main principle of accountability and transparency.

As the researcher Schedler (1999) points out, accounting agents must be independent: "from the accountable party in all decisions that concern its field of competence." (Schedler, 1999, p. 24). Therefore, while entrusting local municipalities and maslikshats oversight and control function, it was hard to expect transparency of land governance. In particular, considering the Land Code (2003) before 2018 conceded more extensive competencies to local mayors to grant land plots, seizure land plots, and oversight functions like state control over land use.

Figure 8. Competencies of the mayors and Land Commissions composition.



Self-constructed based on Land Code of the Republic of Kazakhtan (2003).

It is crucial to point out that First President N. Nazarbayev, during the land protests 2016, also underlined this problem of miscommunication and wrong interpretation of proposed novelties and imposed a moratorium on amendments to the Land Code. As the First President N. Nazarbayev stated on 6-th of May 2016:

"It was necessary to convey to the population, who did not understand that there was no talk of any sale of land in our agricultural sector. Therefore, there was complete speculation. That is, we did not bring this essence to the appropriate target groups. However, the mechanisms and norms of the adopted law were not discussed with the involvement of the public and anxiety, and people's concerns are largely justified." (Kulmagambetova, 2016)

Therefore, The First President N. Nazarbayev underlined three problematic areas in land governance that led to land protests in 2016:

1. The failure of the government to explain and communicate norms of the new Land Code amendments to the public.
2. Population concerns and lack of trust in the decisions made.

3. The adopted laws were not discussed with the involvement of the public.

Media portrayal of land protest 2016 and the consequent establishment of Land Reform Commission (LRC) and Land Commissions (LCs).

Blackledge underlines (2005) that discourses about a particular event form our social memory. However, social memory is affected by those who produce the discourse: the government and the media. Blackledge (2005), in *Discourse and Power in A Multilingual World*, pay attention to the problem of "re-contextualization," meaning that discourses are affected by those who write or speak about it. Blackledge stresses: "As soon as one writes or speaks about any social practice, one is already reconceptualizing. The moment we are reconceptualizing, we are transforming and creating other practices." (Blackledge, 2005, p. 12). Therefore, in CDA, it is important to study different visions of the same problem, those presented by the state officials and the media.

"The government reports and policy documents were intertextually connected with each other, and to the political and media texts which preceded them. Of course, the chain of discourses does not end with the new legislation- in fact it does not end at all." (Blackledge, 2005, p. 28)

Therefore, the application of critical discourse analysis helps analyze: "how communicative events are transformed as they move along a chain of discourse." (Ibid, p. 12). Thus, our analysis will not be complete without analyzing the chain of discourse on land protests in 2016 and the impact of these events on the creation of Land Commissions with civil society engagement, also by the media.

Considering the political sensitivity of this topic, all information that researchers can get on these events (land protests 2016) comes mainly from the media. However, considering that media is not a homogeneous entity, much information that receives from media depends on the angle from which this information is presented to the public by different media sources.

To analyze land protest 2016, the author analyses two media sources: the government backed *Kazhstanskaya Pravda* (Kaz Pravda) and the Kazakhstani branch of international Radio Liberty (Radio Azattyq Kazakhstan) media source.

First, we will explore how land protests in 2016 (reasons, actors, actions) were presented in both media sources, and secondly: how these media sources portray the establishment of LRC and LCs. In the final part, the visions of national interviewees on causes of LCs creation will be explored and compared with CDA findings. It is crucial to mention that the CDA application serves as an essential base for analyzing Land Commissions creation.

5.2. Five Discourse Strategies.

The researchers Reisigl and Wodak (2001) argue that socio-economic and political context is embedded into the history of the discursive event and suggest analyzing power relations through the lenses of discriminatory political discourse. Meaning to analyze how actors, and their actions are being framed. Researchers distinguish five types of discursive strategies:

1. *Referential strategies.*
2. *Predicational strategies.*
3. *Argumentation strategies.*
4. *Perspectivation strategies.*
5. *Intensifying and mitigation strategies.* (Reisigl and Wodak, 2001 in Blackledge, 2005, p. 21)

Referential strategies.

By referential strategies, the authors mean how a particular group of people is named or referred to in the media discourse, for instance, in our case, whether the media portrays land meeting participants as "protestors," "provocateurs," or "peaceful demonstrators."

Reisigl and Wodak (2001) developed these strategies in identifying discriminatory discourses; the researchers pointed out that state officials and media in some cases use these types of discourse to portray "Others" in contrast to "Us" meaning the discourse: "where a specific feature or characteristic is selected and foregrounded to present the group, this frequently involves negative evaluation." (Blackledge, 2005, p. 21). Therefore, particular group characteristics are being

presented so that they share common views or beliefs that are different from those officially accepted or different from "Our/s."

Usually, such strategies use state authorities and some media resources to portray, for instance, the protests as an act of crime or violation, with the generalization of all participants and viewing them and presenting as one homogenous group whose beliefs are different from the state and the society.

Predicational Strategies.

Researchers Reisigl & Wodak, 2000, describe this type of discourse as linguistically assigning qualities to persons, different objects, also events, actions, and social phenomena. For instance, by adding such adjectives as *abusive*, *criminal*, *refusing to integrate*, *dirty*, and adding other "qualities." (Reisigl & Wodak, 2000, in Blackledge, 2005).

Argumentation and perspectivation strategies.

As researchers pointed out, these strategies come from the Ancient Greek and Latin word "Topoi" as a method for developing arguments. Meaning, that for instance, while describing that immigration is harmful to the country, the state official or media could add such arguments that immigration could be a severe burden on a state.

The researchers Reisigl & Wodak (2000) developed 12 topois such as:

1. "Topos of advantage/usefulness
2. Topos of danger/threat
3. Topos of definition/name-interpretation
4. Topos of burdening/weighting down
5. Topos of law/right
6. Topos of culture
7. Topos of abuse

8. Topos of authority
9. Topos of finance
10. Topos of inequality
11. Topos of human rights
12. Topos of responsibility.”

(Reisigl & Wodak, 2000, p. 278 in Blackledge, 2005, p. 68)

Thus, using each of these methods for developing an argument, the state officials or journalists may support their statements with positive/supporting or opposing/negative arguments.

Intensifying and mitigation strategies.

This type of discourse strategy applies: “discriminatory utterances are articulated overtly or covertly, or are even intensified, or mitigated.” (Blackledge, 2005, p. 25). Therefore, the text could be framed in a particular way by intensifying or mitigating some points. Thus, the author (state officials or journalists) could frame or contextualize the text and present it from a necessary angle.

5.3. Media portrayal of land protests and Land Reform Commission 2016.

Present types of discourse strategies are possible to apply in the analysis of land protests 2016, to examine the difference in the portrayal of these events in official media source “KazPravda” and independent from the state “Radio Azattyq/ Radio Liberty Kazakhstan” (in Kazakh and Russian languages). The time frame of articles selected covering is 2016 – 2017 (this is the time of land protests and LRCs creation). The self-constructed Table below presents the results of the analysis of land protests 2016 in two media sources (KazPravda and Radio Azattyq Kazakhstan, 2016-2017).

Kazakhstanskaya Pravda (KazPravda).

The history of Kazakhstanskaya Pravda is dated back to 1920 when the first edition of this newspaper was published. In modern Kazakhstan, in the post-Independence period, present

media sources, the paper version of the newspaper has a large circulation, covering all regions of Kazakhstan. In 2021 the edition was merged with the official media source “Egemen Kazakhstan.” Currently, this media source publishes articles in three languages (Kazakh, Russian and English). The media source is government-backed, meaning receives state orders and financial support. KazPravda publishes official documents: new laws, state decrees, and orders.

Radio Azattyq.

To juxtapose the pro-governmental media resource as KazPravda with the branch of international media agency as Radio Free Europe/Radio Liberty, Radio Azattyq Kazakhstan seems problematic as comparing apples with oranges. Radio Azattyq is a branch of the international media source, and therefore, it is hard to classify this media resource as a purely Kazakhstani oppositional media source. However, considering the lack of local media sources classified as independent Radio Azattyq Kazakhstan could be considered a source that presents an alternative to the official, information on different political events in the country.

Table 6. Five Types of Discursive Strategies on land protests 2016 in Kazakhstan.

Five Types of Discursive Strategies on Land Protest 2016 in Kazakhstan based Reisigl & Wodak, 2001 discursive strategy analysis (self-constructed)			
	Description	KazPravda (In Kazakh, Russian, English). The years 2016-2017	Radio Azattyq Kazakhstan (In Kazakh, Russian). The years 2016-2017
Referential strategies	How persons are named and referred, membership categorization: e.g., protestors	<p>“a group of citizens was attempting to hold an unauthorized rally”</p> <p>“There were no unauthorized rallies in the country, no clashes with the police, no disturbance of public order” (The Chairman of the Administrative Police Committee Igor Lepekha in Voronina, 2021)</p> <p>“Illegal actions lay under the guise of collecting peaceful opinions on the land question.” (The Interior Ministry official statement in Voronina, May 21, 2016 – KazPravda)</p>	<p>“Civic activists”</p> <p>“Maks Bokaev - one of the organizers of a peaceful rally on the central square in the city of Atyrau, which was attended by hundreds of people” (Toiken, 2016a)</p>
Predicational strategies	Linguistically assigning qualities to persons, groups, things, events e.g., abusive, oppressive, criminal	<p>“a group of citizens who were attempting to hold an unauthorized rally. They were detained, then after the establishment of their identity and the purpose of their stay, were released -the Chairman of the Administrative Police Committee Igor Lepekha said.” (Voronina, May 21, 2016 – for KazPravda).</p> <p>“Their” (protestors) ultimate goal was not peaceful rallies and not the change of the Land Code, but <i>destabilization</i> of the socio-political situation, inciting ethnic discord, and the seizure of power - the Attorney General's Office says.” (KazPravda, May 27, 2016)</p>	<p>“Protest action”</p> <p>“Talgat Ayan – a civic activist who spoke to those gathered at a rally against the "transfer of land to private ownership of foreigners" on April 24” (Toiken, 2016a).</p> <p>“Head of Farmers Union – Ayezkhon Darinov said that in the regions people are revolting because of the controversial amendments to the land code.” (Glushkova, 2016)</p>
Argumentation strategies & Perspectivation strategies	Argument about the event. Topos of advantage/usefulness Topos of danger/threat Topos of authority Topos of human rights and other toposes/argumentation	<p><i>Topos of danger/threat:</i></p> <p>“Disorders were planned in fact, group hooliganism and riots, in which the deceived people who responded to the call, could suffer - the police report said” (The Interior Ministry official statement in Voronina, May 21, 2016, for KazPravda)</p> <p><i>Topos of authority:</i></p> <p>“Measures to be taken by law enforcement authorities, in the event of such protest actions” (Urakayeva, 2016);</p> <p>“The law enforcement has taken appropriate measures to protect public order and the citizen’s security” (Voronina, May 21, 2016, for KazPravda)</p>	<p><i>Topos of usefulness and Topos of Human rights:</i></p> <p>“people are revolting because of the controversial amendments to the land code.” (Ibid).</p> <p>“People are very worried; therefore, various organizations are being created. According to our data, more than 50 thousand signatures have already been collected in the regions.” (Lahanuly, 2016).</p>
Intensifying and mitigation strategies	When (discriminatory) discourses are articulated overtly or covertly or are even intensified or mitigated	<p><i>Intensifying strategy:</i></p> <p>“They (protestors) were well aware that the riots could lead to violence, looting, casualties” (KazPravda, May 27, 2016).</p> <p><i>Mitigation strategy</i></p> <p>“The state has created all the conditions for a civilized dialogue and consideration of all the opinions on the Land Code.” (Ibid).</p> <p>“We respond with understanding. People are worried, perhaps, because they do not fully possess legal literacy, do not fully understand this issue, and therefore, perhaps, they did not fully understand the norms of the law. We are trying to clarify the norms of the law.” from the interview with the Vice – Minister of National Economy of the RK, Mr. Kairbek Uskenbayev (KazPravda, April 30, 2016).</p>	<p><i>Intensifying strategy</i></p> <p>“If the land is leased or sold to foreigners, then the people will take extraordinary measures (in some versions of the letter - “the people may rebel.” - Ed.)” (Ibid).</p> <p><i>Mitigating strategy:</i></p> <p>“It is our civic duty to warn about this” (Lahanuly, 2016).</p>

5.3.1. KazPravda.

Referential strategies.

While analyzing referential strategies expressed in KazPravda media source, it is noticeable that the information on these events is concise, like a report. As main interviewees as presented the statements of the Minister of Interior Affairs or the Attorney General who in their statements define protests as "unauthorized meetings," while describing and generalizing land protestors as "a group of citizens" or "disorders were planned in fact, group hooliganism and riots." (Voronina, May 21, 2016 – KazPravda).

Predicational strategies.

In terms of predicational strategies, the group is assigned as qualities as "that group of citizens *who were attempting to hold an unauthorized rally*," "Their" ultimate goal was not peaceful rallies and not the change of the Land Code, but *destabilization of the socio-political situation, inciting ethnic discord, and the seizure of power*, the Attorney General's Office says." (KazPravda, May 27, 2016)

Therefore, it is visible the application of exclusive pronouns as "They" "Their" is separate from "We." The protest's purposes are presented in negative connotation as an attempt to "destabilize the situation" and even "seizure of power."

Argumentation and Perspectivation strategy.

Argumentation strategy related to the protests, the topos of danger/threat is applied: "They organize unauthorized rallies, in which *the deceived people who responded to the call, could suffer*" and the topos of authority - "measures to be taken by law enforcement authorities, in the event of such protest actions," "The law enforcements have taken appropriate measures to protect public order and the citizen's security." (Voronina, May 21, 2016 – KazPravda).

Intensifying and mitigating strategies.

Both strategies of intensifying and mitigating discourses are applied. Some sentences intensify the negative connotation of the event and protestors: "They were well aware that the riots could lead to violence, looting, casualties." (KazPravda, May 27, 2016). While at the same time, mitigation strategies also applied: "The state has created all the conditions for a civilized dialogue and consideration of all the opinions on the Land Code." (KazPravda, May 27, 2016).

Critical discourse analysis pays attention to textual analysis and visual media representations. Therefore, in some cases, images complement the textual material and could be considered a valuable source of information. As researchers Machin and Mayr (2015) pointed out in the late 1980-1990s, academic scholarship pays attention to the fact that meaning is communicated not only by the text but also through other semiotic modes. Later, during the 1990s, the whole separate framework of "Multimodal Analysis" based on Kress and van Leeuwen's (1996) research was developed. (Machin and Mayr, 2015, pp. 6-7).

The main question in the semiotic analysis is not only what the image shows but rather what this image connotes. "Who and what is depicted here? What ideas and values are communicated through what is represented and how it is represented?" (Ibid, pp. 49-50). While analyzing the images presented in April-May 2016 in KazPravda, it is visible that mainly statements of law enforcement agencies and their images are presented on the main page.

Picture 2. Minister of Internal Affairs Kalmukhamet Kasymov. Photo by Marat Kurakov. (Urankayeva, May 16, 2016, for KazPravda).



Photo by Marat Kurakov in (Urankayeva, May 16, 2016, for KazPravda).

Overall, KazPravda presented the images and statements, interviews of different Ministries representatives. For instance, KazPravda published the interview by the Vice-Minister of National Economy Kairbek Uskenbayev on April 30, 2016. While the Minister of Internal Affairs, based on his law enforcement duties, selects the topos of threat and danger argumentation in describing land protests, and the topos of authority that: “measures to be taken by law enforcement authorities, in the event of such protest actions” (Urakayeva, May 16, 2016). In contrast, the Vice Minister of National Economy selects softer, mitigating strategies describing the events by underlining “the understanding of people’s needs.” (KazPravda, April 30, 2016).

5.3.2. Radio Azattyq Kazakhstan.

Referential strategy.

Radio Azattyq defined land protestors as “civil activists” or “protestors.” In contrast to government-backed media resources, Azattyq writes the names of civic activists who participated in land protests in 2016. For instance, “Max Bokaev - one of the organizers of a peaceful rally on the central square in the city of Atyrau, which was attended by hundreds of people.” (Toiken, 2016a). The text is complemented by the photo illustrating not solely the land protest, but also civic activists.

Picture 3. Civil activist Max Bokaev speaks at a rally "on the land issue." Atyrau, April 24, 2016. Photo by Sania Toiken. Toiken (2016b).



Photo by Sania Toiken, 24 April, 2016. Atyrau, Kazakhstan. Radio Azattyq/Radio Liberty.

Predicational strategy.

In contrast to the official media sources which applied such descriptions as "that group of people," the Radio Azattyq does not align any positive or negative qualities to land protests. Furthermore, it solely describes the purposes of why people gather and what they are demanding.

For instance: "During the demonstration, Max Bokaev prepared a draft resolution in which the protesters demanded that the controversial articles be excluded from the Land code, the names, and surnames of major land users be made public and that the organizers and participants of the peaceful demonstration should not be persecuted. Hundreds of people signed the petition." (Toiken, 2016b).

Another example: "Head of Farmers Union - said that in the regions people are revolting because of the controversial amendments to the Land Code." (Glushkova, 2016).

Thus, if in the official media resources, it was hardly possible to find information who and why revolting, and what demanding; in contrast, the Radio Azattyq Kazakhstan journalists tried to explain the reasons of the protests, and peoples/civic activists' demands, without aligning either negative or positive connotations to the event.

Argumentation strategies & Perspectivation strategies.

In terms of argumentation strategies, "topos of usefulness" and "topos of human rights" are predominant instead of toposes of threat—danger and topos of authority, which is noticeable in pro-governmental media sources. Azattyq interviewed not only state officials but mainly civil society representatives and presented their views:

"People are revolting" because of the controversial amendments to the land code." (Lahanuly, April 18, 2016).

"People are very worried, therefore, various organizations are being created. More than 50 thousand signatures have already been collected in the regions of the Open Letter to the President." (Ibid, 2016)

Contrary to official media sources, Radio Azattyq shows an image of civic activists rather than state officials. Visual representation portrays those gathered for this meeting. The images below show an elderly Kazakh lady and the poster behind her "Selling Land is like selling your Mother!"

Picture 4. The Land protestors in Atyrau, April 2016. Photo by Sania Toiken. On the rally against the selling of land, April 24, 2016. Glushkova (2016, April 29), Radio Azattyq/Radio Liberty.



Photo by Sania Toiken. On the rally against the selling of land, April 24, 2016. Glushkova (2016, April 29), Radio Azattyq/Radio Liberty

Analyzing discourse strategies and visual representation applied in both media sources shows the contrast in representing the same event from different angles. The most important aspect is that media portrayal of the events impacts people's perceptions and public consciousness while conceptualizing and re-conceptualizing the same event. Therefore, as researchers Machin and Mayr (2015) underline while applying CDA: "We look at how, through language and images, some participants are being individualized or collectivized, made specific and generic, personalized or impersonalized, objectivated, anonymized, aggregated or suppressed." (Machin & Mayr, 2015, p. 12).

5.3.3. Land Reform Commission 2016 media portrayal.

After the land protests, the state authorities made of step forward and called for the creation of temporary institutions such as the Land Reform Commission (LRC), which functioned from May to August 2016. The LRC conducted eight sessions where were discussed important questions related to land governance. LRC included the representatives of state authorities and civil society (academia, non-profit, civic activists). It is essential to point out that two media sources

(KazPravda and Radio Azattyq) provided extensive information and covered all eight LRC sessions.

As the researchers Machin and Mayr (2015) point out, lexical choices used in the text can indicate the levels of authority. As researchers stress: "by describing how someone has spoken, can have a considerable impact on the way that author shape perceptions of events." (Machin and Mayr, 2015, p. 58). The difference in media sources is possible to notice in presenting LRC reasons for the establishment. KazPravda sources published the article in May 2016 entitled "*Kazakh President found solution to the land issue. Land Reform Commission has been established in the Republic of Kazakhstan*" (Isenov, 2016).

Analyzing the verb choice in KazPravda article texts, it is possible to notice the use of such imperative and assertive words choices (verbs) as:

"The President *tasked* to establish the Commission,"

"The President *found a solution* to the land issue,"

"The President *announced* the stablishment of Land Reform Commission,"

"This large-scale explanatory work *must be conducted* by the party "Nur Otan" together with a coalition of democratic forces."

"*Nazarbayev stressed that this should involve* all political parties, the media, and public institutions" (Isenov, 2016).

Therefore, the Head of the State figure is presented as the sole source of the Land Reform Commission's initiation and legitimatization. However, the media source did not mention the root causes that led to the need to establish this rather post-conflict resolution institution.

While mentioning that the LRC includes 75 people deputies of both chambers of Parliament, members of the Government, representatives of government agencies, political parties, agribusiness, scientists, and civil activists, KazPravda adds only a few lines on the reasons for LRC establishment:

"to recall that the Land Reform Commission was created after the Head of State introduced a moratorium on amendments to the Land Code of the Republic of Kazakhstan, which caused a public outcry." (Isenov, May 12, 2016)

KazPravda published the official text of the Decree of the President of the Republic of Kazakhstan dated May 6, 2016, No. 248, *"On the introduction of a moratorium on applying certain norms of land legislation."* This official document presents the objectives and tasks of the LRC, namely, to organize explanatory work and develop proposals for improving the norms of the Land Code of the Republic of Kazakhstan. The Decree defines *Commission tasks* as developing proposals for improving land legislation and the organization of explanatory work. (KazPravda, May 13, 2016).

KazPravda journalists were not making an overview of the reasons for LRC establishment. However, they covered all sessions of LRC and interviewed representatives of state authorities and civil society in detail. However, much emphasis is paid to the position coverage of state officials or those civil society representatives who expressed less criticism related to the overall LRC work organization.

The media source presents the position of the Chair of LRC, the Premier Minister B. Sagintayev explained the LRC mandate as a temporary institution that was created to discuss proposals for land reform:

"Our Commission is not the Parliament, which issues laws, not the Government, not a state body that issues its orders and approves them. The Land Reform Commission, within the framework of its powers, makes proposals for land reform." (Tulesheva & Nurgaliev, May 24, 2016).

In KazPravda issues dated 2016, it is also possible to find articles accompanied with visual images covering LRC work in the capital of Kazakhstan, Nur-Sultan (former Astana), and other regional sessions of LRCs.

Picture 5. Land Reform Commission session in Astana, Kazakhstan. (17-th May 2016). Photo image by Igor Burgandinov, in Alibekova & Nos, KazPravda, 2016.



Photo image by Igor Burgandinov in Alibekova & Nos, KazPravda, 2016

In contrast, Radio Azattyq covers the position of those civil society representatives of LRC who were invited to join the LRC but refused to participate, stating that they find this institution as top-down initiated where voices of state authorities prevail.

Azattyq presented the position of the woman oppositional politician - Zauresh Battalova, who declared that she refused to participate in the "Land Reform Commission" because she believes the participants' opinions, except for seven or eight people, were very similar.

"Mrs. Battalova stated that she is not satisfied with the composition, the regulations of the Commission's work, the voting procedure, especially the fact that a majority vote makes decisions. She proposed to include representatives from each region of the country in the Commission and make decisions based on consensus, not by voting." (Mukankyzy, 2016)

The Radio Azattyq presented the views of other LRC members, who also pointed out that during voting with the majority of voices most probably would win the suggestion proposed by the state authorities:

"The Commission included a small number of civic activists who participated in demonstrations against the land code. Therefore, when the crucial moment comes, the authorities' position can prevail by most votes, says Kazbek Beisebayev." (Mamashuly, 2016)

Therefore, some of the LRC members stressed that this dialogue is state-organized, where prevail voices of state authorities rather than civil society. It is important to mention that Radio Azattyq, contrary to government-backed media sources, which do not cover the position that civic activists participated in land protests, presented the position of Max Bokayev, who was one of the active participants of the land protest in April 2016 in Atyrau. The state authorities invited Max Bokayev to the LRC work. However, the activist refused the participation, stating that he would not join the Land Reform Commission if several conditions put forward by him were not met. Namely, as the journalist Toiken (2016b) writes, the activist demands an end to the persecution of citizens who opposed the changes in the Land Code and to stop prosecution against them. In addition, Bokayev stressed that people themselves but not state authorities, could choose whom to include in the Commission. This is essential so that the number of civil societies would not prevail over the state authorities' representatives. (Toiken, 2016b).

In terms of visual presentation, Azattyq captures the images of land protestors while complimenting the article on the LRC establishment. Therefore, signaling that LRC was created after land protests in 2016. It is important to mention, Azattyq also demonstrated LiveSessions from LRC from regional sessions, which was possible to observe on the webpage and media sources of the Radio Azattyq.

Picture 6. Land Reform Commission session in Kyzylorda, 11th of July 2016. Photo image by Ongar Saimossaev. Botaiuly, July 11, 2016 (AzattyqLive).



Photo image by Ongar Saimossaev, in Botaiuly, July 11, 2016 (AzattyqLive).

LRC sessions media coverage.

Two media sources covered extensively different aspects related to the work of LRCs (land privatization, efficient land use, land limits, and other issues). However, since our research focuses on civil society engagement, we analyze statements only related to public representatives' inclusion in local municipalities during the land allocation process.

KazPravda, quite extensively captured LRC sessions, presenting the opinions of authoritative public figures in Kazakhstan, who raised during LRC sessions fundamental problems related to efficient land use and the appearance of such harmful practices as elite land grabbing. The speech of the chairman of the Commission for the integration of agricultural education, science, and production, the development of personnel potential of the agro-industrial complex under the Ministry of Agriculture of Kazakhstan Gani Kaliyev, touched on the issue, according to whom superficial subleasing is "flourishing" in Kazakhstan.

Mr. Kaliev stated that: "Feudal land relations should not be allowed, when one takes extensive lands, hires people, and then a conflict arises between them - this never leads to good. There are no feudal-land relations in any developed country, but we still have them." (Tulesheva & Nurgaliev, May 24, 2016).

Radio Azattyq captures more aspects related to civil society engagement, with coverage of Premier Minister Sagintayev's speech when he stressed the importance of deviating from sole decision-making in land governance.

"The Chair of the Land Reform Commission (The Premier Minister Sagintayev) underlined that the fate of land should not be solely decided by mayors (akims) or other officials. ...Such decisions must be made with the participation of the local community." (Radio Azattyq, May 21, 2016).

The Commission member Zhanarbek Ashimzhanov proposed to publish in the press the names of "latifundists who have taken possession of a huge amount of land." (Saimosayev, 2016)

The importance of the inclusion of civil society in land governance was raised by the civic activist Mukhtar Taizhan. Mukhtar Taizhan is one of the civic activists advocating for civil society inclusion in land governance and the overall enhancement of the mechanism of civic control in land governance in Kazakhstan. However, interestingly, neither KazPravda nor Radio Azattyq do not extensively cover this public figure's opinion.

Land Reform Commission and Land Commissions creation in media discourse.

As a result of LRC all sessions, LRC members prepared and proposed ten proposals. On August 6, 2016, the Deputy Prime Minister - Minister of Agriculture of the Republic of Kazakhstan Askar Murzakhmetov announced these ten proposals of the land reform commission, which included such proposals as preservation of the institution of leasing agricultural land for legal entities and individuals of Kazakhstan for up to 49 years. In addition, the inclusion of Public Councils representatives in the Commissions to deal with the provision of agricultural land and to develop procedures for akimats to provide the land depending on the volume of investment suggested by applicants. Also, it was suggested to establish land limits (maximum) of agricultural land leased to Kazakhstani citizens. (Surganov, 2016). In addition, the Land Reform Commission supported the proposal to extend the moratorium on some norms of the Land Code (2003) of the Republic of Kazakhstan until December 31, 2021.

Many LRC members stressed that created after the series of land protests, LRC served as a platform for dialogue and communication between the civil society and the state authorities. The four meetings were held in Astana and four field meetings in Akmola, Almaty, Kyzylorda, and Atyrau regions to hear all voices.

All LRC proposals were sent to the Parliament for further discussion. At the same time, Radio Azattyq is not explicit about the process of this Parliamentary discussion. In opposite, the KazPravda provides more comprehensive materials covering discussions of all proposals in the Parliament. One of the informative pieces on debates in the Parliaments on proposed Amendments to the Land Code, presented by the journalist Laura Tusupbekova on April 14, 2017, in the article "Terra but not incognita." Special attention was paid to discussing the land allocation process and including a 50% civil society component to LCs at local municipalities.

Namely, these amendments include the norms that the land will be distributed through a particular competition, where representatives of public councils and associations will take part.

"These Land commissions will determine the competition winners and shall include representatives of public councils and organizations. At least fifty percent of LC members total number shall be civil society representatives." (Tusupbekova, 2017)

Except for this amendment, there are specific requirements for the competition participants. The participants have to submit to the Land Commission a business plan. Considering all applications, the Commission takes a collective decision. It is essential to mention that the Parliament of Kazakhstan, the Mazhilis, and the Senate, after discussions, approved the draft law "On Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on the Regulation of Land Relations" and sent it to President Nursultan Nazarbayev for signature.

The official newspaper "Kazakhstanskaya Pravda" published the text of the Law: "On Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on the Regulation of Land Relations" in its May 10 issue. (KazPravda, 2018). According to the new Law, Land Commissions under local municipalities are established as a collegial body functioning under local executive bodies, which operate permanently. As functions of LCS are determined:"

"A collegial body under the local executive body created following Article 43 of this Code to consider applications and prepare opinions on granting rights to land plots; (on determining the winner of the tender for granting the right to temporary paid land use (lease) for running a peasant or farm enterprise, agricultural production, on changing the designated purpose of land plots and on transferring water fund lands to lands of other categories." (Law of the Republic of Kazakhstan, On the introduction of Amendments to some legislative acts on Regulation of Land Relations, 2018)

The Land Commission operates permanently and shall comprise at least nine people, of which the number of civil society representatives must be at least fifty percent of the total number of LC members. Voting results are determined by a majority of votes from the total number of members of the land commission present at the meeting, and the decision is considered adopted if the majority of the members of the land commission voted for it.

According to the Law, Deputy Mayor (Deputy Akim) is appointed as Chairman of the Land Commission. The composition of the Land Commission changes annually, except for the chairman and several indicated in the Law LC members, e.g., representatives of the executive body. Therefore, the secretary of the land commission is determined among the officials of the working body, meaning akimat. The working body of the Land Commission, the Secretariat, is also the relevant authorized body of the region, city of republican significance, the capital, district, city of regional significance. Interestingly, neither of the selected media sources cover the fact of the Land Commission's creation explicitly. Only briefly mention that the land allocation process will be changed with the establishment of LCs under local municipalities, of which fifty percent will be comprised of civil society representatives. Thus, except for mentioning these few lines, both media sources lack reports, and analysis related to establishing LCs under local municipalities.

5.3.4. Critical Discourse Analysis and Power Asymmetries.

In "Language and Power" (1989), Norman Fairclough underlines that power is communicated through semiotic modes, including language and visual images. Thus, in Critical Discourse Analysis, as argued by the researcher:

"the power is conceptualized both in terms of asymmetries between participants in discourse events, and in terms of unequal capacity to control how texts are produced, distributed and consumed in particular social contexts." (Fairclough 1989 as cited in Blackledge, 2005, p. 5).

Analyzing First President N. Nazarbayev's Addresses to the Nation during the two decades (2007-2018), it is possible to distinguish several main discourses: one on the cultural meaning of land and another line of discourse on the economic value of the land. Our analysis shows a mismatch in discourses of the state authorities and society and rejection by the population of the very idea of consideration of land as a purely economic commodity or the object for sale or rent.

Thus, this incompatibility between the notion of land as sacred and inseparable from Independence and Motherland notion, with economic aspects of consideration of land as a purely

economic object, was observable. As evidence of this clash in discourses between the state authorities and the population is possible to consider the posters that land protestors 2016 held during the protest, wherein in Kazakh and Russian language were written: "Selling the Land –is like selling your Motherland." (Asaytai, 2016). In this case, it is possible to agree with the researcher Wodak, who underlines that:

"Power does not derive from language, but language can be used to challenge power, to subvert it, to alter distribution of power in the short and long term." (Wodak, 2001, p. 11 as cited in Blackledge, 2005, p. 5).

The application of CDA in research made it evident incompatibility between state and society discourses on the question of civil society engagement in land governance. When the state authorities, on one hand, underline the importance of the inclusion of civil society to land governance and the necessity to stop the practice of non-transparent land distribution schemes and elite land grabbing. While on other hand, the government-backed media, in this case, KazPravda, did not capture alternative discourses on peaceful rallies and land protests (2016). In addition, the power asymmetries are visible in discourses related to the introduction of oversight agencies to control land allocation processes. While state officials call for introducing oversight functions over the land allocation process, at the same time, they entrusted this function to a limited number of stakeholders (e.g., the ruling Nur-Otan Party and local maslikshats, where a majority of seats had Nur-Otan party deputies).

It is crucial to point out the problem of reconceptualization. Each media source can portray any event from an angle that matches their overall work concept (focusing on official pro-government information or a more oppositional stance). The same events, actors, words, and actions could be portrayed in a more favorable way or the opposite in a negative connotation. Therefore, narratives can serve as an instrument for legitimizing power and particular structures and events or, on the opposite, invalidating the same events and structures. Therefore, Critical Discourse Analysis (CDA) revealed a more significant subjectivity in portraying land protest

2016 by different media sources. The CDA analysis applied in the research revealed these differences in discourses and power asymmetries.

In the media portrayal of land protests, in government backed KazPravda media source, it is possible to notice the lack of presentation and analysis on the reasons for land protests and demands of land protestors. The discourse is impersonalized, lacking the analysis of the reasons for the 2016 events. Our analysis also confirms the ideas of CDA researchers Machin and Mayr (2015) that ideologies and power are communicated not only through language but also through visual images. The significant differences in the visual representation of the 2016 land protests, where official media, e.g., KazPravda, posted the Minister of Interior Affairs' images, while Radio Azattyq presented the images of protestors and the posters of the participants of the peaceful rally were holding.

Thus, in Radio Azattyq more personalized, individualized approach is visible in defining activists' names and their demands, showing their images and posters, and providing interviews that help the reader understand why people decided to gather and what protestors were demanding. However, the CDA revealed also that the state and the media neglect the Land Commissions' work analysis. Though, any discourse is subjective per se because it should be taken into account who and why and from which angle presents the information, based on which principles and interests. The lack of the information about the land protests in official media, as well as the problem of the inclusion of civil society to land governance and the creation of Land Commissions in state and independent media, signify that much attention should be paid to the question how civil society is being portrayed in official and media sources.

As not only the language applied in the description of these events but also visual images for discourses that: "not only reflect social processes and structures but itself was seen to contribute to the production and reproduction of these processes and structures." (Machin and Mayer, 2015, p. 24). Thus, much attention should be paid to the analysis of power asymmetries in portraying

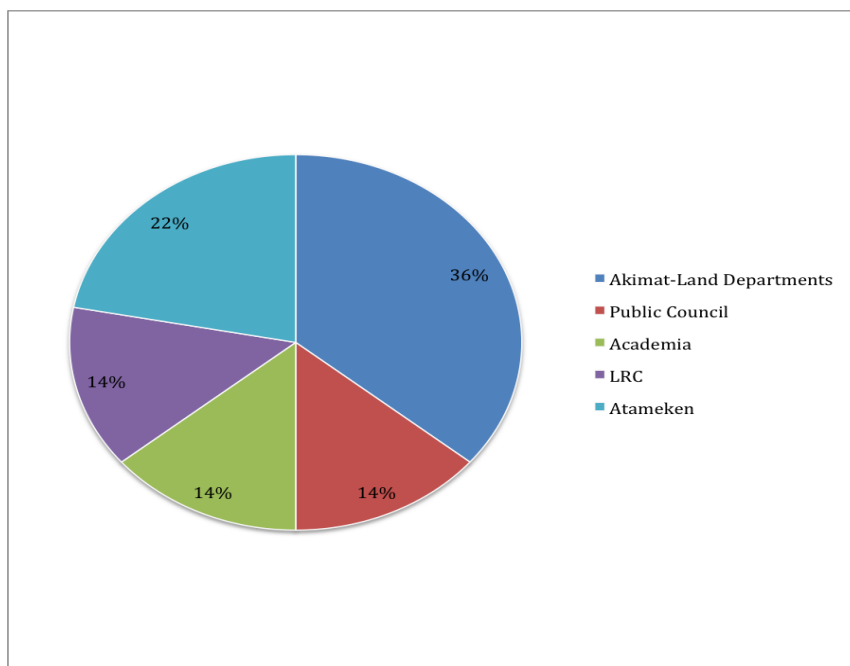
land protests and the processes of civil society inclusion in land governance in Kazakhstan in the future.

5.4. National interviewees on land protests, LRC (2016), and LCs (2018).

Expert Interview context.

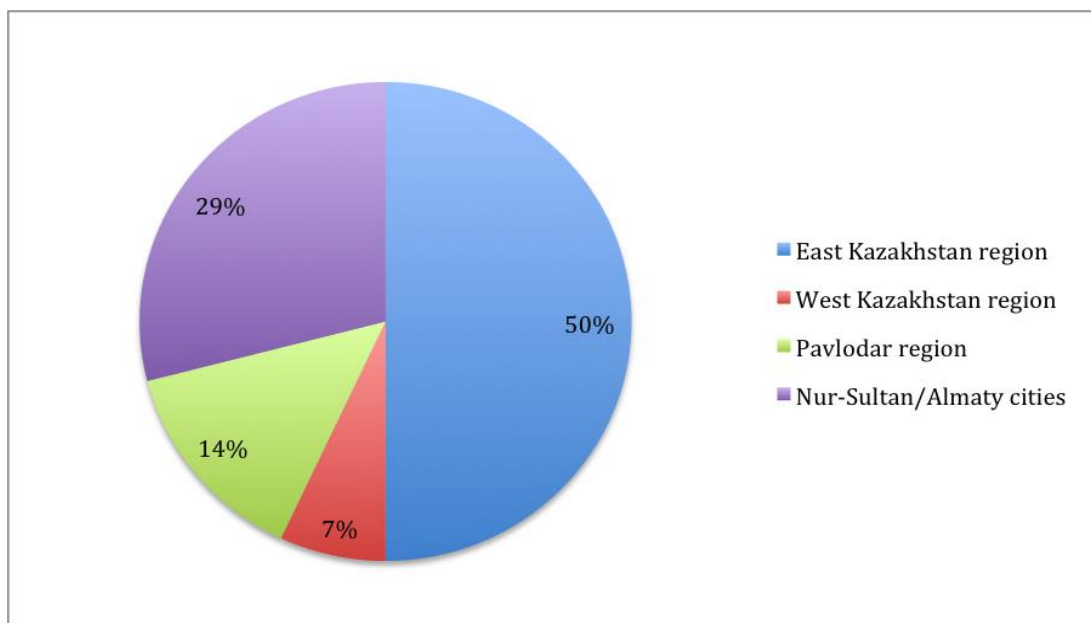
From (May-September 2021), the author collected primary data and conducted interviewees with national and international interviewees. The thesis author interviewed fourteen national and twenty-one international experts. Therefore, the total number of in-depth semi-structured interviews conducted is thirty-five. The thesis author contacted more than forty national organizations and about sixty persons, including local municipalities, NGOs, the National chapter of Entrepreneurs, academia, and think tanks. For the in-depth expert interview agreed fourteen national interviewees, senior officials (Head of Land Departments of local municipalities, Directors of regional offices of the National Chamber of Entrepreneurs at regional, district, and village levels). Also, the author interviewed public activists, representatives of the academia, and think tanks; several of them were members of the Land Reform Commission 2016 and Public Council representatives. Please see the Figure below indicating the composition structure of interviewees depending on their work occupation.

Figure 9. Interviewees work positions.



It is crucial to mention that all respondents have more than ten, some even forty years of experience working in the field closely linked with land governance or land reforms research. In terms of regional representation, more responsive were representatives from the Eastern Kazakhstan region (independently from governmental or non-profit sector occupation). Unfortunately, Zhambyl region representatives, although initially positively responded and even sent three official letters, signed, and sealed by the regional akimat representatives, indicating that they render any assistance in conducting interviews with Heads of Land Departments of local municipalities, but despite these official letters, later, just kept silent. Therefore, the author managed to interview representatives from all case regions, including East Kazakhstan, West Kazakhstan, Pavlodar regions, and Nur-Sultan and Almaty cities, except for Zhambyl region representatives.

Figure 10. Interviewees by regional representation.



National Interviewees background.

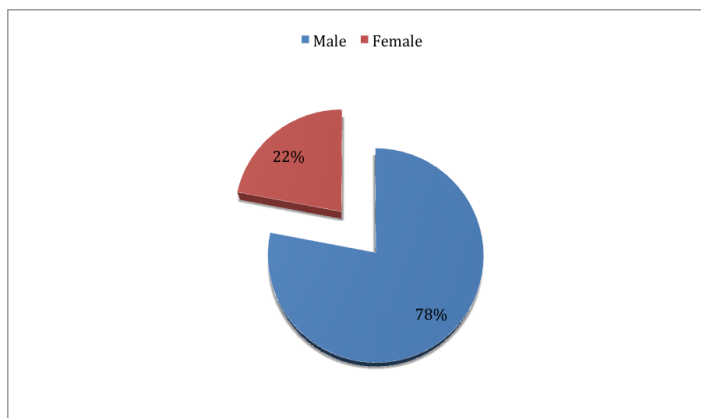
All national interviewees have extensive experience in land governance (Heads of Land Departments of local municipalities (Akimats) at the regional and district levels, Directors, and senior legal consultants in land relations in the National Chamber of Entrepreneurs). Several with a specialization in land governance were Members of the Land Reform Commission 2016.

Others are working Deputies of local malskihats; public activists, also academic representatives holding senior academic positions (for instance, Professors of the National Academy of Science of the Republic of Kazakhstan). Therefore, having extensive experience in land governance, the opinion of interviewees is crucial in understanding the process leading to LCs creation. All interviewed specialists have practical experience working in land governance or academic records related to land studies (land administration, land law, geography, and other related specializations).

Gender Composition of National interviewees.

Academic literature, particularly in the Central Asian context, often lacks gender aspects in land governance studies. This research does not specifically focus on gender aspects, but considering the lack of information on gender studies in land governance, it adds information on the gender composition of interviewed persons. Overall observation during the data collection process is that women specialists were more responsive to the interview invitations. Even those, who could not participate, explained the reasons and even helped find the contact information of other specialists. Of interviewed fourteen specialists, four were women. Thus, regarding the interviewee's gender composition: 22% are female, and 78% are male interviewees. However, the overall lack of representation of women in the land governance system at the levels of mayors, heads of land departments, and other senior positions still signals the problem of women's underrepresentedness in land administration, business, and other structures.

Figure 11. National Interviewees: gender composition.



At the same time, as a positive trend, it is possible to mention the growing number of women holding or being promoted to a senior position in land administration (as heads of regional departments of local municipalities), also Directors of regional representations of the National Chamber of Entrepreneurs. More in-depth studies shall be done investigating the question of women's participation in land governance in Kazakhstan and the broader Central Asian context.

The interview structure.

The author asked about fifteen questions, divided into three main parts: related to the *past*, namely reasons for LCs creation, the *current work of LCs* in regions, and the third block of questions capture the *future trends* and challenges and ways to address them. Since the focus of this chapter is to explore why were LCs created? in this section, we will analyze the first block of interview questions, where the author asked the interviewees several questions on reasons for LCs creation.

Namely, to define the reasons and factors that led to the LCs creation, the interviewer asked the following question to the interviewees:

- In your view, why were Land Commissions in Kazakhstan established? (purposes, objectives).
- What were the policy alternatives to Land Commissions? (For instance, policy adoption of land governance digitalization instead of establishing Land Commission institutions).
- What factors led to the inclusion of the civil society component in the work of Land Commissions?
- How, in your view, did the land protests in 2016 affect the changes in land governance in Kazakhstan? (List of Interview Questions with national interviewees please see in Annex 1).

The interview analysis.

Overall, the author interviewed fourteen national interviewees (Heads of Land Departments, regional Directors of Atameken, members of Land Reform Commission 2016, and other independent experts: political scientists, economists).

The pandemic affected the interview process, as it did not allow on-site visits to regions. Therefore, it was possible to conduct online interviews via Zoom or Microsoft Teams; with national interviewees, particularly those living in remote rural areas, it was challenging to organize online interview sessions. Therefore, the author used different interview methods, which interviewees found the most convenient, for instance, suggesting landline phone or mobile phone calls and written responses to the preliminary interview question and interviewing via Zoom or other available platforms.

Several interviewees pointed out, in particular those interviewees living in rural areas that they find it challenging to use computers and the Internet. One interviewee stressed that they have computers with an Internet connection only in local schools in their area. And even if they reach that place, which is remote from their workplace, they will need an assistant to use the computer. Several interviewees also emphasized the problem of poor Internet connection in their areas.

Thus, interviewees predominantly prefer phone call interviews and written responses to prior sent interview questions.

Also, due to the problems related to computer literacy and the digital divide, several representatives of Public Councils in rural areas wrote the answers to the interview questions by hand. They asked the Secretaries of local Public Councils to screen the hand-written documents with their responses and send them via WhatsApp and email to the interviewer.

All these facts signalize the problems of the digital divide in the country, particularly in rural areas, but at the same time show the strong commitment and willingness of the local population

and local communities to contribute with their local knowledge and expertise to the research in the field of civic engagement in land governance.

Thus, considering that the forms of interviews were different, including phone landline calls, written responses, and zoom interviews, this does not allow to make a full transcript of all interviewees as it was done with responses of international experts, full transcripts of interviews of which were coded and analyzed using NVIVO software.

With national interviewees, interview notes that the interviewer took during the interviews served to document the interviews and analyze the interviewee's responses.

National interviewees on the reasons and factors that led to LCs establishment.

Answering questions on reasons and factors that led to LCs establishment, the interviewees named several. In-depth interviewing allowed to define reasons and factors (internal and external) that, in the interviewee's view, led to LCs establishment.

As reasons for LCs creation, almost all interviewees named:

- The necessity to establish the mechanism of civic control in land governance, to reduce corruption risks and bureaucratization.
- And related to the previous line, the need to prevent the sole decision-making in land governance, namely, by the local mayors in the land allocation process. Such practices emphasized the interviewees led to land corruption and elite land grabbing.

The interviewer also asked questions about the factors that, from the interviewee's point of view, influenced on LCs creation. Based on the analysis of expert interview results, it is possible to distinguish several factors named by the interviewees, touching on the role of domestic and external factors that might impact LCs creation.

The interviewees named such factors that further to LC creation as:

- Land protests and the consequent establishment of the Land Reform Commission at the Republican level (as a post-conflict resolution mechanism, creating the possibility of civil society's inclusion in land governance).

- The role of historical legacies or institutional memory (interviewees mentioned the Soviet institutional legacies and post-Independence experience with collegial institutions such as the Commissions under local municipalities).
- As one the factors were named the overall trend in modern Kazakhstan observable in recent years on creating institutions with civil society engagement as Public Councils, National Council for Public Trust, and other institutions.
- While not explicitly mentioned by the interviewees, however, the interviewer asked about the spill-over effect of international experiences on the domestic land governance system, namely whether international discourses on land rights and international experiences on inclusive decision-making in land governance exert impact on domestic land governance system change. The opinion on this factor's influence varies, but most interviewees found this factor irrelevant.

Land protests as a factor that led to the inclusion of civil society to land governance and further to LCs creation.

As mentioned in the methodology and data collection chapter, the block of questions related to reasons for LCs establishment (e.g., land protests) the interviewees considered as politically sensitive. Several of those invited to the interview individuals, who asked to send prior to the interview questions, while seeing the questions on land protests, stressed that they were afraid to answer questions related to these events; several refused the participation in the interview, presumably because of this reason.

But those interviewees who agreed to participate in the interview, in particular those interviews representing civil society, stressed the importance of the study of 2016 events, namely land protests in 2016, and the consequent establishment of LRCs in the decision to include civil society in land governance and Land Commission's establishment in 2018.

There are some differences observed in the responses of state authorities' representatives (Heads of Land Departments of local municipalities) and civil society representatives (Public Council, National Chamber of Entrepreneurs, and academia) on the effects of land protests on establishing

LCs. The state authority representatives gave neutral and some cases, rather negative evaluations to land protests events, stressing that other factors than land protests led to LCs creation.

As one of the interviewees, representing state authorities, stressed:

"Some oppositional leaders or civic activists making some loud slogans and tried to win political benefits from land protests however these persons are not land specialists. The real land reform for the benefit of the population requires a platform for dialogue, not street protest. Again, I underline, the dialogue and a platform for communication. Therefore, I am sure that the state in 2016 took a wise decision in creating of such platform for dialogue between state officials and civil society as Land Reform Commission in 2016 and later, the inclusion of civil society to the land governance through Land Commissions under local municipalities" (The interviewee code: C. SAR. 1).

In contrast, civil society representatives mentioned that land protests in 2016 served as a catalyst that led further to the inclusion of civil society in LCs. As several interviewees representing Public Councils underlined:

"Land protests, in my view, have had a positive impact. A commission was created to discuss the Land Code norms and develop proposals in this area". (The interviewee code: – C. PC. 2).

While another interviewee, also representing Public Council, emphasized that:

"Of course, the 2016 protests made a number of changes in land expansion and use. A moratorium has been introduced." (The interviewee's code: C.PC.2).

The same line on the effects of land protests was stressed by the representative of the National Chamber of Entrepreneurs stressing:

"I think, created after land protests 2016, Land Commissions have to organize their work on the principles of openness, publicity, collegiality, and impartiality." (The Interviewees code: C.PC.2)

The interviewees underlined that the land protests of 2016 are possible to view as consequences of the lack of communication between the state and society during the first Independence decades and the overall lack of civil society engagement in land governance observed in previous years, which led to such negative consequences as land corruption and bureaucratization.

The interviewees pointed out that although land protests were mainly related to public concerns about the possibility of selling/renting agricultural land to foreigners, these events undoubtedly

impacted the overall land governance system reform. These events (land protests) later influenced the decision on civil society inclusion in land governance at the level of local municipalities. Therefore, civil society representatives stressed a direct relationship between these events (land protests and the consequent establishment of LRCs as a post-conflict mechanism). Thus, land protests in 2016 served as a catalyst that led to the inclusion of the civil society component in land governance, as the majority of interviewees underlined.

Several interviewees stressed that the main cause of land protests and LCs creation was the need to exclude the practice of sole decision-making in land governance and prevent such informal constraints as clannishness, tribalism and clientism.

As one of the interviewees emphasized during the interview:

"Land Commissions were created to exclude the practice of a sole decision on the provision of land plots, meaning by the mayors/akims which led to corruption in the land sector. Until 2006, in Kazakhstan, there were small commissions at each city and rural areas led by Akim/Mayor. Later, it became a land commission in the district akimats. Now, the Land Commissions include not only authorized state bodies, but also deputies, representatives of entrepreneurship, NGOs of the local community, which components should be at least 50%." (The interviewees code: SAR.1).

The next interviewee underlined that Land Commissions were created to strengthen civic control. "I think that to eliminate various violations in the land allocation process, to exclude bureaucracy and land corruption practices." (The Interviewees code: C.PC.2).

Another interviewee stressed that: "The Land Commission, in my opinion, was created to enhance the role of public control over the targeted allocation of land." (The Interviewees code: C. NCh.E. 1).

While the representatives of akimats emphasized, speaking about the reasons for LCs creation, that:

"This was the imperative of the time, so to speak, the population asked more and more questions regarding the procedure for making decisions on the provision of land plots. Therefore, the commission included representatives of the Chamber of Entrepreneurs, non-state bodies, and the local community." (The Interviewees code: C. NCh.E. 1).

Therefore, answering the question, how did the land protests in 2016 affect the decision to establish Land Commission? The civil society representatives underlined that land protests led to the establishment of the Land Reform Commission and, later, of Land Commissions under local municipalities with civil society inclusion.

However, several interviewees emphasized that the establishment of Land Commissions, as they are functioning now, are the result of many years of work to improve land relations. Therefore, as the interviewees underlined, particularly those working in state institutions, it would be erroneous to think that only events of 2016 affected the decision to include civil society to land governance and the LCs creation.

Thus, civil society representatives pointed out that the land protest 2016 served as a catalyst event that later, led to the establishment of a platform for dialogue as LRC. While state authority representatives mainly mentioned the importance of considering other factors that led to the inclusion of civil society in land governance, such as historical legacies, the overall trend of including civil society in governance institutions observed in recent years in Kazakhstan or explaining this solely as just expected process or "imperative of the time."

Historical legacies and institutional memory.

Few interviewees underlined that the idea of inclusion of civil society in land governance existed previously. Several interviewees pointed out that even during the Soviet times, the composition of such commissions was representative, including land specialists' agrarians, and the principles of equal geographic, social, and gender representation were kept. As one of the interviewees stresses, his father used to work during the Soviet times on such commissions. Interestingly, this point of view on the existence of Councils with community engagements that existed during Soviet times was mentioned by several interviewees.

To the interviewer's question: *Don't you think that due to the fact the political regime was totalitarian, not allowing much freedom of expression, it is problematic to talk about civil society engagement in land governance in the Soviet times?*

The interviewee stated that the system was totalitarian, but at least it invited and included specialists in land governance, allowing some subtle forms of collective decision-making considering local (particularly rural) community requests.

As interviewees pointed out, even if not considering the Soviet past, there were many initiatives of community and civil society engagement that functioned during the first decades of Kazakhstan's Independence, but unfortunately, these were abolished later.

Therefore, several interviewees underlined that it is erroneous to think that ideas of civil society inclusion appeared on the agenda only after land protests in 2016. The land protest was just a catalyst event that showed the degree of previously existing but latent disagreement of the local population towards all problems in land governance (land corruption, elite land grabbing, and lack of access to land).

Also, supposes the interviewee, it is mistaken to think that we inherited some Soviet land governance system traits. As the interviewees pointed out, even in the Soviet times, there were allowed forms of community and civic engagement, where representatives of the agricultural field and also many representatives of the intelligentsia (civic society) and local communities were invited for the discussion of important issues related to land governance. (C.A&Th.T).

However, as the interviewees noted, in the 1990s - 2000s, land governance became more monopolized, which gave many competencies to the sole hands of local mayors, which, unfortunately, in the environment of clientism and tribalism led to the spread of land corruption.

Several interviewees underlined that the idea of inclusion in civil society is not the new one.

Even if not considering the Soviet legacies or after the Soviet period, the history of Independent Kazakhstan, ideas of civil society inclusion are discussed before. Also, to think that civil society inclusion ideas coming from abroad rather than domestic will are not entirely correct. For instance, the representative of academia stressed that starting from the 1990s, he studied the international experience and published several monographs related to land governance and land reforms. However, there were no favorable conditions to introduce different land reform ideas

into practice, as the land governance system was highly centralized, and many actors were not interested in those changes.

Interviewees underlined that civil society inclusion in land governance has been discussed previously, before 2016. But, still, the mechanisms of the inclusion of civil society and in the general attraction of academia to land governance is rather "formal" than real, meaning that all suggestions on the improvements of land governance, recommended by academia for some reasons, were not accepted by the state authorities seriously. (C.A & Th.T).

Policy Learning and policy spill-over effects.

As it was mentioned earlier, after land protests in 2016, from May to August 2016, at the Republican level, it was created a temporary institution as Land Reform Commission. During all four on-site Astana/ Nur-Sultan and four field sessions in four regions of Kazakhstan (Akmola, Atyrau, Almaty) sessions of LRC in 2016, members, including state officials and civil society, discussed different problems in land governance and suggested several vital Amendments to the Land Code, including the civil society engagement to land governance and inclusion of public representatives to LCs under local municipalities.

The author had a chance to interview two members of the Land Reform Commission 2016. One interviewee is a senior researcher, Professor, having more than forty years of experience studying the problems of land governance in Kazakhstan; the second interviewee is a political scientist also a Member of the National Council of Public Trust. Asking two interviewees what their motivation and expectations was while joining LRC as members in 2016, the interviewees underlined that:

"First of all, the primary motivation was the understanding that this is a historical moment for the country and that by participation as a member I can contribute with my knowledge to land reform. Secondly, there was a purely scientific interest in exploration as an insider this platform for dialogue between civil society and the government from the academic perspective." (The interviewees code: C.LRC.3).

Interesting that both interviewees underlined that participation in such platforms as LRC requires bravery from the side of participants because, as one of the interviewees said:

"one thing is to criticize state policies in academic works and/or in social media threads, and absolutely another thing, is to sit there in session of LRC with the participation of high ranking officials including Premier Minister, Ministers of Agriculture and other official body representatives and criticize their activities directly addressing them." (The interviewees code: C.LRC.3).

The interviewer asked whether the creation of such institutions as LRCs had a policy learning effect and affected LCs creation. The interviewees highlighted that it is essential to see the difference between Land Reform Commission (2016) as a temporary institution that functioned only a few months rather as a conflict resolution mechanism and Land Commissions under local municipalities, permanent bodies operating under local municipalities.

LRC was created after the crisis, after land protests to mitigate and change the venue from street protests to the platform of communication as LRC. Therefore, LRC served a temporary role and could be considered as an urgent necessary measure or a post-conflict resolution mechanism.

Overall, the historical importance of the Land Reform Commission 2016 is hard to underestimate, stressed the interviewee, because previously, there was a lack of civil society engagement in land governance. Therefore, the participation of at least one representative of civil society, whether in LRCs or later in LCs, is crucially important for the development of the political culture of the country, emphasized the interviewee. (The interviewees code: C.LRC.3).

Having extensive experience in land governance research, the second interviewee underlined that the young generation of civic activists and scholars do not know how many "battles," suggestions, and studies were made to improve the land governance system before 2016. As the researcher pointed out, he published several works on land governance reform, studying international experiences, both positive and negative aspects, and made suggestions to the state officials. However, unfortunately, the interviewer stated that the environment for such research is not favorable for scholars as land governance is highly politicized, which hinders independent scholarly work on these issues. Therefore, the interviewee pointed out that less politicization of the topic is required and more solid academic studies in all aspects related to land governance in

Kazakhstan."Land governance reform requires not political slogans but the engagement of academia". (The interviewees code: C.LRC.3)

Also, the interviewee underlined the problem of the availability of particular groups of people who resist introducing the changes into land governance. The interviewee mentioned that even talking on such topics could be problematic. The interviewee stressed that land governance reform requires academic engagement, but more favorable conditions should exist for this.

As the interviewee emphasized:

"Pretty much everywhere, not only in Kazakhstan the topic on land and land governance is highly sensitive as it relates to the interests of many powerful actors and groups (both national and international), it is extremely hard to write and talk on topics related to land governance and even harder, to a scholar to be heard by politicians. I am as a person who dedicated my whole life to this research, I understand this probably better than anyone else. Overall, land studies require less politicization, meaningless political slogans from civic activists, but a more of academic approach, while introducing reforms to land governance." (The interviewees code: C.LRC.3).

The interviewer also asked questions related to the Internationalization process (related to the thesis's theoretical framework). Precisely the interviewer asked, how has the process of Internationalization, namely the rise of land rights movements, the popularity of ideas civil society engagement in land governance, the spread of land inequality discourse worldwide changed/or is currently changing modern land governance institutions in Kazakhstan?

The interviewees underlined that Kazakhstan is not an island, and we have been affected by different ideas coming from abroad in recent decades. Kazakhstan has been taking into account and trying to implement some international practices. For instance, as the representatives of the National Chamber of Entrepreneurs stressed, that he as a land legal specialist notices that land legal norms are changing. While introducing new legal norms, Kazakhstan, considers the international experience, for instance neighboring countries such as the Russian Federation, and from other experiences the interviewees mention the examples of the European Union countries and also popularity in recent years of studying the experience of Singapore.

In the interviewee's own words:

"In recent years, in Kazakhstan we see the tendency in copying and applying the experience of Singapore to Kazakhstan. But the experts are not taking into account the Singapore and Kazakhstan are different, even in geographic sizes. Singapore is small country if we take into account land area, while the Kazakhstan is quite large and therefore, even if to take some geographic differences cultural, historical, and territory we are different. That is why it will be hard to implement some successful experience from Singapore to our country, therefore much attention should be paid to local peculiarities. Even digitalization process and the properly working Internet connection is difficult to install in such a huge territory, it is lengthy and costly process." (The interviewees code: SAR. 1).

Moreover, interviewees stressed that the notion of civil society and Internationalization is vague and blurry. As one of the interviewees stressed, the ideas of Internationalization are not new; they previously were popular in discourses on the notion of globalization.

"I think that ideas on civil society inclusion to land/governance are not coming from abroad. They existed in history of Kazakhstan before, for instance in my knowledge even in the Soviet times and earlier. Probably the notion of civil society was different, but the meaning is the same, in the attempts to establish civic or public control over decision-making process. Thus, I do not believe that so-called Internationalization brings these new ideas of civil society engagement. First, they are not new, second, they are not come from abroad, they existed in Kazakhstan previously too." (The interviewees code: C. LRC. 3).

Summarizing the interview results on the rationals of LCs creation, the interviewees stressed the main reason for the need to prevent the sole decision-making in land governance (namely, by the local mayors in land allocation, which led to bureaucratization, land corruption due to the absence of civic control.

The interviewees named several factors, land protests and the consequent establishment of the Land Reform Commission at the Republican level, historical legacies, and policy learning. The interviewees find not decisive the spill-over effect of international experiences on the domestic land governance system, namely international discourses on land rights or international models on inclusive decision-making in land governance. Interestingly, that interviewees were less positive related to the process of internationalization and policy diffusion. They mention that in recent years, it is become popular to copy and mimic the experience of other countries; however, all reforms, in particular in such sensitive field as land governance, should be context specific.

CHAPTER 6. STUDYING INTERNATIONAL AND NATIONAL EXPERIENCES OF THE INCLUSION OF CIVIL SOCIETY TO LAND GOVERNANCE.

Expert interview and case studies results: Land Commissions in four regions of Kazakhstan.

In this Chapter, the author analyses the problem of civil society inclusion in land governance, studying both international and national experiences in this field. Chapter 6 addresses Research question 2 of the thesis, namely:

RQ 2. Has the inclusion of civil society improved the effectiveness of Land Commissions?

While considering the Research question (RQ 2), it is possible to notice the use of such words as "effectiveness" in RQ 2 and "success and failure (underperformance)" in RQ 3 of the thesis. Therefore, the objective question may arise how to measure "effectiveness" or "success or failure"?

The Chapter has the following structure: Firstly, we draw attention to how the academic literature defines policy "policy effectiveness" or "success/failure," particularly in land governance. Secondly, based on NVIVO analysis, the Chapter presents expert interview results with international interviewees, capturing problems of benefits and limitations associated with the inclusion of civil society in land governance in an international context. Thirdly, the Chapter presents the case study results of Land Commission work in four regions of Kazakhstan, based on non-participant observations of Land Commission sessions in four case-study regions and expert interview results with national interviewees, responding to the second block of interview questions on the current work of Land Commissions in Kazakhstan.

6.1. How to measure "effectiveness" or define "success/failure"?

As the researchers (Zheng et al., 2021, pp. 4-5) points out: "The evaluation of public policy 'may go beyond mere "effective" and "ineffective" categories' (Baniamin, Rahman, and Hasan 2020, 155). Assertions that a particular policy has been a 'success' are commonplace in the political arena. (Marsh and McConnell 2010; McConnell 2011). The existing literature on policy effectiveness is mostly descriptive and lacks criteria for establishing a normative policy

evaluation system. (Henstra 2010; Mariani and Cavenago 2013; Vasavada 2013). Current studies typically evaluate policies in response to individual events, specific sectors or organizations, or a particular crisis (Adda 2016; Hsiang et al. 2020; Moloney and Moloney 2020)." (Zheng et al., 2021, pp. 4-5).

Based on the analysis of academic literature, it is possible to notice that academia suggests different criteria for evaluating policy effectiveness. For instance, Zheng et al. (2021) suggest three categories based on McConnell's (2011) studies:

"First, whether the policy follows pre-anticipated or relevant processes (Henstra 2010); second, whether the results of the implemented policy have widespread or near-universal public support or little or no opposition. (Christensen, Laegreid, and Rykkja 2016); and third, whether damage and loss of life are minimized, order is restored as quickly as possible, and the desired political objectives are achieved (Pindyck 2000)." (Zheng et al., 2021, pp. 4-5).

While researchers Knill et al. (2021), pp. 157-158) define effectiveness and success by responding to particular policies to societal demands. This criterion corresponds with the second criteria defined by Christensen, Laegreid, and Rykkja (2016) on public support, but this criterion sounds somewhat abstract and hard to operationalize.

The research by Knill et al. (2021) goes beyond these criteria and stimulates discussions by defining the problem or trade-off between policy responsiveness and policy effectiveness. As the authors explain, the governments (mainly in democratic regimes) are trying to respond to societal needs by adopting new policy outputs in laws, regulations, or programs, therefore accumulating policies. (Knill et al., 2021, pp. 157-158). However, the more policies, laws, and regulations the governments accumulate, the more complex the policies become and hard to implement.

The researchers only see the escape from this "responsiveness trap" (Adam et al. 2019) in three cases. First, if citizens can reduce their expectations vis-à-vis the government. Second, if the government expand their administrative capacities and grows implementation burdens emerging from policy accumulation. Third, if governments manage to keep policy accumulation sustainable. By sustainable accumulation, Knill et al. (2021) mean the situation when

governments start to respond responsibly to the constant demand for new policies. (Knill et al., 2021, pp. 157-158)

As an alternative way to measure policy effectiveness, the researchers Nicholson-Crotty & Carley (2016) suggests studying international experience or borrowing innovations from other jurisdictions. As the researchers Nicholson-Crotty & Carley underline:

"In other words, we believe that potential adopters are likely to ask not only, "Was the policy effective in other states that adopted it?" but also, "Can we make the policy work for us?" (Nicholson-Crotty & Carley, 2016, p. 79).

However, such an accumulation of effective or "successful" policies might work only if such will exist and to borrow and carefully implement these policies by adapting them to the new environment. In such a case, peer learning argues that researchers could have one option because of shared or more common political, economic, cultural, demographic, and other characteristics. As the researchers stress, based on Walker's (1969) argument that: "regional peers would be considered as legitimate guides to action for potential adopters because of the relative homogeneity of states within a given region." (Nicholson-Crotty & Carley, 2016, p 82)

Therefore, Nicholson-Crotty & Carley suppose, based on such characteristics as similar institutional and structural settings (as the local government autonomy, expenditure limits, and interest group strengths), it is logical to expect "effective" policy outcomes in one state would produce outcomes as in other states of the region with more similar implementation environment, meaning monitoring and enforcement capacity. (Nicholson-Crotty & Carley, 2016, p. 82)

"Whichever of these is the focus, and we expect that evidence of policy success will mean more when it comes from states where the implementation environment is comparable to the one faced by a potential adopter." (Nicholson-Crotty & Carley, 2016, p 82).

While these criteria of policy effectiveness and success sound somewhat blurry and vague, more specifically, it sounds like the framework of *Anticipating Policy Effectiveness*, suggested by Bali et al. (2019), which differentiates Analytical, Operational, and Political Dimensions of policy effectiveness.

Table 7. Anticipating policy effectiveness.

Elements of Policy Effectiveness		
Dimensions of Policy Effectiveness	Instrumentality	Capacity
Analytical	Is/are the instrument(s) capable of solving the problem?	Does the agency know how to choose, adapt, and calibrate policy tools?
Operational	Is the instrument operationally feasible?	Does the agency have the accountability mechanisms, coordination mechanisms, and trained bureaucracy necessary to use the tool?
Political	Is the instrument socially acceptable and politically viable to use?	Does the agency have the legitimacy/ability to reconcile political differences? Or deal with political opposition?

(Bali et al., 2019, p. 5).

Researchers link policy effectiveness with the policy design stage, meaning the success or effectiveness of a particular policy depends on its design to meet *political, analytical, and operational dimensions of effectiveness*. "Therefore, anticipation – or preparing for it – must be central to how a policy is designed, executed, and assessed." (Bali et al., 2019, p. 6)

Analytical dimension means, while anticipating particular policies (for instance, to include civil society component to Land Commissions), state officials have to identify reasons based on logic and evidence to believe that this tool will help solve the problem. "Why will this tool work? How will it work? To what effect? Under what conditions? (Howlett, 2019; Peters 2015a)." (Ibid, p. 6) As to the *operational dimension*, the analysis requires how these policies will be implemented in practice, whether they are operationally feasible, particularly in the context (state, regional, local). Moreover, most importantly, whether such agencies have enough capacities (for instance, human, financial, technological, etc.) to operationalize such policies properly.

And finally, *the political dimension* of policy effectiveness looks at the political accessibility of such novel policies or tools. Meaning whether different powerful actors as politicians, policy administrators, the business community, and the population will accept such policies. As the researchers point out, "all policies create winners and losers." (Bali et al., 2019, p. 8) Therefore, the research requires the analysis: who will potentially benefit from such policies?

"Is the proposed alternative acceptable to policymakers, policy targets, the general public, voters, etc. (Chindarkar et al., 2017)? Is the proposed policies alternative appropriate to the values of the community, society, the legislature? While government politicians are the most critical actors in the policy process, the proposed solutions must be acceptable." (Bali et al., 2019, p. 8)

Despite all subjectivity of notions of "effectiveness" or "success," the academic scholarship indicated various categories making the anticipation of policy effectiveness less blurry. One of the problems in defining *policy effectiveness* is emphasizing the policy stages of agenda-setting policy formulation rather than measuring the effectiveness at the policy evaluation stage. The researchers' Peters et al. (2018) summarize that it is possible to distinguish at least three levels of such analysis in academic literature. The first deals with analyzing whether the policy formulation environment is conducive to the effective design of the policy. The second considers whether policy tool portfolios can be effectively constructed to address complex policy goals. While the third level, considers specifically the effectiveness of particular types of policy tools. (Peters et al., 2018, p. 15).

In this case, it is possible to agree with the researchers Bali et al. (2019), who points out that both practitioners and academia have to look not only at how a particular new policy addresses the problem but also at how it adapts after some time to the new environment and changing circumstances.

Measuring Policy Effectiveness in Land Governance: Institutional Dimension.

Land governance is a multidimensional notion, but since the focus of the thesis is on the institutional dimension, special attention requires the consideration of the measurements of the effectiveness of inclusive decision-making in land governance. Several assessment frameworks and indices, including the World Bank's Land Governance Assessment Framework (LFAG), Global Land Governance Index (LANDex), and others, measure the institutional dimension of land governance.

This framework encompasses evaluation criteria in five different areas covering different aspects of land governance effectiveness, such as Clarity of Institutional mandates and Equity and Non-discrimination in the decision-making process. (Deininger et al., 2014)

LFAG is a comprehensive assessment framework that allows states to evaluate land governance effectiveness in such dimensions, among many others, as legal and institutional dimensions. The LFAG analysis is based on an assessment of data conducted by a panel of experts and a panel committee, which involves government officials, NGOs, and civil society in each case country. Therefore, expert interviews are considered the best methodology to measure institutional effectiveness and inclusive decision-making in the land governance of a particular country. Present Legal and Institutional dimension consists of six areas: recognition of land rights (LGI 1), enforcement of rights (LGI 2), the mechanism for recognition of rights (LGI 3), restrictions on rights (LGI 4), clarity of institutional mandates (LGI 5), and equity and non-discrimination in the decision-making process. (LGI 6). (Deininger et al., 2011, pp. 28-30). At the institutional dimension, namely LGI 5 and LGI 6, the expert evaluates whether different institutions in land governance perform their tasks, do not have overlapping mandates, and studies how decisions are being made and whether the decision-making process is participatory non-discriminative, and transparent. However, here essential to mention that LGAF has weaknesses. These weaknesses include the top-down initiation of such an evaluation, meaning that experts evaluating are working for the national governments. Also, the whole process of evaluation is lengthy, making the LGAF hard to operationalize.

Except for LGAF, some recent indices also measure the decision-making process in land governance or inclusive decision-making, such as LANDex.

Global Land Governance Index (LANDex) is different from other assessment tools and indices. First, the index is based on land data from official data, expert-based evaluations, and individual assessments. Thus, any individual can take part in the index formation. That makes the Landex less dependent on official data and supports community land data generation.

One of the ten indicators includes the indicator on Inclusive decision-making. How LANDex experts measure inclusive decision-making? The index uses as a source LGAF and Transparency International methodology, asking different communities to fill the form with questions about

whether, in the last twelve months, this community: "participated in discussions/consultations called by the state, local or traditional authorities?" (LANDex, 2021)

It is crucial to mention that none of the existing assessment frameworks can be considered final and precise. The international land expert community is taking initial steps to develop such indices and assessment frameworks. All current indices appeared in recent decades LGAF in 1999, LANDex in 2018. However, unfortunately, the data specifically on inclusive decision-making are missing. Of Central Asian countries, only Kyrgyzstan is currently presented in both LANDex and LGAF. Kazakhstan is still not present in LGAF and LANDex. Therefore, in this case, much academic research is crucial in studies of inclusive decision-making problems in the CA region and Kazakhstan, in particular.

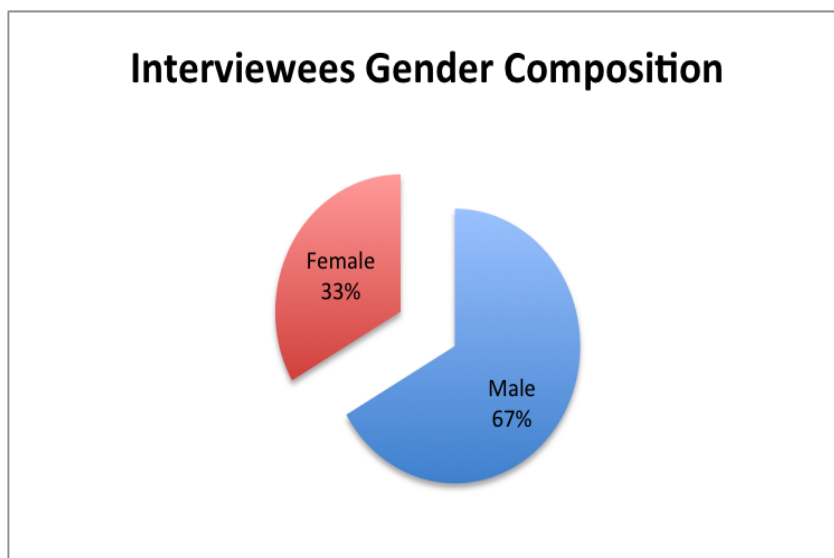
6.2. Expert interview results with international interviewees (NVIVO Analysis).

This research is based on twenty-one semi-structured expert interviews from May to October 2021 via Zoom and Microsoft Teams platforms. The researcher contacted thirty international experts in land governance and administration, working for such authoritative international organizations as UN-Habitat, the World Bank, Oxfam International, Cadasta International, International Land Coalition, Prindex, The Netherland Land Academy (LANDac), German Development Agency (GIZ), and other organizations. Of thirty contacted persons, twenty-one responded positively; the other nine, although expressing willingness to participate, could not participate in the interview due to objective reasons such as COVID19, family leave, or busy working schedule during these months. Overall, the response rate is 70%, which is high, considering the topic's sensitivity (questions related to land corruption, elite land grabbing, and other issues). Although the risks in participation in the interview were minimal, some experts underlined that their position is not always in line with the organization's position. Therefore, some asked to consider their position as a personal one.

The high degree of response rate of international experts could be partially explained by the fact that the questions for the international experts are formulated quite broadly, and the interviewer notified experts that they could answer the questions by considering any context they are working in (not only their home countries) but taking into account their international experience. The researcher made this point intentionally because, in some cases, interviewees find it inconvenient to talk about the problem of land corruption or land grabbing in their own countries. It is essential to mention—most of the interviewees working at the level of Directors, Co-Chairs, and Senior consultants for international organizations with more than ten, twenty-some even thirty years of expertise working in the land sector in different countries and regions of the world: Latin America, Middle East, Eurasia, EU, Sub-Saharan Africa, East Asia.

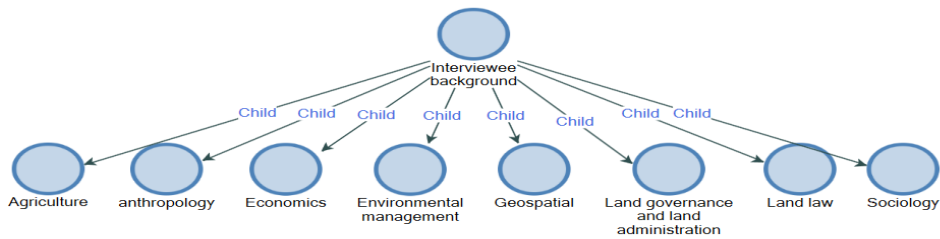
In terms of the gender composition of interviewed international experts, 33 % are female and 67 % male interviewees.

Figure 12. Gender Composition of International interviewees.



The field of expertise of interviewees is diverse, including land governance and land administration, land law, geospatial information, development economics, anthropology, sociology, conflict studies, and environmental management.

Figure 13. International Interviewees background (NVIVO).



On average, each interview lasted about 40-45 minutes and more. In terms of data collection and storage, all interviewees were permitted to use the data for academic purposes and gave their permission to record interviews. All interviewees were notified about the confidentiality of all recorded and transcribed data. The author fully transcribed all twenty-one interviews and coded them using NVIVO software. The NVIVO software program helped identify the main commonalities and differences in interviewees' responses by building and structuring the information into cases, codes, and nodes. Each interview transcription is about seven or even more pages long. With twenty-one interviews, the overall amount of transcribed interview material is about 150 pages long. Therefore, the application of NVIVO software helped to systematize the collected information in a well-structured way, defining commonalities and differences in interviewees' answers.

The Interview structure.

All interviews are semi-structured; thus, while asking ten questions to interviewees prepared in advance, the researcher also asked additional questions raised spontaneously during the interview.

- The *interview's structured part comprises ten questions*: "What are the main benefits of including civil society in land governance institutions? Can you think of any successful example resulting from the inclusion of civil society in land governance? What are the main risks and limitations of including civil society in land governance institutions? How can land governance institutions be designed to support the principles of transparency,

inclusiveness, and anti-corruption? Could digitalization replace the institutions of civic control in the future?" and other questions.

- While the *unstructured part* of the interview combined with additional questions which were raised during the conversation, some examples of these are: when the interviewee mentioned the problem of differences in terminologies applied in different contexts, the researcher asked, for example, additional questions like: "How do you define the notion of civil society in your context? Are there any differences in understanding the notion of civil society (between your local context from the one suggested by international organizations)? How to measure institutional effectiveness in land governance?"

Therefore, the application of the unstructured interview method helped to use both structured and unstructured interviews while keeping the interview structure in mind and allowing some improvisation and space for an easy conversation-like interview. Difficulties experienced during the interview were only technical, related to a poor Internet connection in some cases and time differences. For instance, in most cases, due to time differences, the interviewer suggested the time which best suits the interviewee. Thus, some interviews were conducted late at night or in the opposite early morning (interviewers' time).

Except for these technical issues, there are many advantages of online interviewing. The advantages of online interviewing are that it is less costly and allows more considerable geographical coverage of experts. Please see the Figure below showing the geographic location of contacted interview experts (in red).

Figure 14. The geographic location of international experts.

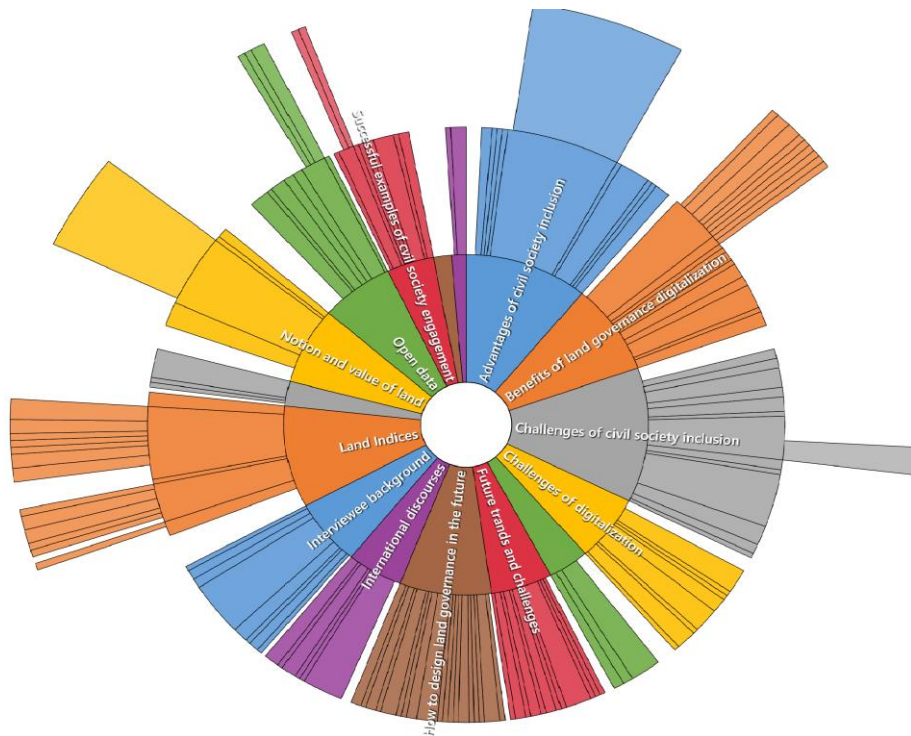


International experts are working or based currently in Khartoum (Sudan), Vientiane (Laos), Sao-Paolo (Brazil), New York (USA), Melbourne (Australia), Amsterdam (The Netherlands), London (UK), and other locations. Therefore, reaching these experts off-line for a scholar from a developing country will be almost impossible due to logistic reasons, e.g., high travel costs. Therefore, online interviewing helped to easily reach international experts and increase the study's geographic representation. Another advantage is that it is possible to conduct interviews with two or three international experts from different locations on the same day. Thus, online interviewing is time-saving for the researchers to connect with experts working in different geographic locations.

NVIVO Interview Analysis.

The NVIVO software allows identifying and visualizing a large amount of textual information (e.g., interview transcripts) by identifying the main words used in the interviews, visualizing the interconnection between codes/nodes, and defining the main topics covered during the interview. While analyzing and coding twenty-one interview texts, the author identified twelve prominent cases/topics. These topics cover such principal codes as benefits and challenges of civil society inclusion in land governance, advantages and challenges in land governance digitalization; the role of the international land rights discourses; land governance indices; open land data infrastructure, and other key codes. It is important to note that expert interviews with national interviewees, except for minor differences, follow the same structure, covering the blocks on benefits and challenges associated with civil society inclusion to land governance. Therefore, as shown in the Figure below, we received a comprehensive Project Map picture.

Figure 15. NVIVO Project Map.



The main block of questions was built around the questions: what are the main benefits and challenges in the inclusion of civil society in land governance?

6.2.1. Benefits of civil society inclusion to land governance.

The experts have mentioned that if appropriately designed, civil society inclusion in land governance might further the accountability, protection of community rights, and reduction of corruption due to collective decision-making. As one of the interviewees mentioned: "to bribe ten people is harder than to bribe one decision-maker." (The interviewee's code: I.G.NPA.2.) The interviewees named about ten main factors resulting from civil society inclusion.

Therefore, multistakeholder engagement might further transparency and reduction of corruption risks. Based on their experience, the interviewees emphasized that the decision to establish multistakeholder platforms as, e.g., Land Commissions comes after profound endogenous shocks (crises, protests). The state authorities often create such platforms with the invitation of civil society only after the crises to reduce conflict potential in the society. Therefore, one of the

benefits of civil society's inclusion of interviewees sees in conflict resolution and the possibility of making a more balanced decision, which should temporarily decrease the degree of tension within the society. Another set of advantages mentioned by the interviewees is the possibility of civil society serving as a "bridge" between local communities and the state authorities. However, much depends on local specifics related to state-society interactions in the given locality, the political regime, and the strength of grass route and community-based organizations.

In case if civil society component comprises professional associations such as legal experts, land governance professionals, farmer unions, and other associations, experts might protect community land rights. Particularly the land rights of marginalized groups (rural women, indigenous communities) and stimulate community engagement in the generation of own land data and community engagement in land planning. Nevertheless, in the interviewees' view, all these benefits are possible only if the political regime divides management and control functions among different organizations. Meaning that if we take as an example, e.g., Land Commissions, these institutions should not be granted the competencies in both management of the organization and, at the same time, evaluation and control of their own decisions.

Several interviewees suggested that the proportion of civil society engaged in the decision-making process should be reduced. However, the civil society representation in the separate institution that might fulfill the oversight and evaluation functions should be increased. As experts have mentioned, inclusiveness does not automatically mean effectiveness. Therefore, inviting more stakeholders to the decision-making might not be effective because civil society should play a more active role in the policy evaluation stage rather than decision-making.

As one interviewee noted:

"As mentioned by you (the Interviewer) earlier the example from your country's (Kazakhstan) Land Commissions with 50% of civil society and 50% of land authorities composition is a very high percentage. I would never make it 50% at this decision-making level. I will keep it down to a balanced structure where you have not just the governments but also the private sector, academia, and some civil society. You can't just give 50% on deciding land issues. It is about capacity development and part of this agenda is yes to involve them, but also to teach them, and understand how to be part of this process. And in many cases, that is missing. So, the big component of this process that is crucial is capacity building. You can't just rush things. At the

start, I think it is very dangerous to involve them too much because they might have a lack of experience, own agendas, and the process should be balanced as it takes time." (The interviewee's code: I.CC. A &Th.T. 2)

This opinion was raised by a highly experienced and worldwide prominent senior expert, one of the authors "Fit for Purpose Land Administration" program, which is currently successfully applied in many countries. This interviewee is one of the first persons who elaborated on the first GIS generation and participated in GIS application in land and water governance in many developing countries. The interviewee calls for the capacity building of those who participate in the decision-making process instead of increasing the number of stakeholders.

Though this opinion on the reduction at the initial stage of the civil society component in the decision-making process was raised only by a few experts, most mention the importance of civil society engagement at all stages of the policy cycle, starting from agenda-setting to policy evaluation. As one of the interviewees mentioned:

"I reject the idea that the increase in the number of stakeholders engaged in land governance is increasing the risk of land corruption. I don't think that's the case. It is certainly increasing the complexity of decision-making. As it might be hard to find consensus and to bring forward laws and regulations, reforms, and so on. But if we give people the chance to participate, then, this is a mechanism that reduces the space for corruption, in my view, because it allows for conversation, for discussion, and hopefully, when this discussion is made in a very transparent way, it allows also for accountability. If the process is transparent and clear, then we can hold decision-makers accountable, both in the public and the private sector." (The Interviewee's Code: I.G.SAR.1)

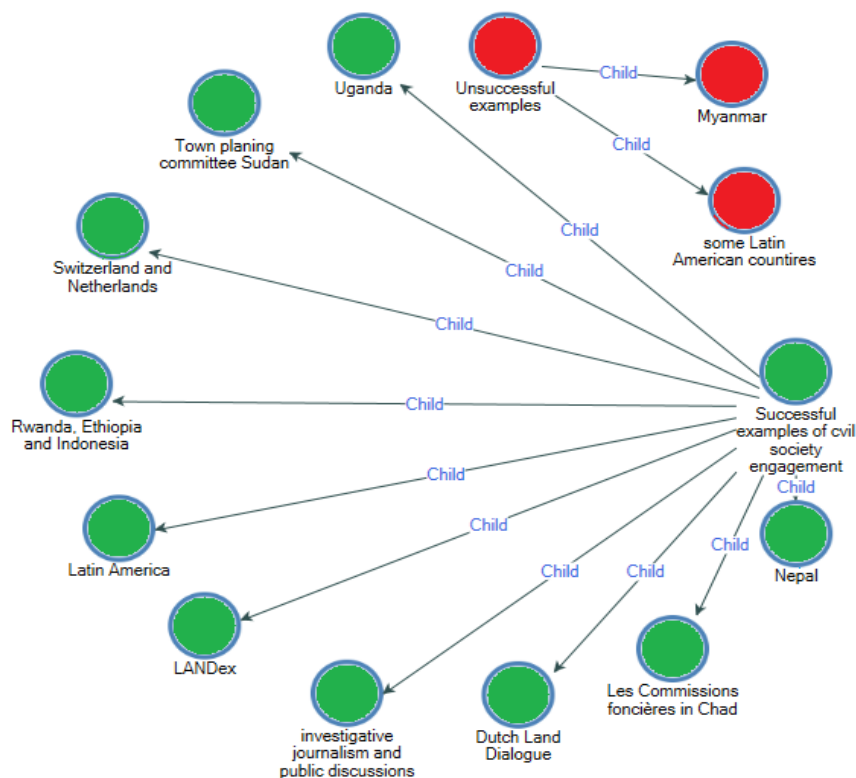
However, by contrast, the interviewees from political science backgrounds mention that social inclusion is rather "superficial" in many countries. The respondent pointed out:

"if you design the participation from top-down, by saying: "Those are the guys or girls that need to be in my Committee," but if these people do not have a strong connection with the people on the ground and do not represent the local population, then you can call your design inclusive, but it might not be so in practice. Thus, who is there, on behalf of whom they are talking, and how they understand their role is important. Or are they just included in "the game of manipulation and corruption," or are they in opposite understand that they represent the interests of local people who are not heard, underrepresented, and overlooked. But if you have a civil society just in the form of "window dressing" and not having close connections with local people who lose their rights, it doesn't help you. Thus, this looks like participation but very exclusionary in terms of whom is the part of it." (The Interviewee's Code: I.C.NDA.2).

Therefore, informants mentioned that much depends on the state authorities, which might allow or hinder the honest representation of the local population/community interests. The Interviewer

asked repliers whether they could think of successful and unsuccessful examples of civil society inclusion in land governance. In the Figure below, in green are presented successful examples, while in red - unsuccessful examples of civil society engagement to land governance derived from the interview.

Figure 16. Successful and unsuccessful examples of civil society inclusion in land governance. (Nvivo project).



The interviewees mention several examples from the West European context, such as Dutch Land Dialogue, which was created as a platform for dialogue created by Dutch Ministries, which comprises government, academia, the private sector, primarily bankers on the board, and civil society, NGOs like Oxfam.

Another example of thriving civil society engagement is from the UK, where two investigative journalists wrote the book "Who owns England? (Shrubsole, 2019).

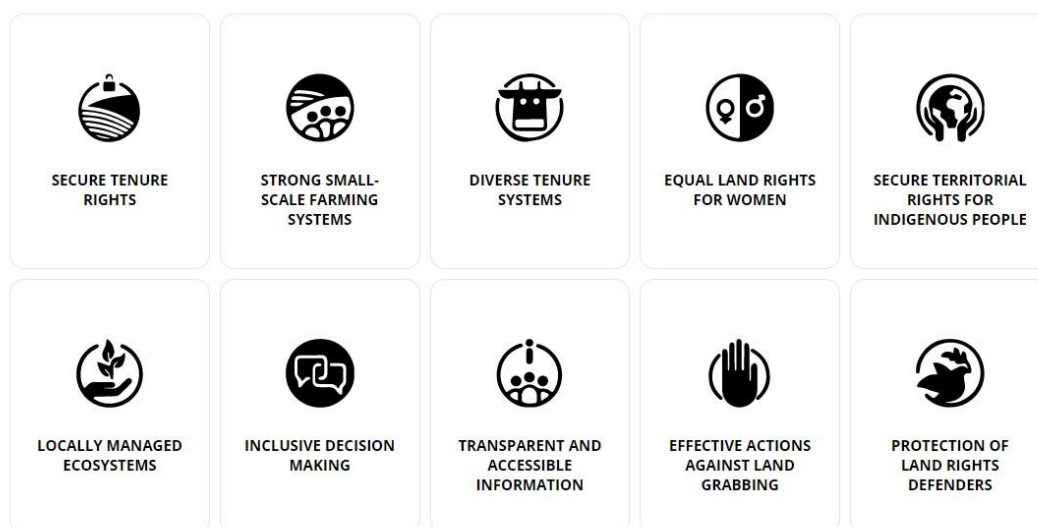
While mentioning the problem of the opaque land registration system in the UK, where land parcels are owned by some corporations registered in "fiscal paradise" like the Cayman Islands, the book evokes the UK's parliamentary discussions, which further opens the land registry, called as beneficial ownership.

As the interviewee stressed, in a nutshell of discussion was to have an open registry to know who is behind this company and what the company's asset has.

"Without the participation of civil society, in this case, these two journalists, probably the parliamentary discussions would not start, as the discussions on how to create a register of beneficial ownership in the UK. However, such investigative journalism or research could be dangerous in many developing countries. In many countries, people doing this kind of research are in a very dangerous position." (The interviewee's Code: I.CC. A & Th.T.2).

Another successful example of bottom-up participation and community engagement in land governance is possible to consider the trend of appearances of different indices measuring land governance effectiveness in recent decades, such as e.g., Prindex, which monitors the tenure security perceptions in 140 countries. Also, LANDex, developed by International Land Coalition, monitors land governance progress in ten indicators, including inclusive decision-making, gender land rights, and other dimensions based on data provided by individuals and communities. Any person can fill out the form and add additional information to the LANDex.

Figure 17. LANDex indicators.



LANDex (2021a)

While mentioning that if first indices like LGAF were hard to operationalize due to their inner complexity, the recently developed indices such as LANDex and others have such an advantage that each individual and not only state authorities can generate the data and fill the index. Therefore, such indices as LANDex can be considered a successful example of land data generation by civil society.

As the interviewee mentions:

"LANDex is participatory somehow, at least to some extent. People participate in creating information; therefore, the population was given the right to contribute to the final decision-making of what is an important dimension of land governance and how to measure it." (The interviewee's code: I.CC.A & Th.T).

Except for mentioned above investigative journalism, data generation by civil society, the appearance of land governance indices, the informants also emphasized the role of such institutions as Land Commissions in different countries of the world as examples of successful inclusion of civil society to land governance.

The experts mention a successful example from Western Europe and Latin America, namely Brazil, with the active grassroots organizations in land rights protection such as MST, the popularity of Via Campesina, and the role of Pastoral Land Commissions in the protection of land rights. In addition, an example from Sub-Saharan African countries like Chad, where also functioning *Land Commissions "Les Commissions foncières"* help to decentralize the whole land governance system, which previously also was highly centralized in this country.

However, despite the interviewer's questions on the manifestation of these institutions' success and how to measure institutional effectiveness in land governance, respondents were not explicit about this issue. The interviewees only briefly noted that since they didn't make studies related to this field, they cannot elaborate more on the work of these institutions, but overall that they find, based on their knowledge and expertise, that such institutions as Land Commissions could further decentralization policy and serve as a venue for dialogue between civil society and the state authorities.

The interviewees underlined that it is important not just the formal existence of such collegial bodies as, e.g., Land Commission, but rather its composition. Even in conflict-affected countries like Sudan, the interviewees mention successful functioning and civil society's inclusion in urban town and rural planning committees, with the invitation of community representatives, academia, and other experts. An interesting fact about the case of Sudan is that considering complexities in defining community land rights to such committees, they usually invite historians, anthropologists, and even cultural studies specialists to the committee's discussions. According to the expert, working as an UN-HABITAT consultant in Sudan, such an invitation to academia helps to a more profound understanding of the community needs and even conflict prevention and conflict resolution.

Land Governance is multidimensional, including economic, political, legal, and other aspects. Therefore, interviewees underlined the importance of applying a holistic approach to land reform. While understanding this necessity in simultaneous reform of all dimensions of land governance, the experts pointed out the successful implementation by countries like Indonesia, Uganda, Ethiopia, the "Fit for Purpose Land Administration" program, which was added to National Strategies in these countries and helped significantly improve land governance in the named countries in institutional, legal, and geospatial dimensions.

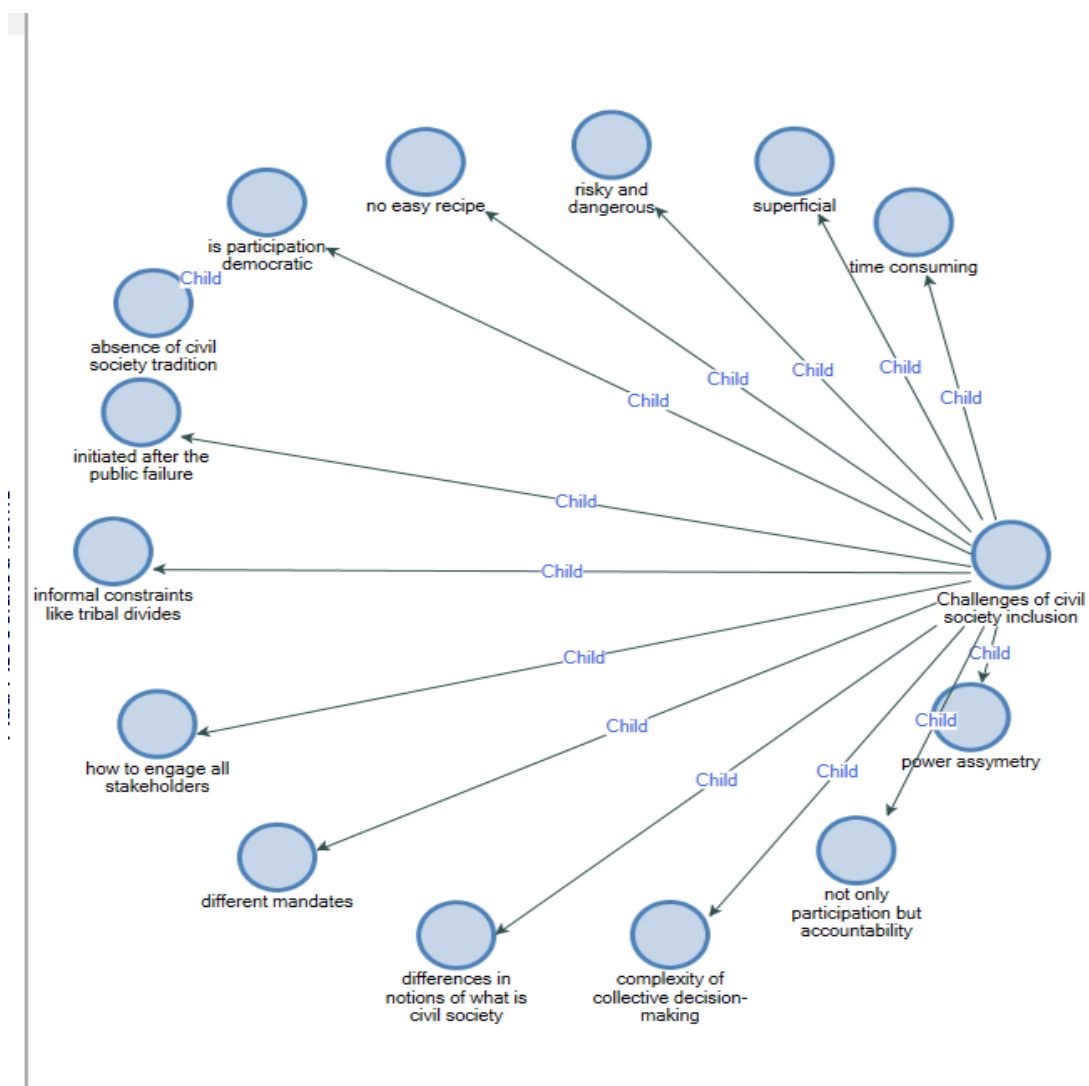
As less successful examples of civil society engagement, the experts named Myanmar, where the military powers created venues for civil society engagement in land governance. However, since there is "no conducive environment for the dialogue," the civil society engagement was rather superficial. The experts also mention the case of Colombia, which fails to engage the indigenous community in dialogue. Thus, the acute problem is that many indigenous people: "lost their lands, own languages and even lost their native names." (The interviewee's code: I.CC.NGO.1)

Such extreme cases signalize how vital the protection of land rights of the local population is and the essential need for the existence of different forms of civic control over decision-making in land governance.

6.2.2. Challenges associated with civil society inclusion to land governance.

The interviewees see power asymmetries between local communities and influential players (national elites, foreign actors: e.g., transnational corporations) as significant challenges that face developing and developed countries. Except for this one, experts have mentioned several challenges related to civil society inclusion, presented in thirteen nodes.

Figure 18. Challenges of civil society participation in land governance.



As interviewees pointed out, it is hard to achieve a consensus when including civil society in the decision-making process. Multi-stakeholder engagement leads to the complexity of collective

decision-making, particularly in conflict settings or societies with some forms of tribal, ethnic, social, and other divisions. In such cases, the civil society's active engagement might, in the opposite, lead to the spread of the conflict.

One of the interviewees pointed out that the local governments see these civil society organizations as actors who seed conflict between them and the local population. Meaning that the local government comes to the local communities to say one thing, and after some time comes the civil society organization and saying another thing. This situation confuses the local population and even can lead to clashes. That is why, points out the interviewee, it's essential to have a good communication channel between civil society and local authorities, as this will bring proper results on the place and the progress. (The interviewee's code: I.CC.NGO.1).

Therefore, the main problem is establishing communication mechanisms between three main actors: the local government, civil society, and local community/population.

Another challenge is differences in understanding of the notion of civil society. Depending on the context, the notion and understanding of civil society could be different.

As the interviewee mentions:

"There is a particular "grey zone" when we talk about civil society. They are certainly moving the discussion on civil society forward. But regardless of what their intentions are, somehow when they come to the local context, their views are different. We need to start to think in a very contextual manner. There are many international organizations, being financed by particular countries and major donors and their concept about land is probably totally different from our local contexts." (The interviewees code: I.CC. NGO.1).

While pointing this out, the interviewees added that civil society organizations are often financed by international organizations or by different foreign/national donors. Therefore, in some experts' view, local and international NGOs could not fully represent the interests of the local population because they follow the agenda proposed by their donors. Even without external influence, in the countries with authoritarian regimes, such inclusion of civil society is rather superficial, and civil society is instead engaged in the game of political manipulation and corruption. All interviewees mentioned that land rights defenders are the ones who are most often being killed or prosecuted, and the protection of the local population's land rights is still dangerous. Therefore, civil society

engagement's success depends also on the history of state-civil society relationships in a particular context.

Another issue is that most countries cannot ensure the democratic representation of civil society in the overall governance system. While suggesting the model of "civil society" inclusion in land governance, the respondents mention that "Western countries or other foreign actors" usually do not consider the complexities of land governance systems in developing countries and differences like civil society engagement in specific contexts.

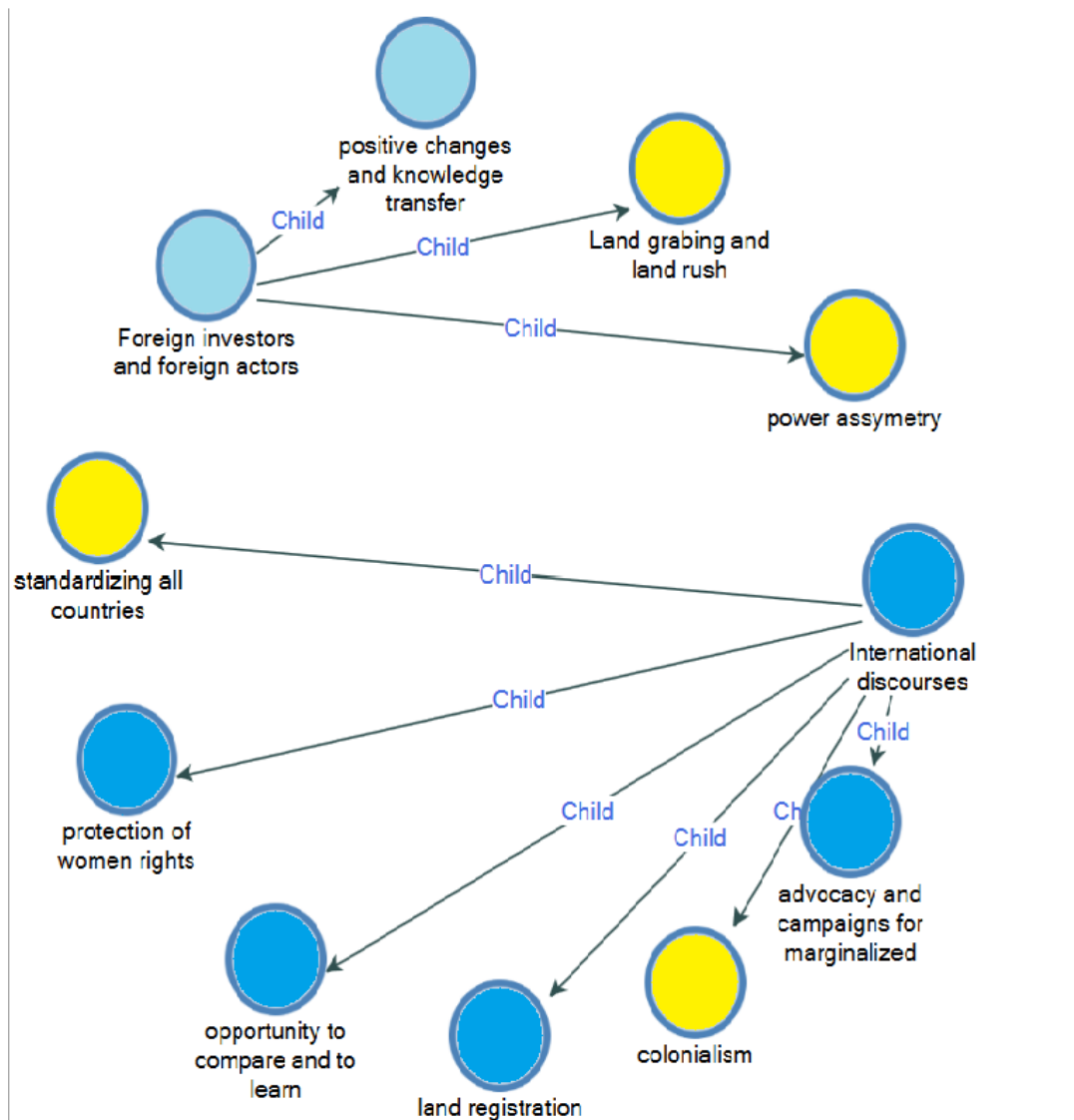
“Unlike Western countries, which already established long history, counting centuries and decades of organizing land, in the developing countries, the land governance system is quite complex because of the complicated histories related to the predominance of the traditional system (formal and informal institutions: customs, traditions related to community engagement), later, decades of colonial legacies in the land organization, and in addition, complexities posed by the current neoliberal market economy reforms imposed by the foreign actors, e.g., The World Bank and other organizations. Therefore, some of the concepts and ideas coming from abroad are not well suited to the local context.” (The interviewee’s code: I.CC. NGO1)

Thus, as interviewee have mentioned while introducing land reforms, much emphasis should also be paid to the cultural and historical aspects of the complexities of land governance systems and also differences in the nature of state-society relationships in each case country. Interestingly, while asking about civil society engagement, the experts often mention the foreign actor's role, both of international organizations, e.g., The UN, The World Bank, and the role of foreign NGOs, rather than the role of local NGOs.

6.2.3. Internationalization discourses on inclusive decision-making and land rights in land governance worldwide.

The international experts have mentioned that international actors are powerful, and their influence could be both positive and negative. In Figure below, using NVIVO software, in blue are indicated positive sides and in yellow negative aspects of foreign actors' engagement and of international land rights discourses mentioned by the interviewees.

Figure 19. International Discourses. (Nvivo project).



The positive aspect of international discourses on land rights consists of protecting the rights of marginalized groups within the society. Almost all respondents mentioned that foreign actors help protect women's land rights, which is not common in many countries. One positive aspect of foreign actors' engagement is that many countries are starting to generate data on, e.g., women's land rights, which will undoubtedly help protect women's land rights currently and in the future.

However, interviewees mention the problem of the spread of populist slogans in international land rights discourses that do not consider local specifics. The respondents emphasized that in

some cases, foreign actors seem to be trying to "normalize" or "standardize" land governance in different countries of the world by one standard label without an in-depth analysis of the difference related to the meaning of land in different contexts, the personal attachments of local people to the land - as a land of their ancestors, and different forms of community land use.

Therefore, the complexity of land governance is that it has economic, social, historical, and cultural value. Experts continuously mention the problem of land grabbing by powerful international actors: transnational corporations and foreign countries. Interestingly, although interviewees themselves work for international NGOs, some view foreign investors as "new colonialists." (The interviewee's code: I.CC. NGO1). The power imbalances and power asymmetries between the local communities and powerful elites and, in addition, foreign actors are some of the significant issues raised by the interviewees. Thus, as mentioned by the experts, such power asymmetries lead to land inequalities and landlessness and lack of transparency in land governance due to the resistance of powerful actors to open data on land ownership, motivating this by privacy concerns. Therefore, the respondents see the openness of land data infrastructure as one of the solutions to the problems of land corruption and elite land grabbing.

6.2.4. Could Land Governance Digitalization serve as an alternative to the collegial institutions in land governance such as Land Commissions?

In Kazakhstan, both the government and civil society consider land governance digitalization to solve the problems related to land corruption, the bureaucratization of the decision-making, and power asymmetries in land governance. The interviewer asked the international interviewees whether digitalization and open land data infrastructure make the existence of such institutions of civic control as Land Commissions unnecessary in the future. Namely, the interviewer asked the question about the benefits and challenges of land governance digitalization and how it is possible to address the dilemma when from one side, land governance should be inclusive, but on the other hand, increasing the number of stakeholders in land governance sometimes can lead to such negative consequence as bureaucratization and the increasing of the scope of corruption.

However, based on their expertise, international interviewees warn that land governance digitalization might not bring the expected results because all power and information asymmetries that countries have within the societies will move from the real to the digital area. Therefore, the institutional change might not occur. Thus, it is crucial to keep the mechanism of civic control in the form, e.g., Land Commissions in land governance or other conditions (adding to the composition of such structures add professionals). The repliers pointed out that digitalization is just a tool. Therefore, "like a knife of a surgeon itself cannot bring healing to the patient, the same is with the digitalization which is just a tool and much depends how we are going to use it." (Code: I.G.NPA.2). Thus, there are undoubtedly many benefits related to land governance digitalization; in addition, experts mention different challenges associated with this process.

Benefits of Land Governance Digitalization.

Interviewees mention that if properly implemented, land governance digitalization might be beneficial in terms of the efficiency of land registration services also the connection of different state authorities' databases, which is not the case in many countries. Furthermore, such apparent benefits as the safety of the digitalized land data in contrast to paper-based documents in case of an emergency: natural disasters, conflicts, and other extreme situations are of great importance.

Another benefit of land governance digitalization is the generation of, e.g., gender data on land ownership. The data that were not available right now is possible to generate in the future, considering community surveys and other data collection techniques. Therefore, it will be possible to create time series to see the dynamics of land data openness in different world countries. Specifically, in experts' opinion, the openness of cadastral data on land quantity, land value, and land ownership is supposed to help reduce corruption. In experts' view, another benefit of land digitalization is that it allows better policy evaluation. The specialists in the field can get information to analyze what is happening on the ground and design the recommendation to find solutions. All the data related to land privatization renting out, zoning, and specific

information become more open and available to the public. This should lead to benefits to all society through more effective decision-making.

Moreover, if the land registration process is digitalized, services will become faster, and transaction costs will be less expensive. In addition, land governance digitalization helps tax more efficiently because it will be clear how much land is owned by everyone. This also helps collect and analyze the data on how much everyone is supposed to pay this year and next year and make predictions. Therefore, the general comment is that land governance digitalization ideally should further transparency and accountability.

As successful examples of countries that digitalize and open land data, the respondents mention the standards of The New Zealand, UK, Germany, and such countries in the Eurasian context as Georgia, Ukraine, and Tajikistan.

One of the interviewees studied the productivity of the agriculture sector in Ukraine jointly with the World Bank specialists. Their joint study found that one of the primary obstacles in developing the agricultural sector in Ukraine was the ineffective land market. In summary, the interviewee explained that after the privatization at the end of the 1990s, the land market was not established in Ukraine, and most agricultural land sales transactions were mainly illegal. Instead, the rental market was developed after the privatization. Therefore, the research found that ineffective land use was among the main reasons preventing the productivity growth in the agricultural sector in Ukraine. Since then, the respondent has been involved in several projects related to land market development in this country and participated in designing land reforms in Ukraine and Georgia. The interviewee explained that he was involved in establishing a land governance monitoring system in Ukraine, which helped bring transparency to the land governance and contributed to the designing and writing the "Law on Agricultural Land Market" in Ukraine, which was adopted in 2020. The interviewee managed several World Bank projects in Ukraine that were focused on establishing transparent land governance in the country. The expert mentioned several activities currently being implemented in this country, such as

awareness campaigns, satellite imagery of land use, and land laws on land ownership. Therefore, Ukraine has made significant progress in land governance reform and digitalization in recent years. (The interviewees code: I.CC. NGO1)

Another expert working for GIZ pointed out that from the Central Asian context, he could mention the successful examples of Tajikistan in recent years in land governance digitalization. In recent years, the country has been investing in geodata infrastructure in rural areas, land-use monitoring, and satellite imagery.

As less successful in land governance digitalization, the interviewees find the examples of Mozambique and Mexico, where some attempts in land governance digitalization are failed due to various reasons related not only to the costs but also ineffective management of such reforms.

However, while pointing out all these benefits of land governance digitalization, the informants warn that digitalization of land data might not solve the systemic problems in land governance.

Challenges of Land Governance Digitalization. Why Land Governance Digitalization can not replace the Institutions of civic control?

Interviewees mention various challenges associated with land governance digitalization, including economic, legal, political nuances of this process.

Economic aspect: Developing countries cannot digitalize land data because of the high expenses associated with this process. In addition, the existing problem of the digital divide in each country, particularly developing countries, should be considered. For instance, some marginalized groups might not have equal access to the internet; therefore, potentially, these groups cannot benefit from these digital data. More powerful actors have better equipment; they are resource-rich and could use different technologies for their benefit. Therefore, from digitalization process might benefit rich and powerful actors rather than marginalized groups. This point on power asymmetries raised by interviewees coincides with the ideas mentioned by the researchers De Maria and Howai (2021) in their work "The Role of Open Data in Curbing Land Corruption," where the authors emphasized that the current land governance digitalization

process faces several dilemmas, one of them is the dilemma between transparency vs. privacy concerns. Meaning that using the argument that the information on land ownership should not be open to the public due to privacy protection, the rich and powerful actors can use this legal argument to their benefit. As De Maria and Howai argue:

" The 'open by default' principle can be successfully combined with privacy concerns, so that, in practice, land information systems can be 'as open as possible and as closed as necessary.' (De Maria and Howai, 2021, p. 30).

Legal aspect: Except for this power asymmetries problem, several legal problems are associated with digital land governance. The inaccuracy of paper-based land data in many countries could seriously affect data inaccuracy in digital formats. The interviewees underlined:

"Wrong data are wrong data independently wherever they are paper-based or digital. The only difference will be in the digitalization process that paper mess will turn into a digital mess." (The interviewee's code: I.G.NDA.2).

Therefore, the digitalization process is not easy, not solely due to the costs but also because it is challenging to digitalize land rights, particularly in countries where land ownership rights were registered with mistakes.

Another issue is digitalizing community land rights or people who seasonally use the land. For instance, some groups use land seasonally; in such cases, defining the landowner of this land is problematic. If not considering community land rights, this might lead to conflict and clashes.

Information security aspect: In addition, in the digital era, the main question arises how to protect the land data? Digital archiving is essential to have different maps and cadastral information, but who is going to protect this data? If they have been hacked? Nobody offers security anymore to this data. Moreover, whether the land information is well stored and protected? Many countries cannot afford the preparation of such specialists that can transfer all data to a digital one and store them properly.

In terms of political aspects, the expert mentioned the problem of elite grabbing. As one of the interviewees has noted:

"Very often, those who are responsible for corruption are also the same persons who are supposed to fight corruption, or who have the power to fight corruption. There is no point in opening up data and records if policymakers are not engaged in prosecuting the corruption." (The interviewee's code: I.CC. A &Th.T 2).

Thus, as the experts mention, the resistance of more powerful actors against opening data could be expected. Considering all these aspects, the interviewees conclude that land governance digitalization cannot replace the mechanism of civic control. As the interviewees conclude only with both the digitalization process and keeping civic control institutions, e.g., Land Commissions, or any other form of civic control it will be possible to achieve good land governance that could benefit the population.

6.3. Land Commissions in four regions of Kazakhstan.

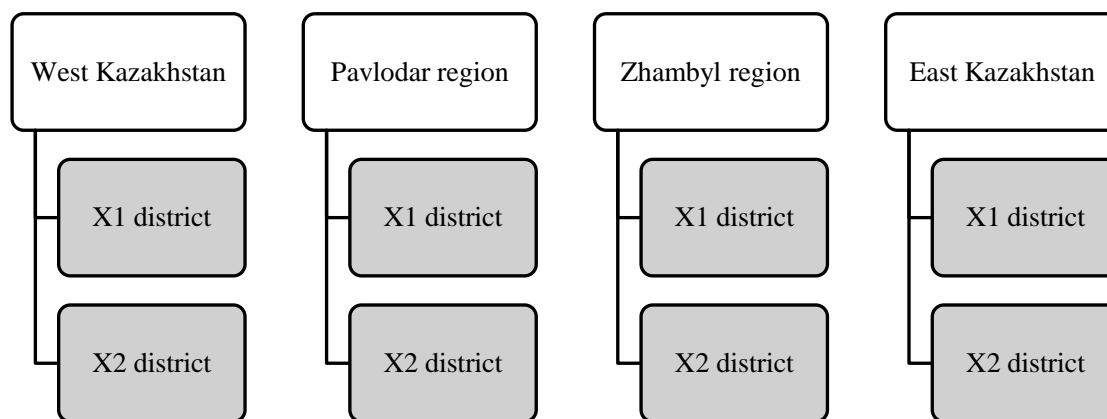
After studying the international experiences, let us draw attention to the analysis of the work of Land Commissions in four regions of Kazakhstan (East Kazakhstan, West Kazakhstan, Pavlodar & Zhambyl region) at the district level. As mentioned previously in the Introduction Chapter, since Land Commissions created under local municipalities with civil society engagement established in 2018, is a recent phenomenon in Kazakhstan, the academic literature is paid little to no attention to the analysis of the work of these institutions. Therefore, applying a revelatory cross-sectional multiple case-study will help us: "to move beyond the formal representation of particular events and see the interaction of different actors in a particular setting." (Marcus, 2009, 22, in Trigger et al., 2012, p. 514). As the best suitable data collection methodology for revelatory case studies, the researcher sees in non- participant observations and in-depth semi-structured expert interviews.

Revelatory multiple cross-sectional case-study designs. The case context.

Our multiple case studies consider the work of Land Commissions in four regions of Kazakhstan. The rationale for selecting the present case consists of an equal geographic representation of four regions representing: East, West, North (presented by Pavlodar), and Zhambyl region (representing the South of the country).

Each case consists of two units of analysis, meaning have embedded units of analysis within each case: two-three districts within each case region.

Figure 20. Revelatory multiple cross-sectional case-study design.



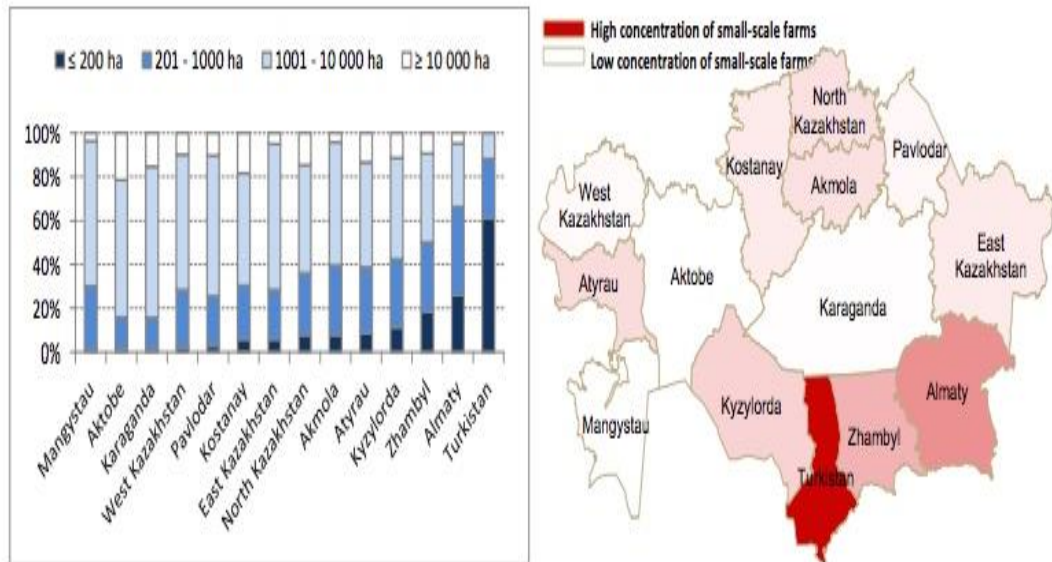
According to the OECD, it is possible to identify three types of producers: First, large-scale farms, agricultural enterprises that emerged from the breakup of former collective and state farms; Second, small to medium-scale individual farms, mostly privately owned; and third, small-scale rural households. (OECD, 2019, pp. 15-16)

It is crucial to point out that land in Pavlodar and West Kazakhstan are predominant large-scale farms, while in Zhambyl and East Kazakhstan (medium and small size enterprises). This fact relates to agriculture, predominantly in each region. For instance, Northern regions specialize in grain oilseeds production, and West Kazakhstan specializes in sheep and goat cattle, while southern regions (Zhambyl) and East Kazakhstan specialize in oilseed and fruit vegetable production. Thus, “regional specialisations in agricultural production are correlated with the type of farm and structure of land holdings.” (OECD, 2019, p. 15). In the Figure below on Distribution of Land on farm size, it is visible that in West, Pavlodar regions in white color are predominant large farms with land size more than 10, 000 hectares while in East and Zhambyl

region small scale with 200-1000 hectares and medium scale land size starting from 1000 to 10,000 hectares.

Figure 21. Distribution of agricultural land by farm size. OECD (2016).

Figure 3. Distribution of agricultural land by farm size, 2016



Note: Data are for individual farms only.
Source: Committee on Statistics (2017a).

The Kazakhstani specialist on land law, Mr. Bakhytzhan Bazarbek, based on decisions of courts, complaints from citizens, written appeals, reports of state bodies during the last three years, announced the list of 20 akimats of cities and districts with a high level of corruption risks in the provision of land plots. Among these list of top- 20 akimats/municipalities with high corruption risks in land allocation are leading Almaty, Akmola regions, but also those regions we selected for the case study analysis, namely some districts in East Kazakhstan, Zhambyl, and Pavlodar regions, which have in this indicated ranking -seventh, 17th and 19th places. (Politic, March 15, 2021). These data are trustworthy as all information is confirmed when checking with the Anti-corruption Agency of the Republic of Kazakhstan official information.

The problem is that more rich and powerful actors could receive large amounts of pastures and arable lands but are not using them effectively. President Tokayev mentioned in 2019:

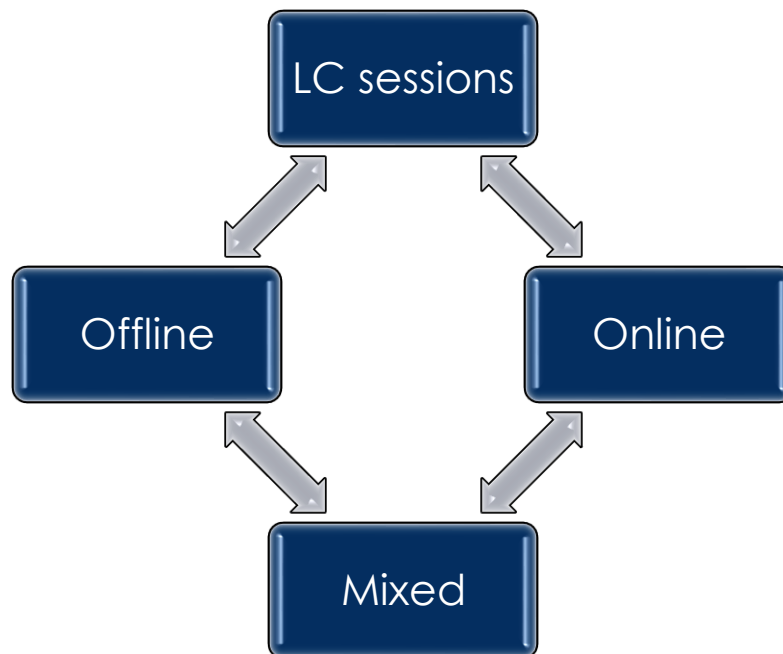
"The issue of inefficient use of land resources is becoming more urgent. Many of those who have received the right to lease land for free from the state keep the land for future use without working on it. It's time to start to seize unused agricultural land". (State of the Nation Address by the President of The Republic of Kazakhstan Kassym- Jomart Tokayev, September 2, 2019).

Therefore, the problem of elite land grabbing is quite acute in all selected regions in Kazakhstan. Thus, the more in-depth studies of the work of institutions that is responsible for the land allocation process gains paramount importance.

Participant vs. non-participant observations.

Due to Covid 19 restrictions, it was impossible to conduct participant observations of LC sessions in four regions of Kazakhstan. Therefore, considering two factors: 1) that LC sessions in many regions moved to the mixed or fully online format of LC sessions conduction; 2) even in those regions conducting real-time off-line sessions, the access to the site was restricted, the author had to conduct non-participant observations of LC sessions.

Figure 22. Land Commission sessions formats.



There are different non-participant observations: structured and unstructured; overt or covert, simply or contrived observations. In our studies, we applied simple, unstructured covert non-participant observations.

To elaborate more precisely, Bryman (2012) defines non-participant observation as a term used to describe a situation when the observer observes but does not participate in what is going on in the social setting. (Bryman, 2012).

As the researcher explains:

"unstructured observation does not entail using an observation schedule for recording behavior. Instead, the aim is to record in as much detail as possible the behavior of participants to develop a narrative account of that behaviour. In a sense, most participant observation is unstructured, but the term unstructured observation is usually employed in conjunction with non-participant observation." (Bryman, 2012, p. 273).

During participant observation as an insider of a particular setting, the researcher can lose the original perspective and impartial view. While in non-participant observation, such risks are lower. Despite all the strengths of the non-participant observation as a methodology, this is the hard one, as it applies not just data collection through literature, interviews, etc., but rather the data generation and its interpretation.

While simple observation, in contrast to contrived observation, means that the observer observes and cannot change the setting or the situation to see how people will react. In this case, covert observation, those observed do not know that they are being observed; thus, the observation presence is unknown. Such a form of non-participant observation has such a strength that people will act naturally and not change their behavior because of the observer's presence. (Bryman, 2012), (Johnson & Reynolds, 2016). According to the Land Code (2003) Amendments, Article 43: "Procedure for grant of a right of the land plot: The audio, video recording of a meeting of the land commission is mandatory." (Land Code, 2003).

Therefore, considering that live streams of LC sessions are accessible to the general public and in addition, all video recordings are available in an open-access in youtube channels of local akimats/municipalities. Thus the problem of ethical issues arising with the covert observations does not apply to his studies as LC members are well aware that live streams are accessible to the general public and could be observed by any individual citizen of the Republic of Kazakhstan.

However, in an online format, covert non-participant observation much depends on the quality of a video and the Internet connection and sound. Thus, if an unclear or slow internet connection, for the observer is tough to gather the data and receive essential information about the setting and people's interactions. As correctly points researchers Gibson & Brown (2009):

“Observational work is data analysis — it involves thinking through what is being observed, why it is interesting, how it is to be categorized, what its relevance is to the problems at hand, how it might be thought through in relation to other data, which aspects of it are unintelligible or confusing; how it contrasts with or supports existing ideas/propositions/data/assumptions, and so on.” (Gibson & Brown, 2009, p. 28-29)

Thinking about the analysis of observed data and their categorization, the author of the thesis decided to analyze observed data by differentiating three dimensions. However, one of the weaknesses of the revelatory studies is the absence of previous knowledge about this new setting. For instance, in the case of LCs, since they appeared recently in Kazakhstan and there are no academic studies, in particular, which applies observation methodology, it is hard to find the academic literature the ways on how it is possible to categorize the observed data to make a more profound systematic analysis, without just simply describing peoples behavior. However, one of the strengths of the revelatory study is that it allows the application of creativity and freedom. Thus, looking at the works which do not relate to land governance but to Artificial Intelligence, namely "Deploying AI Governance Practices: A Revelatory Case Study" by researchers (Papagiannidis et al., 2021), the author of the thesis found the categorization of data on three dimensions: *Structural, Relational and Procedural*. Applying this idea, the author found that it is possible to categorize the observed data into these three dimensions while observing and

analyzing the work of LCs. Since the area of Papagiannidis et al. (2021) study covers the different area of research, their definition of three dimensions is divergent, in our case, we can categorize the data to see how at Relational dimension - people interact with each other, in Procedural dimension – to observe procedures applied (for instance, voting mechanism in LCs), while by structural dimension is meant looking at structural/organizational complexity of LC structure.

Table 8. Three Dimensions analysis of observed data.

Dimensions	
Structural	Structural/organizational complexity
Relational	“Practices that deal with employees and communicating goals” (Papagiannidis et al., 2021, p. 8)
Procedural	Procedures applied (for instance, voting, negotiations, lobbying)

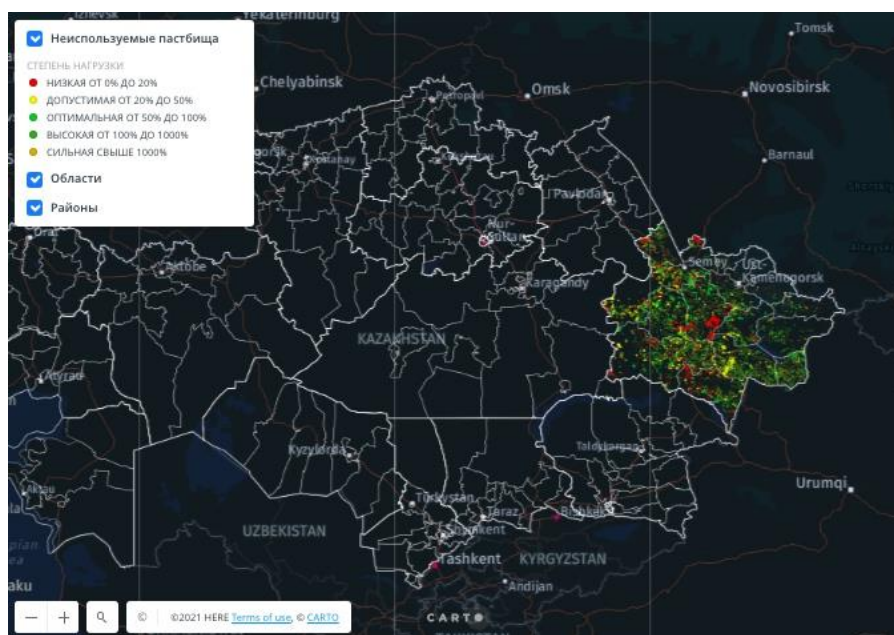
6.3.1. East Kazakhstan.

The case environment and the results of non-participant observation of LC sessions.

East Kazakhstan is one of the largest area regions of Kazakhstan (along with Karagandy and Aktobe regions), having a territory above 28 3 MH. According to the data published on the official website of the Akimat of East Kazakhstan region, agricultural land comprises 11957 thousand hectares; settlements - 2947.1 thousand hectares; industry, transport, communications, defense, and other non-agricultural purposes - 135.9 thousand hectares; specially protected natural areas, health-improving, recreational and historical-cultural lands –1551.8 thousand hectares; forest land - 2153.9 thousand hectares; water fund - 571.2 thousand hectares; reserve lands - 9029.9 thousand hectares. (Akimat of East Kazakhstan region, 2021). It is essential to mention that agricultural land comprises arable lands, fallow lands, hayfields, pastures, and other lands. As already mentioned, in the East Kazakhstan region are predominant medium-scale farms. Overall, the amount of peasant (farmer) households is 16362; they occupy an area of 9559.1 thousand hectares. However, according to Qoldau platform data, about 5 311 farms ineffectively use pastures while 120 farms use arable lands, meaning about 32% of farms

ineffectively use pastures. (Akimat of East Kazakhstan region, 2021; Qoldau.Kz, 2021a). In terms of administrative division, the region is divided into fifteen districts.

Figure 23. East Kazakhstan region.



Qoldau.kz. (2020b).

It is important to emphasize that the East Kazakhstan region was the most responsive to the interview invitation: One Head of The Land Department at the regional level and three Heads of Land Departments at district levels gave interviews. While for non-participant observation for LC sessions, we take two districts. For the study's anonymity preservation, the names of districts are not provided. To categorize the observed data to make a more profound systematic analysis without simply describing people's behavior, the author decided to categorize data in three dimensions: *Structural*, *Relational*, and *Procedural*. This categorization was applied in work "Deploying AI Governance Practices: A Revelatory Case Study" by researchers (Papagiannidis et al., 2021, p. 8). In our view, applying this idea, it is possible to present a more systematic analysis of observed data.

The application of this categorization helps us to see how in the *Relational dimension* – namely, how Land Commission members interact with each other; in the *Procedural dimension* – to observe procedures applied (for instance, the voting mechanism in LCs), while in Structural dimension consider structural/organizational complexity of LC sessions.

Table 9. Three dimensions analysis of observed data. East Kazakhstan region.

<i>Dimension</i>		<i>East Kazakhstan region</i>
<i>Structural</i>	Structural/or organizational complexity	1. The same participant/s apply for several land plots (one person for two or even seven land plots). 2. The main criterion for determining the winner is the number of investments. 3. In the observed cases, the competition wins those applicant/s whom the local mayor supports.
<i>Relational</i>	Communications (negotiations, dispute, silent agreement, lobbying)	In all observed sessions, in most cases, LC members (namely civil society representatives who were not asking any questions showed any disagreement, just silently voted). Only a few times when some members of LCs show disagreement. One of the LC members said to the Local mayor: “I do not fear you. I am not going to vote the second time.” However, after some dispute with the local mayor, the same person voted for the candidate the local mayor suggested support.
<i>Procedural</i>	Procedures applied (for instance, voting)	The video quality is inferior; the sound is unclear in most LC sessions. The subtitles are not provided. Therefore, it is unclear what LC members are saying. It is also challenging to identify LC members, as they are not introduced. In most cases, the Secretary only stresses that the quorum is collected.

(self-constructed)

Structural dimension.

The author conducted covert non-participant observation of LC sessions of two districts in the East Kazakhstan region. The format of practical sessions varied: some were held offline (meaning when all participants were present in the local municipality building), in mixed form (when some members were present in the room while others participated via zoom), and online (when all participants were present in zoom). The researcher (the observer) watched live streams or video recordings of the LC sessions in all three formats available in video recording. As we have mentioned earlier, the Covid 19 pandemic changed how LC sessions are held, causing difficulties both for LC session members and the researchers. Traditionally (meaning before the pandemic), all-LC sessions were held offline, while live stream and video recordings of LC sessions were available on YouTube, Facebook, or the local municipality's web page.

Before the pandemic, specialists complained that video recordings were usually of inferior quality. In the current situation (during a pandemic), when most LC sessions are held in online or mixed formats, the observation becomes even more complex.

Firstly, because half of the participants are not visible in the video, because the video does not show the zoom room participants, the video recording shows only the laptop's screen. In such cases, the names of LC members and sometimes their faces (exceptionally if the camera is turned off) are not visible to the audience (in particular, those observing sessions via live stream or YouTube). Secondly, the zoom connection of some participants is of inferior quality, adding to this the poor quality of video recordings of the sessions – the covert online observation turns into very challenging tasks for the researcher. Depending on the number of applications, the LC session's duration may vary from 20 minutes to 3-4 hours. The author observed session lasted about 24 minutes (the shortest), while the longest lasted about three and half hours. The average duration of an LC session is about 1 hour and a half. (From those observed by the researcher). The same persons apply for several land plots in the competition. The main criteria are the number of investments. Those who suggest a higher investment get 20 points (maximum points). When many applicants have the same number of points, the Secretary asks the opinion of the local mayor (at the village, district level), and after the mayor says which applicant he /she finds more suitable. Almost in all cases observed, the competition won the applicants the local mayor supported.

Relational dimension.

Surprisingly, in most observed cases, online, mixed, and offline, civil society representatives do not ask any additional questions and do not actively discuss each candidate. The Secretary or the Head of the Land Department asks members to consider the applications faster because: "*We have a limited amount of time as we need to consider today, e.g., 15 applications*". Thus, one of the factors of such a passive attitude could probably be the willingness to finish the application's consideration faster and not spend much time considering and discussing each application.

From the observed sessions, in online, mixed, and offline formats, all LC members' more active participation was observed in offline sessions. It was possible to see the discussion and, in some cases, disagreements.

For instance, the LC had five applications with the same points (20 points). The Secretary asked the opinion of the local village mayor, and he said he would suggest voting for applicant number 2 (named his name, stressing that the applicant is a young man and have investments and the necessary agricultural technique). While the civil society representative stressed, he would probably vote for candidate number 4 (indicated his name). When LC members voted, candidate number 4 received the most votes, while candidate number 2 only received three votes.

When the Secretary suggested considering other applications for other land plots, the local mayor stood up and stressed that he would not participate in the LC session and intended to leave it. When the Head of Land Department asked: Why? The local mayor responded that he would leave because he found the LC session unfair because his candidate lost. Then he asked Land Commission to vote again. The civil society representative said this is not correct because LC members need to revote all applications again in such a case. Then, the dispute between the local mayor and the civil society representative started. Since the video recording quality was poor, it was hard to hear the details of a conversation. The LC video recording does not have any subtitles. It was only possible to hear what the civil society representative said to the village mayor: *"I do not fear you."* However, the Head of the Land Department said to the mayor: "We will vote again." Other members asked whether this was not a violation of the law. However, then, all members decided to vote again. This time won the candidate suggested by the local mayor. Interestingly, when the consideration of documents started in the following land plots, the LC members voted for another applicant whom also the local mayor supported. Some LC members ask only clarifying questions about whether this candidate has other land plots. After receiving a positive response, the majority voted for the applicant suggested by the mayor.

Procedural dimension.

The video quality of LC sessions is inferior; the sound is unclear in most observed LC sessions. The subtitles are not provided. It was challenging to identify LC members, as they were not introduced (names and their affiliation). In most cases, the LC Secretary only stresses that the quorum is collected. In most cases, whether offline, online, or in a mixed format, it was not clear

what LC members were saying. Some of those LC members participating online do not turn on cameras. In addition, LC members participating online mentioned that because of the slow Internet connection they cannot hear other LC members. The Secretary, in such a situation, stresses that he/she will send clarification via WhatsApp to all LC members. While voting, those who participate online via zoom raise their hands. But the video of LC sessions does not show how LC members participating online via zoom voted.

6.3.2. West Kazakhstan.

The Case Environment.

The West Kazakhstan region consists of twelve administrative districts and the city of Oral. The territory of the West Kazakhstan region comprises 15 million 133 thousand hectares, where agricultural land is 7268.5 thousand hectares, of which arable land – is 576.8 thousand hectares, pastures-5710 thousand hectares, other land-54.3 thousand hectares, and other lands. (Akimat of West Kazakhstan, 2021). According to the data of the local municipality, in the time frame between 2019-2021, about 1 million 155 thousand hectares of unused agricultural land were identified in the region. And since 2021, already 234 thousand hectares of them have been identified. This signifies that a large amount of land was owned but was ineffectively used. (Akimat of West-Kazakhstan region, 2021)

Figure 24. West Kazakhstan region.



Qoldau.kz (2020c).

According to the qoldau platform data, the amount of unused land is even higher, 3 million 151 thousand hectares for pasture and 35 299 for arable lands. (Qoldau.kz., 2021). The akimat reports that about 153 thousand hectares, or 13% of the identified unused lands, returned to state ownership. “Of the returned land, 73 thousand hectares or 48% are involved in an agricultural turnover. To date, land with an area of 80 thousand hectares, or 52%, remains not involved in an agricultural turnover.” (Akimat of West-Kazakhstan region, 2021).

Table 10. Three-dimension analysis of observed data. West Kazakhstan region.

<i>Dimension</i>		<i>West Kazakhstan region</i>
<i>Structural</i>	Structural/or ganizational complexity	1. The same participants apply for several land plots (one person for two or even fifteen land plots in one LC session). 2. Many participants are getting a maximum of 20 points. The main criteria for determining the winner, in such a case, is the amount of investments per hectare of land. Those are suggesting a more considerable amount are winning. 3. In the observed cases, the Secretary asks for the opinion of the local mayor (village/district), and after that, the local mayor (in case all applicants have the same number of votes) says his/her opinion and suggests voting for a particular applicant. In many cases, the LC members do not ask any questions but vote for the applicant whom the local mayor supports.
<i>Relational</i>	Communications (negotiations, dispute, silent agreement, lobbying)	Few LC members ask whether the applicant has other land plots in this district. Interestingly, in several cases, indeed, the applicants have other land plots. In most cases, LC members (namely civil society representatives were not asking any questions or showing any disagreement) just silently voting.
<i>Procedural</i>	Procedures applied (for instance, voting)	The video quality of the video and sound was clear. However, the subtitles are also not provided in any of the sessions. In most cases, the procedures are kept. The Secretary named and listed all LC members, their names, and the organization they were presenting.

(self-constructed).

Structural dimension.

The same participant applies to several land plots (one person for two or even ten land plots in one LC session); Many participants apply for 5 out of 6 land plots and get a maximum of 20 points. The main criteria for defining the winner, in such a case, is the amount of investments per

hectare of land. Those who suggest a more considerable amount of investments are winning. In the observed cases, the Secretary asks for the opinion of the local mayor (village/district), and after that, the local mayor (if all applicants have the same number of votes) says his/her opinion and suggests voting for a particular applicant. The LC members do not ask any questions but vote for the local mayor's applicant in many cases.

Relational dimension.

In most cases, LC members, namely civil society representatives, were not asking any questions or showing any disagreement, just silently voting. Few LC members ask whether the applicant has other land plots in this district or whether he/she is local. Interestingly, in several cases, the applicants have other land plots, but they win in any case. The observed sessions clarify that almost many applicants already have land plots but are trying to get more land for different purposes.

Procedural dimension.

The video quality of the video and sound was clear. However, the subtitles are also not provided in any of the observed sessions. The Secretary named and listed all LC members, their names, and the organization they were presenting. The evaluation criteria were explained. In most cases, the official procedures are kept.

6.3.3. Zhambyl region.

The Case Environment.

The region covers 144,264 km² with ten districts, one city of regional subordination, and three cities of district subordination. In the region are predominant medium-scale and small-scale farmer households. (Akimat of Zhambyl region, 2021).

According to the Qoldau data in the region, there are 1 million 599 thousand hectares of unused/ineffectively used pastures and 4 729 hectares of ineffectively used arable lands. Compared with other selected regions, the amount of information posted on the official website of the akimat is insufficient. There is no updated information about the amount of un/used lands (pastures and

arable lands), the digitalization of lands in the region, and other essential information. The video recording on YouTube or Facebook platforms are hardly accessible and of poor quality or are not being updated.

Figure 25. Zhambyl region.



Qoldau.kz (2020d).

For the interview, the author contacted the Akimat of the Zhambyl region several times, and the Land Departments of two districts received the official letter from the Head of Land Department of the Zhambyl region asking the Akimats of the two districts to render assistance and to conduct interviews and allow to attend LC sessions. However, unfortunately, despite multiple addresses by the author in May, June, July, and August 2021, the secretariat of the local municipalities stressed that: "We know your contacts and will contact in you in next days." After a few months, when we contacted the local municipality, it was stated by the Secretary: "We sent the answer to the akimat of Zhambyl region, they most probably will contact you." However, none of the representatives contacted the researcher. Thus, despite receiving official letters stating that they render assistance in conducting interviews, none of the Zhambyl region akimats participated in the interviews.

Table 11. Three-dimension analysis of observed data. Zhambyl region.

<i>Dimension</i>		<i>Zhambyl region</i>
<i>Structural</i>	Structural/or ganizational complexity	<p>1. The same participants apply for several land plots (one person for two or more land plots).</p> <p>2. Many participants are getting a maximum of 20 points. The main criteria for determining the winner, in such a case, is the amount of investments per hectare of land. Those are suggesting a more considerable amount are winning.</p> <p>3. In the observed cases, the Secretary asks for the opinion of the local mayor (village/district), and after that, the local mayor (if all applicants have the same number of votes) says his/her opinion and suggests voting to a particular applicant.</p>
<i>Relational</i>	Communications (negotiations, dispute, silent agreement, lobbying)	In most cases, LC members (namely civil society representatives were not asking any questions or showing any disagreement) just silently voting. No negotiations and disputes or disagreements are not being observed. The number of people in some sessions exceeds seventeen people (most are local village and district mayors). Those sessions available are kept offline rather than online or in mixed formats.
<i>Procedural</i>	Procedures applied (for instance, voting)	<p>The video materials of the LC session are of poor quality the video and sound. The subtitles are also not provided in any of the sessions. It is hard to find video recordings on YouTube, Facebook, or another platform. Those available are dated to 2020 or older.</p> <p>The Secretary does not name all LC members; thus, it is hard to identify the names and affiliations of LC members.</p>

Structural dimension.

The same issue occurred in the Zhambyl region when the same participant/s applied for several land plots (one person for two or more land plots). Many participants were getting a maximum of 20 points. The main criteria for determining the winner, in such a case, is the amount of investments per hectare of land. Those are suggesting a more considerable amount were winning. In the observed cases, the Secretary asks for the opinion of the local mayor (village/district), and after that, the local mayor (if all applicants have the same number of votes) says his/her opinion and suggests voting for a particular applicant.

Relational dimension.

In most cases, LC members (namely civil society representatives who were not asking any questions or showing any disagreement) just silently voted. No negotiations and disputes or disagreements were not observed. The number of people in some sessions exceeds seventeen people (most are local village and district mayors). Those sessions available are kept offline rather than online or in mixed formats.

Procedural dimension.

The video materials of the LC session are of poor quality (the visual image and sound). The subtitles are also not provided in any of the sessions. It is hard to find video recordings on the official website of the local municipality, on Youtube, Facebook, or another platform. Those available are dated to 2020 or older.

The Secretary does not name all LC members; thus, it is hard to identify their names and affiliation with the observer/s. In one of the sessions, LC rejected several applications because the non-compliance with LC standards (some documents were missing, like a copy of ID or business plan or the absence of the documents). Therefore, the Secretariat keeps indicated rules and procedures from the observed sessions.

6.3.4. Pavlodar region.**The Case Environment.**

The territory of the Pavlodar region is 12 million 470.5 thousand hectares, from which agricultural land - is 6 581.6 thousand hectares, of which arable land - is 1 898.3 thousand hectares, pastures - 4,279.7 thousand hectares, other lands. (Akimat of Pavlodar region, 2021).

According to the same source, the total area of pastures is 8.3 million hectares, of which 4.3 million hectares of pastures are assigned to land users. The area of irrationally used pastures is 271.7 thousand hectares. (Ibid, 2021).

Figure 26. Pavlodar region.



Qoldau.kz (2020e).

It is essential to mention that the official website of the akimat of the Pavlodar region contains information on the number of LC sessions held with the indication of the purposes for which the land was allocated. Providing the information on how many regional meetings were held and for which purposes LC granted land plots, e.g., for subsurface use, defense and national security needs, and other purposes. (Akimat of Pavlodar region, 2021). On the official website, it is also possible to find the information that in order to communicate with the population, the Head of the Land Department, and employees of the akimat of Pavlodar region:

“regularly broadcast live on the official pages in social networks Facebook and Instagram in order to advise the population on issues of interest in the field of land relations. Also, on an ongoing basis, monitoring is carried out on problematic issues raised by the population in social networks, to which answers are provided in a timely manner.” (Ibid).

However, when we (the researcher) sent emails, contacted via phone, and even sent an official letter from the university with the ask to help conduct interviews with the akimat employees, the

representative of the Land Department of the akimat of Pavlodar region said he needed first to consult with the senior officials, after that he just stopped responding to phone calls and emails. It was impossible to interview representatives of the Land Department of akimats of the Pavlodar region at regional and district levels. We also sent official letters to the akimats of two districts of the Pavlodar region with the same request, but we also did not receive any response. However, in contrast, Public Council representatives of the Pavlodar region were more responsive than civil society representatives, members of LCs in other regions.

Structural dimension.

The same issue as in the region, the same applicants, apply for two or more land plots. However, much depends on each district. Those who suggest a higher amount of investment and are supported by the opinion of the local mayor win. In another district, the civil society representatives were active and asked questions. The mayor did not show any preference for any of the applicants. In contrast, the Head of the Land Department of the akimat visibly supported the applicants.

Relational dimension.

In most cases, LC members (namely civil society representatives were not asking any questions or showing any disagreement) just silently voted for the candidate suggested by the mayor. In online LC sessions, the civil society seems more active, asking clarifying questions rather than those participating offline. The local mayor asked the LC members to participate more actively. In one of the sessions, LC members talked to each other, and it was possible to hear what one LC member said to another: “All applicants suggesting more than 1 million investments, but they do not have this amount of money.”

These words corresponded with the results of the expert interview when the representative of the Land Department of the local municipality underlined that people (applicants) usually do not have the amount of investment they are writing in their applications (in business plans).

Procedural dimension.

Compared to other regions, in observed sessions, all formal procedures are kept (both in mixed and offline formats). The LC secretary explained before the session the evaluation criteria, named all LC members (names and affiliation), those participating online had cameras and microphones turned on. Though the quality of the video recording of those sitting in the conference room was clear, the capture of those participating online was hardly visible. On average, sessions lasted more than three hours. The first hour was spent opening about one hundred fifty applications and analyzing whether the submitted documents (business plan and other application documents correspond to the indicated criteria). The consideration of applications and voting started in the second hour (while LC members did not have any break).

Table 12. Three-dimension analysis of observed data. Pavlodar region.

<i>Dimension</i>		<i>Pavlodar region</i>
<i>Structural</i>	Structural/org anizational complexity	<ol style="list-style-type: none"> 1. Many applications are considered per session in LCs, e.g., 142 applications. The first 50 minutes are taken to open applicants' envelopes and consider whether they correspond to the standards. 2. Almost all participants get a maximum of 20 points. The main criteria for determining the winner, in such a case, is the amount of investments per hectare of land. Those are suggesting a more considerable amount are winning. 3. In the observed cases, the Secretary asks for the opinion of the local mayor (village/district), and after that, the local mayor (if all applicants have the same number of votes) says his/her opinion and suggests voting for a particular applicant. <p>In most cases, the LC members do not ask any questions but vote for the local mayor's candidate.</p>
<i>Relational</i>	Communications (negotiations, dispute, silent agreement, lobbying)	<p>In most cases, in observed sessions, LC members (namely civil society representatives were not asking any questions or showing any disagreement) just silently voted for the candidate suggested by the mayor. Do not ask questions about other evaluation criteria. Interestingly, in online LC sessions, the civil society component is more active, asking clarifying questions. The local mayor is also asking the LC members to participate more actively.</p>
<i>Procedural</i>	Procedures applied (for instance, voting)	<p>The video materials of the LC session are of good quality. The subtitles are also not provided in any of the sessions. LC sessions are conducted with the preservation of all procedures. The Secretary names all LC members and their affiliations and asks whether there is no conflict of interest observed between the applicants and LC members.</p>

6.4. National Interviewees on the work of LCs: benefits and risks of the civil society inclusion to Land Commissions.

In Chapter 5, we analyzed the first block of questions with national interviewees, who shared their vision of why were LCs established. In this Chapter 6, we analyze the second block of interview questions with national interviewees related to the analysis of the effectiveness of the work of LCs in Kazakhstan. The author of the thesis asked questions on the benefits and limitations of the inclusion of civil society in LCs, such as:

- What are the main benefits of including multiple stakeholders (civil society) in Land Commissions?
- What are the main risks and limitations associated with civil society inclusion in the work of Land Commissions?
- Can the civil society component inclusion in Land Commissions counteract land corruption?
- How well are presented civil society organizations in the Land Commission?
- Has the inclusion of civil society improved the effectiveness of Land Commissions?

Benefits of including multiple stakeholders (civil society) in Land Commissions.

The interviewees underlined that there are many positive aspects to including civil society in LCs, mentioning that this leads to the possibility of hearing diverse opinions. The interviewer asked the question: Who, in your view, suggested the inclusion of a civil society component to LCs? and received almost similar answers from all interviewees that this was a logical step that was needed to exclude the practice of sole decision-making (by akims/by mayors) in the land allocation process, to make it more accountable and transparent to the population.

According to the Land Code 2003 with new amendments, the interviewees underlined that the civil society component should be no less than 50% of the total amount of LC members. As one of the interviewees underlined:

"Recently, I became the Director of the local representation at the district level of the National Chamber of Entrepreneurs of the East Kazakhstan region, and newly since March 2021 become the Member of the Land Commission at the local municipality. The LC composition in our district comprises eleven persons, from which five are representing state authorities while other six are civil society representatives. Therefore, the percentage of civil society component is about 54,5 %. Thus, I think, the public opinion is taken into account." (The interviewees code: C.NCh.E. 1).

As the interviewee continues, one of the main benefits of this process is a plurality of opinions and reduction of corruption risks because civil society prevails over the state authority representatives. The same reference to the predominance of civil society in LCs as a factor that might further reduce corruption risks was underlined by the interviewees working for academia, public councils, and some Heads of Land Departments in different regions.

The Land Department Head of the local municipality from East Kazakhstan mentioned that in line with the Land Code procedures, usually in the work of LCs in their district participate, nine persons, from which four are representatives of state authorities while the other five present civil society. So the composition is quite representative.

All interviewees see the inclusion of civil society in LCs as a positive factor that could lead to transparency (due to online live streams of LC sessions) and could reduce the corruption risks, as it will be hard to bribe all LC members. However, most interviewees find the implementation process of inclusion of civil society not well elaborated and has many limitations such as bureaucratization of the decision-making, difficulties in achieving consensus, and even lack of responsibility of civil society representatives towards LC work many other limitations.

Thus, as interviewees underlined, participation does not mean effectiveness.

Limitations of the process of civil society inclusion to LCs.

Some interviewees were critical when answering the question on the limitation of civil society inclusion to LCs. As one of the Heads of the Land Department stressed, state authorities urgently introduced this novelty, such as the inclusion of civil society to land governance. However, were

most probably, not take into account many serious problems that arise at the implementation stage, and Heads of Land Departments now have to manage and solve these issues.

As the Interviewee stressed: "The Land Code regulations prescribe the inclusion of the civil society component, such as representatives of agrobusiness, deputies, public council representatives, academia and expert community, but I am asking: who is civil society? We don't have agrobusiness industry in particular in district and village areas, we don't have any think tanks or academia here, thus, the question arises how to organize the work of LCs. As the Head of Land Department, I have to find and invite representatives of civil society, which shall be no less than 50% of the total number of Lc members." (The interviewees code: SAR 1).

As the Interviewee continues, because of the absence of representatives of agribusiness, academia in rural areas, he had to invite persons whose specialization more or less seems closer to the notion of civil society, for instance, journalists from the local newspaper, a few deputies, some workers from local small enterprises. However, as the Interviewee underlined, they are not land experts and do not know any legal regulations related to land and other nuances since their specialization is different.

"Moreover, many civil society representatives are lacking responsibility, they can easily skip and do not attend LC sessions. In such cases, urgently I need to find a replacement. Thus, I am asking: how exactly this inclusion of so-called "civil society" helps to the population? My opinion, though I think civic control should be kept, but in such form it does not bring any profit neither to the population nor to the state." (The interviewees code: SAR 1).

Asking the same Interviewee whether he raised these concerns to the senior official, the Mayor, or other state authorities, the Interviewee replied:

"I raised these issues many times, but I received the answer that you are representative of state authority, you are an employee of the akimat, just do your job. Thus, our initiatives are not being heard and welcomed. It is hard to reach even the senior official of your own village or district, to reach and raise initiatives that could be heard at the regional or Republican level is just a dream for us". (The interviewees code: SAR. 1).

The Head of the Land Department in one of the districts in West Kazakhstan raised the same problem regarding the absence of the mechanism of back communication; he stressed that he raised initiatives related to improving the work of LCs, even wrote the Letter with the suggestions on LC work improvement and sent it to the local mayor office. But though the Letter was officially registered,

he did not receive any reply.

"I still have that Letter with my suggestions, I can send it to you (to the interviewer). Hopefully at least for your research these suggestion will be useful. In our case, our voices and our initiatives are not being heard, discussed and implemented. This is a pity, because we, living in these rural

areas know the local situation in each village or municipality better than anyone else. As to civil society, in particular, Atameken representatives, young people, they usually not even attending LC sessions. Thus, I am asking how useful is the inclusion of the representatives of bussiness community to the work of Land Commissions?" (The interviewees code: SAR.1).

The Interviewee stressed that civil society representatives do not regularly attend LC sessions, are usually passive, do not ask any additional questions related to applications.

The third Interviewee working at the senior position at the regional level also underlined problems associated with civil society inclusion, that many civil society representatives do not attend LC sessions regularly. It is not easy to collect the quorum in rural areas to organize the work of LCs. Since it feels a shortage of experts, they have to invite specialists from the neighboring specialization close to the land sector—for instance, woodworking, sub oil use, agriculture, ecology, and many other fields. Thus, answering the question, how well are presented civil society organizations in the Land Commission? The interviewees stressed that the composition of land commissions is quite comprehensive, but the Land Code determines the presence of civil society whose representatives is difficult to find in rural areas (academia, agro-industry representatives, business community. Also, just the formal presence of these groups does not guarantee the institution's effectiveness.

Asking the representative of the National Chamber of Entrepreneurs (Atameken) about the limitations in the work of LCs and the process of civil society inclusion, the interviewee started the interview by saying:

"I suppose you most probably heard from representatives of local municipalities, our colleagues, that representatives of the National Chamber of Entrepreneurs are not regularly attended LC sessions? Furthermore, the interviewee continued: "From my side, I should say that all representatives I know regularly attend LC sessions. However, we should understand that LC sessions, before the pandemic and in some cases now, require in-person presence, while for business people and entrepreneurs, it is difficult because we have other obligations related to business and are absent because of business trips. Thus, due to objective reasons cannot attend some LC sessions." (The interviewees code: C.NCh.E. 1).

Another inconvenience the interviewee is stressed about is the timeframes given for LC documents consideration. Businessmen do not have enough time to read all LCs materials in such a limited amount of time (three-five days). However, the documents are distributed only in

hard copies and require a physical, not an online presence. However, there should be an understanding that businessmen have their obligations related to business.

The interviewee underlined that from their side, Atameken organizes annually and quarterly in the local office of the National Chamber of Entrepreneurs training on land legal norms for businessmen, members of LCs (The interviewee's code: C.NCh.E. 1).

Representatives of the Public Council and academia stressed that the institutions of civic control as LCs should exist. The limitations in the work of LCs consist not in their composition but rather related to the procedural and technical problems in the organization of the work of Land Commissions. In particular, hard to gather the quorum in times of pandemic. LC sessions are being held either in mixed form (when few people sit in the municipality while others participate online) or fully online, but here again, many problems arise in rural areas, where not all people have computers and access to the Internet. The quality of the internet connection is slow in rural areas. Plus, elderly persons and active citizens of local communities' experience difficulties using the new technologies. These problems add to the previous one, making the whole LC organization and conduction hard.

In addition, the problem is related to technical procedural issues. The LCs have only five days to consider all application documents. Right after the LC session, the decision and the official protocol of the LC commission decision should be ready the same day. LC members do not have enough time to read all the documents correctly in a hurry. Plus, in the absence of electronic signatures, one person has to collect all, e.g., fifteen signatures, meaning to go literally to each house of each LC member to gather these signatures for hard copies of LC protocol. This process takes time, and sometimes, particularly in the winter season, this requires time, and thus, the protocols of the LC session could not be ready in one day. This leads to delays, and people complain that the LC is working ineffectively and slowly.

Touching on the problem of in/effectiveness, the interviewer asked additional questions, namely whether the civil society component inclusion in Land Commissions could counteract land corruption?

As several interviewees working as Heads of Land Departments stressed, the media presents akimat employees, particularly those working at Land Departments, as "corrupt and ineffectively working burecrats"; however, they neglect the fact that civil society representatives themselves could be exposed to corruption risks. Therefore, answering the question of whether the civil society component inclusion in Land Commissions could counteract land corruption, the interviewees representing state authorities representative were rather skeptical.

Talking about procedural problems, the interviewees stressed that the LC defines the winner of the competition to whom with the majority of votes to allocate a particular land plot according to the Land Code. To be precise, according to the Land Code, Art. 43, Land Commissions are set up: "to consider applications (requests) and prepare opinions on granting rights to and plots (on determining the winner of a competition for granting the right to temporary land use (lease) for a fee for running a peasant or farm enterprise, agricultural production)..." (Land Code, 2003 with Amendments 2018).

For instance, if in the competition participate, five applicants submit their business plans, explaining why and for which purposes they are taking the land (for short term or long term use). The evaluation scale has such criteria as the availability of agricultural machinery, such as tractors, cattle, the number of workplaces the applicant intends to open (e.g., two-three employees or more), and how much investments will be invested in these purposes. After using 20 point scale, the commission determines the winner, the person who gets the highest points becomes the winner of the competition. If, for instance, several persons got the same amount of points, LC votes again and, with the majority of voices, decides who becomes a winner.

Interestingly that both state officials, the National Chamber of Entrepreneurs, and other civil society representatives underlined that one limitation in the current work of LC they notice is

that the highest points and consequently the land receives that individual who is going to invest a more significant amount of investment. This issue is associated with two problems: 1) that in such practices, only rich people could get the land; 2) people who do not have such resources could take credit or even lie that they have the resources to the Land Commission.

One of the interviewees stressed that being a member of LC in the rural area, he knows almost all applicants of LC in person.

"The LC receives the application: the business plan submitted by the one applicant, who wrote that he will invest about 30 million tenges to this land in the next years. But, in rural are, we know each other. He is a school teacher and he cannot get such amount of money in next years. Thus, to participate in competition, I assume people are going to take a bank credit which they cannot afford to return. Thus, much should be done to protect the land right of rural poor or middle class." (The interviewee code: SAR.1).

Also, talking about corruption risks several interviewees subtly hint that probably some applicants, while defining the composition of LCs, try to "negotiate" with LC members in advance before the competition. But as the interviewee underlined, this is just his assumption, and he does not have any evidence to support this claim.

In summarizing, it should be stressed that answering the question, has the inclusion of civil society improved the effectiveness of Land Commissions? Interviewees stressed that though the inclusion of civil society is a positive trend and undoubtedly should lead to transparency, accountability, and inclusiveness of land governance, there are several limitations associated with this process.

The interviewees stressed several of these limitations, such as:

- Hard to find civil society representatives in rural areas; difficult to gather the quorum.
- Lack of knowledge and expertise by LC members, in particular, those representing the civil society component, as they do not have legal or other education and are not well aware of different norms and regulations related to the land sector.

- Lack of responsibility by civil society representatives who do not regularly attend LC sessions.
- The problem of lacking the mechanism of administrative or other forms of responsibility for those LC members who do not attend LC sessions.
- Limited timeframes to read all-LC materials; the decision and the protocol should be ready in one day.
- Difficulty in getting access to computers and the Internet for some LC members, particularly those living in rural areas.
- The absence of back communication between Head of Land Departments, local Mayors, and the Ministries is essential to improve the work of LCs.
- Lack of evaluation criteria, with the predominance of the criteria on the number of investments, makes access to land for marginalized or poor hard.
- Persistence of old procedures: all work is done paper-based, not digital.

CHAPTER 7. WHAT HAVE LAND COMMISSIONS ACHIEVED?

The present thesis Chapter addresses RQ 3; namely, we will analyze: what conditions facilitated these newly introduced institutions' success or failure (underperformance) as Land Commissions in Kazakhstan?

It is essential to mention that in 2021 the Land Reform Commission at the Republican level, which was gathered after five years (since 2016), discussed, among many other issues, the problem of the ineffectiveness of the work such institutions functioning under local municipalities as Land Commissions. One of the experts who first raised this problem of the ineffectiveness of LC is the prominent legal land expert Bakhytzhan Bazarbek, Member of Land Reform Commission 2021, who, on the LCR session in March (26) 2021, stressed that it is essential to: "to abolish the "land commission permanently." (from the author's notes taken during the non-participant observation of the LRC session, 2021). The legal expert underlined that the introduction of the public into the Land Commission did not help but exacerbated the level of corruption in the country. It is important to mention, that legal land expert Mr. Bakhytzhan Bazarbek also is the author of numerous publications in media, where the expert analyses the reasons of Land Commissions failure; defining nine reasons to abolish these institutions, among them related to legal, economic, operational, technical and other reasons. (Bazarbek, 2022).

The public figure and activist Mr. Mukhtar Taizhan and other members of LC stressed that it is necessary to transfer the control functions to the separate Agency or Committee, which shall be directly responsible to the President of the Republic of Kazakhstan, not to the Ministry of Agriculture.

7.1. Non-participant observation of Land Reform Commission (2021).

From March 25, 2021, to April 24, 2021 (each Saturday), the researcher conducted a non-participant observation of LRC sessions. The LRC live streams were available on the official

website of the Ministry of Agriculture of the Republic of Kazakhstan and the Facebook page of the same Ministry. For the analysis, the researcher also applies the same categorization we used in Chapter 6.

Table 13. Three-dimension analysis of observed data: LRC (2021).

<i>Dimension</i>		<i>LRC 2021</i>
<i>Structural</i>	Structural/org anizational complexity	<p>On the second LRC session, Mr. Bakhytzhan Bazarbek suggested closing such institutions as “Land Commissions.” Also, the need to introduce the norm on “conflict of interest” so that LC members would declare whether the conflict of interest exists (in the case of applying the relatives or acquaintances of LC members).</p> <p>Mr. Mukhtar Taizhan stressed the urgent need to create an open cadaster to prevent corruption and elite land grabbing. So, the population will know who knows how much land. It also suggested not to establish the creation of the “monopolist” in space monitoring.</p> <p>Also, it suggested significant structural changes such as creating the Land Agency, transferring all functions from Akimats to this Agency, and making land inspectors responsible to this Agency but not to Akimat.</p> <p>LRC member Mr. Maksut Baktibayev stressed the problem of insufficient openness of LC sessions. Currently, all information is hard to find (videorecording) on more than one hundred websites of local municipalities. Thus, it is necessary to create one common platform with joint standards.</p>
<i>Relational</i>	Communications (negotiations, dispute, silent agreement, lobbying)	<p>From eighty LRC members and members participating online from regions of Kazakhstan, it was visible that several persons are representing the civil society: Mukhtar Taizhan, Bakhytzhan Bazarbek, Maksut Baktibayev, and other members. The LRC raised many issues, but we cover those related to the topic of LCs. On the issue of suggestion to the closure of LC shortly, not much discussion with LRC was observed. The more disputed and discussed questions concerning the possibility of private ownership and long-term land rent (for 49) with further extensions.</p>
<i>Procedural</i>	Procedures applied (for instance, voting). Technical issues.	<p>The video and sound materials of the LC session are of good quality. LC sessions are conducted with the preservation of all procedures. All live streams were available on the official website of the Ministry of Agriculture of the Republic of Kazakhstan and the Facebook page of the same Ministry. The discussions first LRC members have within their working groups (by most voices) and later discussed at the Republican LRCs.</p>

(self-constructed)

It is crucial to stress that the Parliament of Kazakhstan adopted suggestions expressed by the expert on the LRC session. Among LRC recommendations was to consider the issue of abolishing land commissions under akimats from January 1, 2023 and enhancing the digitalizing process of land relations.

Later, on June 30, 2021, the President of the Republic of Kazakhstan, Kassym-Jomart Tokayev, signed – "The Law of the Republic of Kazakhstan "On Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on the Development of Land Relations." (Adilet, 2021).

7.2. National interviewees on the reasons of Land Commissions underperformance.

In the third block of interviewee questions, the interviewer asked several questions from the national interviewees, namely:

- How have Land Commissions changed land granting policies in Kazakhstan?
- What factors hinder land granting policy change (old ideas, old institutions)?
- What can be done to increase the effectiveness of the work of Land Commissions in Kazakhstan?
- In your view, including new actors and new ideas (digitalization) will help transform land governance, making it more inclusive and transparent.
- What is your view will be future trends in the development of land governance institutions in Kazakhstan and the main challenges?

Answering the question, how has the introduction of Land Commissions changed land granting policies in Kazakhstan? Most interviewees underlined that despite all criticism in recent years related to the work of LCs, the significance of this institution is that it changed the sole decision-making process in land governance, which was predominant in previous decades. Thus, most interviewees stressed that the decisions are taken under the control of the public, and an additional benefit is that any individual can see the process in video recordings of LC sessions; thus, land granting policies become more open and transparent. Thus, in the video recording, it is visible: who advocates for and who is against it. Thus, this openness leads to a decrease in the corruption risks. Some national interviewees suggested that instead of abolishing Land Commissions, the need to increase the component of civil society in LCs from 50% to 80% percent. (The interviewee code: C. PC.2)

However, not all interviewees were optimistic, stressing that the civil society representatives could also be prone to corruption risks. Moreover, the Heads of the Land Department underlined that the increase in civil society representatives might lead to the bureaucratization of the whole decision-making process. (The interviewee code: SAR.1)

Several interviewees underlined that the problem lies not in increasing the number of stakeholders but in increasing of capacities of civil society, stressing that it is crucial to increase the level of legal knowledge and other lands sector-related knowledge of civil society representatives. This is an exciting point because the Head of the Land Department raised this problem, but not the civil society representatives. The interviewees presenting Land Departments stressed:

"There is the common belief that Head of Land Departments are corrupt and do not favor collective decision-making. This approach is too simplistic. As a land expert who worked as a legal land expert several years and later, was working in the local municipality more than six years, so in full ten years in the land sector, I am for civic control, but it should be made wise. Just the increase in civil society representatives does not give any results. Better to address the problem by raising the knowledge and expertise of civil society representatives and, most importantly, their responsibility. Also, I am sure that just digitalization without public control will not benefit society." (The interviewee code: SAR.1).

The same issue was raised by another Head of the Land Department who stressed:

"We so bureaucratized the whole land allocation process so that it is impossible to work. The amount of pressure on Land Department Heads is enormous. They are responsible for identifying and inviting civil society representatives and have to organize all-LC work. LC members do not feel responsible for their obligations; some do not attend the LRC sessions. Thus, although indeed I am for civic control and openness of decision –making process but I believe that the way it is functioning now is ineffective. That is why, I am for digitalization process of land governance." (The interviewee code: SAR.1).

Therefore, there is a twofold opinion related to globalization. On the one hand, the interviewees see digitalization as a "panacea" to many systemic problems (such as lack of transparency and high bureaucratization). While on the other hand, stressing that digitalization cannot replace the mechanism of civic control.

7.3. What factors hinder land granting policy change (old ideas, old institutions)?

All interviewees named different factors that, in their view, hinder the effective work of Land Commissions.

First of all, the predominance of old ideas in land governance. Several experts explain that the predominance of old ideas in land governance is understood as "old ways of governing," including all paper-based processes and not corresponding to changing realities. Most LC sessions are held offline (in some cases, even during a pandemic), all protocols require signatures, and there is no possibility for electronic signatures. Thus, the whole process is time-consuming.

Secondly, few interviewees stressed that LC work faces latent/hidden problems. When the interviewer asked what exactly is meant under latent problems? one of the interviewees stressed that applications (business plans) in some cases are not prepared according to one common standard. Since the main criteria are the number of investments, the applicants write the high investment amount (any amount of investments). However, they do not submit any documents that legally support this financial obligation: related to the availability of such resources and agricultural techniques. Thus, the applicant can write any investment amount without presenting any proof. Furthermore, business plans do not have provisions on how this investment will be spent during the next three, five, or ten years.

Besides this, several interviewees stressed that they have suspected that some applicants may agree with LC members before the LC session to persuade them to vote for them.

Thirdly, a broad definition of civil society. Several interviewees stressed that they find the current design and work of the Land Commission useless and causing more problems than solving them. Clarifying such opinion, that being the Head of Land Departments of local municipalities said they are responsible for the invitation of both state authorities and civil

society component to the work of LCs. However, as one of the interviewees stressed: Who is civil society? They do not have representatives of agribusiness academia in rural areas.

Nevertheless, even though civil society is no less than fifty percent of LC, the interviewee finds that civil society representatives can also be subject to illegal practices, wrongdoing, or corruption in some cases. However, although decisions are taken collectively, the responsibility usually bears only to heads of Land Departments but not the civil society component, who also votes for the particular applicant with the majority of their voices. The LC lacks the mechanism of collective responsibility.

Interestingly that another interviewee also emphasized this problem of past legacies. The interviewee stressed that the land laws of Kazakhstan were initially based on the Soviet system's legislation. The country had to establish a market economy and develop the institute of private property, but it was possible to do this if all land laws and regulations were based on Soviet-type legislation. However, such legislation does not make it suitable for the market economy. Thus, there were legal collisions in land laws and regulations in the first decades since the country's independence. Thus, different land allocation problems and difficulties in formalizing the property are rooted in these initial decades when Land laws were unsuitable for the market economy. The same argument was underlined by the Atameken representative, who previously worked as a land legal expert in the local municipality. He underlined that the land legislation was changed, and many new amendments were included, considering the best practices of foreign countries. Thus, it underlines to the interviewee that the land legislation was changed to about 50% only in two years, which is significant progress.

7.4. What can be done to increase the effectiveness of the work of Land Commissions in Kazakhstan?

One of the Heads of the Land Department of one of the districts from the Western Kazakhstan region kindly shared the document. His suggestions were initially sent to the Head of the Land

Department at the regional level. The interviewee raised these points on the improvement of LC during the interview. These suggestions include:

- To elaborate on one standardized form of the business plan. The interview stressed that from his experience, many business plans, which are the primary document while applying for the competition, are incorrectly prepared or missing vital information and do not have any supporting sources about the number of investments and the technic available.

- To introduce the regulation that each applicant needs to defend, present his/her business plan to the LC. In this case, LC members would have the possibility to ask a clarifying question, for instance, how investments will be spent.

- To introduce the administrative responsibility if the applicant who won the LC competition received the land but did not use it effectively. As the interviewee stressed that LC members do not have oversight functions; thus, even if persons are not using the land at all or using it ineffectively, there is not much they can do about this fact.

- To change LC procedures by giving preference to the local village, district, and region population. The interviewee stressed (and this evidence is confirmed by the interview results from other case regions) that LC wins those applicants not living in this village, district, or region. This causes severe concerns and discontent in the local population, which means that prosperous applicants from different regions apply to LC and suggest that more investments win LC. In such a case, local rural people remain without land. All interviewees stressed that the preference should be given to local people. (The interviewee code: SAR. 1)

Almost similar suggestions were raised by the other interviewee, who was underling the need of giving preference to local people, as one of the interviewees stressed:

"One district located in a very remote area. We have many local entrepreneurs, farmers (small-scale, medium), also rural landless for instance, teachers, doctors. We have rural youth who wish to work on land. On the day of LC session, on the day of competition with most voices wins the applicant, suggesting the greater number of investments. In many cases, these are not people

who are living in our district, since they can not offer such amount of investment. Thus, local population, rural youth, remain landless" (The interviewee code: SAR.1).

7.5. Land Governance Digitalization.

The researcher asked the interviewees additional questions, whether digitalization can serve as an alternative to Land Commissions and will help transform the land governance in Kazakhstan, making it more inclusive and transparent? Furthermore, asking about future trends in the development of land governance institutions in Kazakhstan and the main challenges. Most interviewees find the digitalization process a positive trend. The interviewees stress this process might help to partially solve governance problems such as bureaucratization and corruption caused by the human factor. As one interviewee stressed, by 2023, the majority of lands will be already formalized. Therefore, the amount of formalized lands will be reduced.

"Thus Land Commission as institutions as it functions now will lose its relevance. Furthermore, there will be legal, civic deals on all formalized land, with the seller and buyer's participation. The main question will be around undeveloped free areas. Plus, some changes will be related to the agricultural lands." (The interviewees code: C.NCh.E.1)

Most interviewees view the digitalization process as a panacea against many systemic problems, expecting it to bring more transparency, openness, faster and more efficient decision-making, and reduce corruption risks. Only a few interviewees do not share this optimism. Stressing that digitalization will require time and official resources, in addition, in any case, the people will take the decision. Therefore, in any case, the decisions will be affected by the human factor. Therefore, there is a need to increase civil society capacities and prepare expert land governance specialists at the Republican level. Just civic participation will not guarantee the transformation of the whole land governance system, making it suddenly transparent, inclusive, and accountable. Land governance becomes complex and requires special knowledge. Therefore, much emphasis should be paid to the preparation of land governance specialists.

Also, the interviewees, mainly state authorities and representatives of academia, stressed that it is crucial to establish better back communication between LC members with the representatives

high ranking officials as many initiatives on the improvement of LC work are not being welcomed and heard. Thus, as one interviewee stressed:

" We are just implementing policies and rules. But the experience show that these initiatives and reform are ineffective. Because they were not elaborated and implemented by the experts. We need the new generation of land governance specialists, who can elaborate and introduce better designed polices in land governance, which will be based on principles of accountability and openness." (The interviewee code: SAR.1)

Analyzing the impact of the introduction of Land Commissions on civil society engagement with land policies, it is possible to agree with researchers Knill et al. (2021) that.

"...the effectiveness of public policies is heavily determined by the contextual conditions under which they operate such as the exact characteristics of the target group, the nature of the problem at hand, or the specificities of the local circumstances." (Knill et al., 2021, p. 933).

While stressing the need for inclusion of public representatives in the Land Commissions in 2016, politicians and civil society representatives emphasized that this step might lead to transparency, openness, and accountability of the land allocation process. However, currently, five years after the implementation stage, many limitations of the institutions are visible, and most of them are related to the improper design of this initiative. Currently, worldwide, the target of land policies is indicated poor and landless rural and rural populations. Therefore, pro-poor land policies analysis is in demand in recent decades. The researchers Borras Jr & Franco (2010) stress that a pro-poor land policy is understood as a public policy that aims to protect and advance the land access and property interest of working poor people. "In most agrarian settings, the rural poor are various social classes and strata of the landless and land-poor peasants and laborers: small owner cultivators, small-scale cultivators, middle peasants, landless rural laborers, subsistence fishers, indigenous peoples, pastoralists, both male and female." (Borras Jr & Franco, 2010, p. 10).

The researchers stress that pro-poor land policies are not about land relations but social and power relations in a particular society and closely link with democratization processes. As "in

many agrarian societies, the pro-poor land policy is necessary to achieve democratic governance; (Borras Jr & Franco, 2010, p. 5)

The researchers differentiate several pro-poor land policies, stressing that several features characterize pro-poor land policy: Protection or Transfer of land-based wealth in favor of the poor, Transfer of land-based political power, Class-conscious. Historical, gender-sensitive, Ethnic-sensitive. Productivity-increasing. Livelihood-enhancing. Rights-securing. (Borras Jr & Franco, 2010) However, the question arises:

"How can pro-poor land policy be formulated and implemented in settings where recognition of the rights of the poor is weak and where land-based wealth and political power is highly concentrated in the hands of a few – private individuals, corporate power or the state?" (Borras Jr & Franco, 2010).

Therefore, as the researchers stress when evaluating the 'successor 'failure' of a land policy, much attention is paid to economic terms rather than non-economic measurements by analyzing whether the peasants and rural workers may benefit from a given land policy. (Borras Jr, S. M., & Franco, J. C., 2010). Land Commissions with civil society engagement established right after land protests in 2016 were introduced without pointing out the policy targets, for instance, pro-poor land distribution. Thus, as the interviewee stressed, the main problem is that the rules and regulations in the work of land commissions were not properly designed. This caused severe problems at the policy implementation stage. When now the state authorities, expert community blame LC members for the failure of the Land Commission as the institution, the LC members, both state authorities and civil society component, stress that the problem was caused by the improper design of such initiatives. Land Commissions with civil society engagement established right after land protests in 2016 were introduced without pointing out the policy targets, for instance, pro-poor land distribution.

Thus, as the interviewee stressed, the main problem is that the rules and regulations in the work of land commissions were not properly designed. This caused severe problems at the policy implementation stage. When now the state authorities, expert community blame LC members for

the failure of the Land Commission as the institution, the LC members, both state authorities and civil society component, stress that the problem is caused by the improper design of such initiatives. In Chapter 6, we were already underlining the problem that the modern criteria of policy effectiveness and success/failure measurement are highly subjective and blurry. However, the academic community uses different frameworks to make such an analysis and the defining so-called "effectiveness" less vague. In particular, the field of land governance considers multidimensional nature, encompassing many aspects, including economic, social/cultural, environmental, political, agricultural, and many others. For instance, the application of Anticipating policy effectiveness, suggested by Bali et al. (2019), which differentiates Analytical, Operational, and Political Dimensions of policy effectiveness measurement, could be helpful.

7.6. Dimensions of Policy Effectiveness.

Table 14. Elements of Policy Effectiveness.

Elements of Policy Effectiveness			
<i>Dimensions of Policy Effectiveness</i>		<i>Instrumentality</i>	<i>Capacity</i>
	<i>Analytical</i>	Is/are the instrument(s) capable of solving the problem?	Does the agency know how to choose, adapt, and calibrate policy tools?
	<i>Operational</i>	Is the instrument operationally feasible?	Does the agency have the accountability mechanisms, coordination mechanisms, and trained bureaucracy necessary to use the tool?
	<i>Political</i>	Is the instrument socially acceptable and politically viable to use?	Does the agency have the legitimacy/ability to reconcile political differences? Or deal with political opposition?

Bali et al. (2019)

The researchers (Bali et al., 2019) stress that measuring policy effectiveness requires careful consideration of its root causes and the selection of instruments. (Bali et al., 2019, p. 1). The

instrumentality element of the analytical dimension requires the precise identification of policy tools and the problem and target audience, which means the identification of why this tool will solve the problem. “Why will this tool work? How will it work? To what effect? Under what conditions? (Howlett 2019, Peters 2015a in Bali et al., 2019, p. 6). At the same time, the capacity elements are linked with technical aspects associated with these policies.

7.6.1. Analytical dimension.

Looking at the analytical dimension, LCs instrumentality, and capacities, the work of the civil society component in LC is not well specified and articulated. Although Land Code with Amendments 2018 has detailed provisions on how in procedural terms, these institutions are going to work, less attention is paid, which is exactly the problem the inclusion of civil society in LCs is going to address. Elite grabbing? Land Corruption? Land inequality? Lack of transparency and openness of inland allocation process? The absence of a clear identification of the problem this mechanism will address leads to the absence of a strategy for implementing this innovation. In terms of capacities, also it is visible from the interview and non-participant observation results that problems exist in the absence of necessary technical capacities; civil society representatives do not all have a computer and a fast Internet connection. In addition, the training and the explanation and legal knowledge and expertise of LC members are not being conducted. If conducted, Only partially, for instance, from the civil society component, only the National Chamber of Entrepreneurs Atameken conducts additional training for their members.

7.6.2. Operational dimension.

At operational dimension considers the operational feasibility of the policy tool to solve the problem. “Similarly, contracting and commissioning, key features of contemporary public service delivery , require government agencies to have a range of public management systems, including mechanism to manage procurement, contract negotiations, enforcement etc.” (Alford & O’Flynn, 2012, in Bali et al., 2019, p. 7). Our research evidence (expert interview and non-

participant observation results) show the absence of a preliminary analysis of whether the instrument was operationally feasible. All interviews stressed the problems in coordination of policy implementation and, most importantly, the lack of accountability mechanisms. Even though interviewees raised several problems and suggested ways to address them, the senior officials do not show any signs of welcoming, discussing, or supporting these initiatives. Therefore, all the institutes of the Land Commission lacked the accountability mechanisms, coordination mechanisms, and trained bureaucracy, which was essential to train and introduce to coordinate this work.

7.6.3. Political dimension.

In the political dimension, the researchers stressed how this policy tool would be acceptable to society. However, considering that the society is not homogeneous, the analysis should be made on how acceptable will be implemented policy by different actors (different elite groups, the government, businessmen, media, and the general public). Thus, the policy context in which this new policy is implemented plays a critical role. As well as the overall level of trust in the government in the present society. Therefore, “policy managers need to develop quick judgment on the desirability and feasibility of different policies: what will be considered feasible and acceptable by managers, politicians, stakeholders, or the public, what will not and why...This would require a nuanced understanding of stakeholder interests, their strategies and resources.” (Wu et.al., 2015 in Bali et al., 2019, p. 8). The research evidence shows that different stakeholders raised their problems in the LC work. For instance, although better equipped and trained on land policies and other capacities than other civil society representatives, the business community does not have enough time for offline LC sessions due to other business obligations. The academia, agribusiness representatives, and NGOs are not well presented because these categories are absent in rural areas. All these nuances of political acceptance and the interests and actions of different stakeholders should be taken before implementation.

CHAPTER 8. CONCLUSION.

Explaining the fact why the state prefers the establishment of institutions over other policy alternatives, in "Violence and Social Orders," researchers North, Wallis & Weingast (2013) emphasize that the "natural state" possesses two kinds of monopolies; one is the monopoly over resources (e.g., land). Another is a "monopoly over the use of violence" (North, Wallis & Weingast, 2009). Unlike the "natural state," the modern open state societies mention researchers: "often limit violence and (uncertainty) through institutions." (Ibid. 2013). Based on an expert interview, non-participant observations, and critical discourse analysis, this research findings suggest that institutions, in our case, Land Commissions, were created, if to use North, Wallis & Weingast (2009) terminology, to limit uncertainty and violence: by shifting the venue from the protests on the streets into dialogue in the institutional setting. Namely, through the establishment after land protests of a Land Reform Commission 2016 and the consequent introduction of Land Commissions under local municipalities with civil society engagement.

However, the research findings demonstrate that just the formal creation of the institution does not automatically lead to policy change and a new policy subsystem formation. Thus, even if the formal institution was established, this does not mean that institutional change will occur.

8.1. Why were Land Commissions created?

Answering the first research question: why were Land Commissions created? national interviewees underlined that Land Commissions with civil society inclusion were created to establish the mechanism of civic control over land governance to replace sole decision-making practice (mainly by mayors). The national interviewees underlined that such a highly centralized system with a limited number of stakeholders engaged in land governance was dominant in the land governance system for decades in Kazakhstan. While land protests, 2016 served as a catalyst event that led to the creation of LRC and, later, Land Commissions with civil society participation.

Answering the question of which endogenous and exogenous factors precipitated the introduction of Land Commissions? This terminology is based on Howlett & Ramesh's work, which distinguishes four factors (systemic perturbations, subsystem spillovers, policy learning, and venue change); the research findings suggest the relevance of all mentioned endogenous and exogenous factors. However, it is important to mention that research findings suggest the limited influence of Internationalization processes and exogenous factors on the creation of Land Commissions. Although the national interviewees find the process of Internationalization as rather irrelevant to the context of Kazakhstan, however, indirect evidence, namely the application of Critical Discourse Analysis, shows that exogenous factors exert influence on the domestic policy subsystem. For instance, the research finding suggests that local media sources do not cover in detail land protests. In contrast, international media sources, e.g., Radio Azattyq, which is the branch of the international media source, cover the 2016 land protests, the demands of protestors, and their position. As the researcher Blackledge (2005) points out, one should not underestimate the importance of discourse analysis. Discourses form our social memory, and this memory is constructed by those who produce the discourse: the government and the media. (Blackledge, 2005). Thus, although the national interviewees did not name the factor of Internationalization, totally excluding this factor as irrelevant will be incorrect as indirect evidence shows the impact of this processes on domestic policy subsystem. It is crucial to point out that by exogenous factors, Howlett and Ramesh see two factors, namely, systemic perturbations and subsystem spillovers. The interviewees name these factors as having an impact on the LCs creation. Thus, the application of the Howlett and Ramesh Model helped us distinguish and reveal the impact of both exogenous and endogenous factors on the LCs creation.

Systemic perturbations.

Howlett & Ramesh (2002) see systemic perturbations as critical moments when the policy changes due to the crisis; in our case, land protests. During such a crisis, new actors and new ideas can enter the previously closed subsystem.

Interview results with national interviewees reveal that land protests in 2016 are seen as a crisis moment in the system that further to policy change and the consequent establishment of the Land Reform Commission (2016) and, later, the inclusion of the civil society to land governance through the institution of Land Commissions. According to the interviewees, using Howlett & Ramesh's (2002) terminology, land protests could be seen as the critical moment when "new actors and new ideas" enter the previously closed policy subsystem. (Howlett & Ramesh, 2002)

Although most interviewees found that the 2016 land protests are possible to consider as a catalyst event and decisive factor leading to LCs creation, few interviewees (working for akimats and representatives of academia) find other factors pivotal.

Several interviewees emphasized that Land Reform Commission (LRC), established after the land protests, served as a temporary instrument of the post-conflict resolution, while Land Commissions under local municipalities were created as a permanent institution. Therefore, the two institutions have different mandates if LRC was designed to mitigate protest moods and serve as a post-conflict mechanism, to discuss and prepare land reform proposals. While Land Commissions under local municipalities were created to modify the decision-making process and land allocation process to make it open, transparent, and accountable to the population.

Interestingly, while pointing out the problem of dominance of sole decision-making in land governance in previous decades, several interviewees stressed that the Commissions with expert community engagement existed previously in some form. As the interviewees stressed, commissions, as they are now, are the result of many years of work to improve land relations. Therefore, as several respondents underlined, it will be erroneous to think that only events of 2016 affected the decision to include civil society in land governance, namely, Land

Commissions. The difficulties the researcher experienced during the data collection, namely hesitation to talk about land protests in 2016, signalize that the topic related to land is still considered sensitive. Therefore, considering all difficulties in obtaining primary data, the special importance gained also the analysis of state and media discourses as available and open to the public sources for the research analysis. The Critical Discourse Analysis (CDA) of the official documents and two media sources demonstrated the differences and even clashes in discourses related to the notions of land, the portrayal of 2016 events land protests, and the consequent establishment of Land Reform Commissions. At the same time, the problem of civil society inclusion in Land Commissions is somewhat neglected in both state and media discourse.

Subsystem Spillovers and Policy Learning.

While pointing out that the land protest 2016 served as a catalyst event that further to the establishment of LRCs and LCs, the interviewees stressed the importance of other factors that led to the inclusion of civil society to land governance (e.g., the institutional pattern of previous experiences in land governance). Few interviewees underlined that the idea of inclusion of civil society in land governance existed previously. Therefore the effects of subsystem spillovers and policy learning should not be overestimated. Overall, national interviewees underlined that:

1. It is erroneous to think that ideas of civil society inclusion appeared on the agenda only after land protests in 2016. The land protest 2016 was just a catalyst event that showed the degree of previously existing but latent disagreement of the local population towards all problems in land governance (land corruption, elite land grabbing, and lack of access to land).
2. It is mistaken to think that Kazakhstan inherited some Soviet land governance system traits. As the interviewees pointed out, even in Soviet times, there were common forms of the community of local urban and rural communities and intelligentsia (civil society) engagement in land governance. As the interviewees point out, in the 1990s - 2000s, land governance became more monopolized, which gave many competencies to the sole hands of local mayors, which, in the absence of the mechanism of civic control, led to the

spread of land corruption. However, as interviewees stressed, ill-conceived design led to the Land Commissions' underperformance. Therefore, Land Commissions work does not bring significant changes in the land allocation process, that still remain opaque, unaccountable, and rather exclusionary.

3. Several interviewees underlined that considering that the idea of inclusion of civil society is the new one and comes from abroad rather than domestic is inaccurate. Even if not considering the Soviet legacies or times before the Soviet period, the history of Independent Kazakhstan and ideas of civil society inclusion were discussed and functioned before the 2016 events. For instance, representatives of academia stressed that starting from the 1990s, they studied the international experience and published several monographs related to land governance and land reforms. However, there were no favorable conditions to introduce further land reforms. These ideas were not accepted, as the land governance system was highly centralized, and many powerful actors were not interested in those changes.

Venue change - from street protests to Land Reform Commission (2016) and Land Commissions (2018).

The interviewees underlined that created after land protests in 2016, and Land Reform Commission was a temporary institution that it is possible to consider its role rather as a conflict prevention mechanism. LRC was created after the crisis, after land protests to mitigate and change the venue from street protests to the place allowing this dialogue with civil society engagement. Though the idea of civil society inclusion was tempting, the implementation stage revealed many systemic problems that do not bring positive changes in the land allocation process even if the civil society component was included in land governance, stressed interviewees.

8.2. Has the inclusion of civil society improved LCs effectiveness?

Chapter 6, which addresses Research Question 2. whether the inclusion of civil society improved the effectiveness of Land Commissions, considered the problem of ambiguity of categories as "effective" and "ineffective" in the academic literature, causing difficulties both for practitioners and academia to define these categories of "effectiveness" and "success and failure." Several global assessment frameworks and indices, including the World Bank's Land Governance Assessment Framework (LGAF), Global Land Governance Index (LANDex), and others, measure the institutional dimension of land governance by applying expert interviewing methods.

It is important to mention that of five Central Asian countries; only Kyrgyzstan is currently presented in LANDex and LGAF. Kazakhstan is still not present in LGAF and LANDex. Thus, none of the mentioned international measurements of land governance effectiveness were studied and applied in Kazakhstan. Written within the framework of this thesis, the article "Central Asia Performance Review in Land Governance Indices and Assessment frameworks (Mukhtarova, 2021) sheds light on the problem of land corruption and the necessity of applying global land governance indices to assess land governance effectiveness in Central Asian countries.

Mentioning different aspects of benefits and limitations associated with civil society inclusion in land governance, the international interviewees underlined that worldwide land governance is becoming less transparent and less inclusive. Because powerful actors with more financial resources use all technologies, economic and legal resources hide the information on land ownership, explaining this, e.g., by privacy rights protection. One of the interviewees underlined that even in one year, 2020, many activists working to protect the environment and land rights were murdered or prosecuted. (The interviewee code: I.IG.UN.3)

As the international interviewees underlined, despite all complexities and multifaceted nature of land governance, both academia and practitioners must consider shifting the land governance issues from purely political to the administrative sphere. Land administration and land

governance changes need to be started by changing the bureaucratic culture and the general communication culture between citizens and bureaucrats. The international interviewees emphasized the need to keep the mechanism of civic control, e.g., in the form of Land Commissions with the inclusion of land administration experts. Without such a mechanism of civic control, all power and information asymmetries will be kept, and the digitalization process will benefit only powerful actors rather than the population.

While national interviewees underlined that the mechanisms of the inclusion of civil society in land governance are rather "formal" than real, mentioning that suggestions on the improvements of land governance, e.g., by academia, are not accepted seriously. Due to this absence of connection between academia and the state authorities, the land governance system experience various problems at all stage of the policy cycle, from agenda-setting to policy evaluation. Thus, paying more attention to the "cosmetic" rather than the substantial side of such changes, the state authorities do not pay sufficient attention to the substantive content introduced to the land governance novelties.

The application of both methods, non-participant observation and interview results with national interviewees made it possible to identify problematic areas and triangulate the research findings. Interestingly, there are significant differences between the interview results and the non-participant's observation findings.

Almost all, except a few national interviewees, underlined that they find the inclusion of the civil society component in the work of LCs as the positive aspect leading to participatory decision-making, inclusiveness, transparency, and accountability. Though, national interviewees underlined some problems associated with this process: such as lack of evaluation criteria, the difficulty in the collection of quorum, and the challenges associated with technical capacities in, particularly in rural areas (such as limited access to the technologies or their absence: computer and fast working Internet connection, lack of digital skills for using zoom or other electronic platforms), lack of legal and other knowledge related to land governance and other aspects.

Only a few interviewees stressed that they find the current design and work of the Land Commission useless and causing more problems than solving them. Clarifying such opinion, that being the Head of Land Departments of local municipalities, they are responsible for the invitation of both state authorities and civil society component to the work of LCs.

Another important question raised by interviewees: Whom to consider as civil society representatives? It is difficult to find agribusiness representatives and academia in rural areas, as interviewees underlined.

The lack of responsibility, low attendance of civil society representatives, and the difficulty of collecting the quorum were raised almost by all Heads of Land Departments. Another issue raised by the state authorities is the lack of back communication between the mayors and Heads of Departments and with Ministries and other senior affiliated state authorities. Such an unwelcoming environment for raising the initiatives caused even more difficulties and pressure on the Heads of the Land Department for local municipalities.

Some of these interview findings correspond with non-participant observations in four regions of Kazakhstan. Though applying non-participant observation, the author of the thesis received the information not raised during the interviews. Namely, applying structural, relational, and procedural observation categories helped obtain the new data.

Structural: It was possible to notice that applicants for the LC competition are those persons who already own land but wish to receive even more land to increase the territory for diffident purposes. Also, in most of the observed cases won, the applicant, who in the business plan indicated the highest amount of investment per land and whose application supports the local mayor.

Relational: Except for a few observed districts, the civil society component during Land Commission sessions in all selected case regions was silent and did not ask any additional questions. Thus, the opinion of some interviewees that the inclusion of civil society makes the decision-making process more accountable and transparent does not confirm the observation

evidence. In most cases, LC members say yes or no, without participating in the discussion of applications.

Procedural: LC sessions were observed in four regions of Kazakhstan (in offline, mixed, and online formats), and in most cases, the sound quality was poor.

Therefore, while answering whether the inclusion of civil society improved the effectiveness, national interviewees named different problems associated with this process but at the same time underlined the importance of preserving the mechanism of civic control. However, non-participant observation results demonstrate that civil society representatives in all four regions were predominantly passive and did not raise any questions during LC sessions. Thus, the inclusion of civil society is a rather formal or "cosmetic" rather than a real working mechanism of civic control over the land allocation process.

8.3. What conditions facilitated LCs success or underperformance?

Addressing RQ 3. What conditions facilitated the success or failure (underperformance) of these newly introduced institutions in Kazakhstan? The analysis of interview and non-participant observations results reveals serious structural, procedural, and technical problems associated with the work of Land Commissions.

The application of Anticipating Policy Effectiveness, suggested by Bali et al. (2019), helped differentiate the Analytical, Operational, and Political Dimensions of policy effectiveness measurement applied to the analysis of the work of the Land Commission. The analytical dimension shows the absence of an elaborated and implemented design mechanism for the work of LCs. Most importantly, the absence of a clear identification of the problem this mechanism is intended to address. The research evidence (expert interview and non-participant observation results) reveal the absence of a preliminary analysis of whether introducing this novelty, meaning the inclusion of civil society, was operationally feasible. The interviewees stressed the problem of the absence of training for civil society representatives (except for Atameken

members) on legal norms, land laws, and other specific training. In addition, the Commission lacks accountability mechanisms and coordination mechanisms.

In the political dimension, prior to introducing such novelties, it was essential to analyze how this policy would be acceptable to society. Considering that the society is not homogeneous, the analysis should be made on how acceptable will be implemented policy by different actors (different elite groups, the government, businessmen, media, and the general public). All these nuances of political acceptance and the interests and actions of different stakeholders should be considered before implementation. Thus, the research findings reveal all three problems: political, analytical, and operational dimensions in Land Commission's work.

All interviewees named different factors that, in their view, hinder the effective work of Land Commissions, which can serve as evidence of path-dependence.

First is the predominance of old ideas in land governance. Several respondents explained that the predominance of old ideas in land governance is understood as "old ways of governing," including such problems as the absence of favorable conditions for back communication between senior officials: e.g., mayors with Land Department specialists of local municipalities, low salaries of Land Department specialists, which increases the corruption risks. In addition, in terms of technical capacities, all paper-based operations of LCs are not corresponding to changing realities. Most LC sessions are held offline (in some cases, even during a pandemic), all protocols require signatures, and there is no possibility for electronic signatures. Thus, the process is time-consuming and inconvenient for applicants and LC members.

Secondly, a few interviewees stressed that the present structure of LC could be prone to some latent problems from their point of view. During non-participant observation of Land Commission sessions, it was observable that people who already have land in the competition participated and that one applicant applied for several land plots.

Also, the decisions of LCs are taken based mainly on the main criteria, which is the number of investments; the applicants who write the highest investment amount usually win the competition. Thus, these criteria rather exclude the participation of marginalized groups, rural poor, rural youth, landless and unemployed. These factors lead to an ever-widening gap between rich and poor populations, elite land grabbing, and land inequality problems persistence.

8.4. Theoretical contribution.

To analyze research questions as to whether the introduction of Land Commissions with civil society engagement led to land granting policy change, the author applied "A Subsystem Adjustment Model of Policy Change" (Howlett & Ramesh, 2002) and "A Strategic Interaction Model of Institutional Change and Performance" (Pelizzo & Stapenhurst, 2011).

The thesis contribution consists in testing the core statement of belief expressed by Howlett and Ramesh that the entrance of new ideas and new actors leads to forming a new policy regime and a new trajectory of policy change.

Contrary to Howlett and Ramesh (2002), the thesis research findings suggest that new ideas and new actors entering the policy subsystem do not lead to a new policy regime with the further formation of *new policy monopolies and path dependencies*.

However, it is crucial to mention that our research covered the limited influence of the Internationalization process and such exogenous factors as subsystem spillovers (e.g., international discourses on land rights) on the creation of Land Commissions.

Another reason our research findings cannot fully reject Howlett & Ramesh's (2002) framework assumption is the absence of temporal dimension in our analysis.

From the establishment of Land Commissions (2018) to the time of their abolishment (2023), an insufficient amount of time has passed to claim the "homeostatic" condition and the absence of new policy monopolies formation. A more significant amount of time (a minimum of one decade) requires the observation of policy and institutional changes (meaning to observe changes of both formal and informal institutions). Therefore, while applying Howlett & Ramesh's (2002)

Model in this research, we cannot neither fully accept or reject the idea proposed by the researchers that the entrance of new ideas and new actors led to the new policy subsystem formation.

However, our research findings identified some signs of the "homeostatic" condition when the subsystem, despite the entrance of new ideas (e.g., land governance digitalization) and new actors (civil society), remains "immune" to these changes. The plans to abolish LC institutions due to their ineffectiveness by 2023 could signal that we do not observe the formation of a new policy regime and a new trajectory of policy change. However, the inclusion of the temporal dimension is required to claim the "homeostatic" condition. Thus, much research needs to be done to observe the future availability or absence of such changes.

8.4.1. Contribution to the Subsystem Adjustment Model.

Since both notions of path-dependence and "homeostasis" are mentioned in the Howlett & Ramesh Model, let us clarify that both models seem to have many commonalities but have different traits. The researcher Howlett (2009), in the work *"Process Sequencing Policy Dynamics: Beyond Homeostasis and Path Dependency,"* underlines that although path dependence and "homeostasis" are considered to be models sharing similar traits, however, the way both models consider policy change is different. The distinction between the two models varies in considerations of how change occurs.

Mahoney (2000) outlined the three principal elements of a path-dependent model: "1. only early events in sequence matter; 2. these early events are contingent, and 3. later events are inertial". (Mahoney, 2000, in Howlett, 2009, p. 248).

While the simplest explanation for "homeostasis" is: "processes, which are analogous to human temperature regulation or other similar organic processes through which complex systems interact with their environment while retaining their fundamental characteristics." (von

Bertalanffy, 1969, Howlett, 2009, p. 251). Meaning that despite the introduced novelties the sub/system after some time, again returns to the status quo or the condition of "statis."

Comparing path dependence with homeostasis, Howlett (2009) stress that changes in trajectories in "homeostasis" are not random or chaotic but rather are firmly rooted in earlier trajectories. (Kay, 2007 in Howlett, 2009, p. 252). They are adding that "homeostasis" focuses on punctuations arising within the existing equilibrium and that the application of this model gives a richer sense of how earlier outcomes shape later ones. (Haydu, p. 341; Howlett, 2009, p. 245). In addition, the researcher underlines that although the academic literature on path dependence is abundant: "many elements of the current homeostatic orthodoxy are only thinly supported by empirical evidence." (Cashore and Howlett, 2007, in Howlett, 2009, p. 245).

The researches Howlett and Ramesh (2002) do not see the interplay between new/old actors and ideas sequentially. The researchers consider these changes either at the level of policy goals (if new ideas and actors enter the previously closed subsystem) or, e.g., as minimal change at the level of instrument change (with the dominance of old ideas and old actors). Howlett and Ramesh assume that the changes happen either, e.g., at the policy goal stage or instrument change stage.

The thesis's contribution to the Howlett and Ramesh model is sequentially considering this interplay between old/new actors and ideas. The thesis findings confirm this pattern: after the endogenous shock (land protests), new actors and new ideas enter the previously closed and stable subsystem (at the policy goal level). Later moving down following the pattern shown by Howlett and Ramesh Table in Policy Change propensities of Major Change and Stability Processes, the old ideas and old actors become dominant and impede the policy change. Therefore, the system returns to the initial stage of "statis" after some time.

Therefore, by applying this theoretical Model to the case of Land Commissions, the work demonstrates how the subsystem impedes policy changes despite the introduction of new ideas and new actors, does not lead to a new policy formation.

The author found that at the initial stage, after the systemic perturbation, or the situation of shock–land protests in 2016, it was possible to observe the entrance of new actors (civil society component: National Chamber of Entrepreneurs, Public Council representatives, academia to LCs) and new ideas (endogenous and exogenous factors: policy learning, subsystem spillovers, and the venue change) into otherwise stable policy subsystem.

Later, the civil society component demands a permanent presence at the decision-making stage in local municipalities. Thus, LC with a civil society component under local municipalities was established. Therefore, the interview findings confirm that new ideas and new actors lead to the change in subsystem policy goals, namely, establishing the Land Reform Commission (2016) as a platform for communication between state officials and civil society.

In the next stage, following the table, although new ideas such as the inclusion of civil society component were declared and formally civil society representatives were added to Land Commissions (LCs) under local municipalities, however, the continuity and the dominance of old actors (using Howlett and Ramesh terminology, so-called, of closed networks) was observable. Considering the problem "of closed networks," this notion was not imposed by the theoretical framework. Interestingly, several interviewees mentioned these notions or similar to them on the availability of some "networks" or "lobby groups" advocating for particular applicants to win the LC competitions.

Thus, our findings suggest that changes at this stage were just at the level of program specification when formally, the civil society component was included in LCs. However, the mechanism of selection of the civil society component is not clearly defined. As the national interviewees stressed, it is hard to gather the quorum because it is hard to find representatives of academia or agribusiness, particularly in rural areas.

Moreover, at the final stage, our study finding was confirmed. However, formally LC has a new structure (new ideas such as openness through video capturing of LC sessions, digitalization, and

new actors entering the subsystem), the predominance of the closed networks and path dependencies, namely the situation when the subsystem returns to the condition of "homeostasis" due to the continuity of old ideas and old actors is observable. The non-participant observation results in all four regions of Kazakhstan confirm these findings. This situation finally led to the public disappointment that new ideas and new actors could change the policy subsystem and the plans to abolish such institutions by 2023. Thus, introducing the civil society component does not lead to a new policy subsystem formation.

Thus, study findings confirmed by the expert interview results and non-participant observation of LRCs and LCs sessions in selected four regions demonstrate evidence of path-dependence and "homeostasis" with the persistence of old ideas and old actors, namely some forms of obedience to local mayors' authority (Akim's) and local officials predominant in the subsystem, over the new ideas of transparency and inclusion and democratization of the decision-making process. Again, all events follow the same pattern, starting from protests, then creating the institutional setting.

8.4.2. Contribution to the Strategic Interaction Model.

Howlett and Ramesh (2002) consider systemic perturbations as the crisis as factors leading to policy changes. However, the researchers do not explicitly define the actors of the policy subsystem and how they respond to those shocks. In this regard, applying "*A Strategic Interaction Model of Institutional Change and Performance*" (Pelizzo & Staphenurst, 2011) helped define actors' responses to the endogenous shock.

The Model explains the causes of the institutional change, which the researchers see as a response to a crisis in which the ruling elite and reformers (civil society) interact. Showing the pattern of possible responses to the crisis of two sets of actors: the ruling elite and civil society, the researchers underline that a substantive institutional change is the only one of several possible outcomes. (Ibid, 2011).

Applying the Model to the case, we found that after the endogenous shock, the ruling elite adopted new good governance reforms (introducing the LRCs and LCs). However, corruption scandals with the involvement of civil society members of Land Commissions and overall disillusionment regarding the work of LCs again raise the wave of discontent, and the civil society/population demands new reforms.

The Model contribution to the case shows that both sides act and select one of the policy responses, as defined by Pelizzo & Stapenhurst (2011). However, while applying the Model to the case, it also becomes evident that both actors, the "ruling elite" and "civil society," are not homogeneous entities. In the context of Kazakhstan, where the amalgamation of business structures with state authorities is visible, it is difficult to define who is a ruling elite and who represents the society. Therefore, the reaction and responses to endogenous shocks of civil society and ruling elite groups are not congruent.

8.4.3. How can policy change occur?

Based on the research findings, the pattern of "homeostasis" is possible to change only after understanding what conditions and factors lead to the mechanism of institutional reproduction. For instance, Mahoney (2000) distinguishes four explanatory modes of institutional reproduction. First, *utilitarian*, when the institutions are established through the rational cost-benefit assessment; second, *functional*, when institutions are reproduced because they serve a function in the overall system; third, *power explanation*, where institutions are reproduced because elite groups support it and finally, fourth, *legitimation* explanation when the institutions reproduced because actors consider it as morally just). (Mahoney, 2000, p. 517.)

In Kazakhstan, the institute of Land Commissions will be abolished by 2023. As a feasible alternative to these institutions, the state authorities see the establishment of the Expert Council for Land Relations Improvement under the Ministry of Agriculture. However, as we mentioned previously, the oversight functions are again entrusted to the ruling elites rather than civil society

(deputies of the ruling Amanat Party). The overall mechanism of selection of experts for the Council is also unclear. Thus, the subsystem risks returning to the condition of "stasis."

To follow Mahoney, we assume that the Power explanation better explains the institutional reproduction in Kazakhstan. In such a case, the change mechanism is possible by strengthening the new elites. (Ibid, p. 517).

But again, the question arises of whom to consider as elites? The national interviewees underlined that a new generation of land experts and specialists should be prepared. Only through enhancing knowledge and expertise will it be possible to introduce substantial changes to the policy subsystem. Thus, as both national and international interviewees stressed that it is essential to pay attention to enhancing civil society capacities (knowledge and expertise), and as a practical recommendation, it is possible therefore to suggest introducing a new BA/MA and Ph.D. specialization in Land Administration and Land Governance, to prepare the new generation of land specialists, in particular in rural areas. The change in the homeostatic condition will be possible not through the formal institution's creation but rather through paying attention to enhancing the knowledge and expertise of the civil society component. Again, it is important to mention that land governance digitalization cannot replace the mechanism of civic control, and oversight authorities have to be independent of the overseeing agencies. This is also one of the important elements essential to changing the pattern of "homeostatic" events.

8.5. Research Limitations.

The thesis research findings suggest that new ideas and new actors entering the policy subsystem do not lead to a new policy regime with the further formation of new policy monopolies and path dependencies. However, as was mentioned earlier, this research covered the limited influence of the Internationalization process and such exogenous factors as subsystem spillovers (e.g., international discourses on land rights) on the creation of Land Commissions. In addition, an insufficient amount of time has passed to observe the policy and institutional change, which objectively requires more than one decade. From the establishment of Land Commissions (2018)

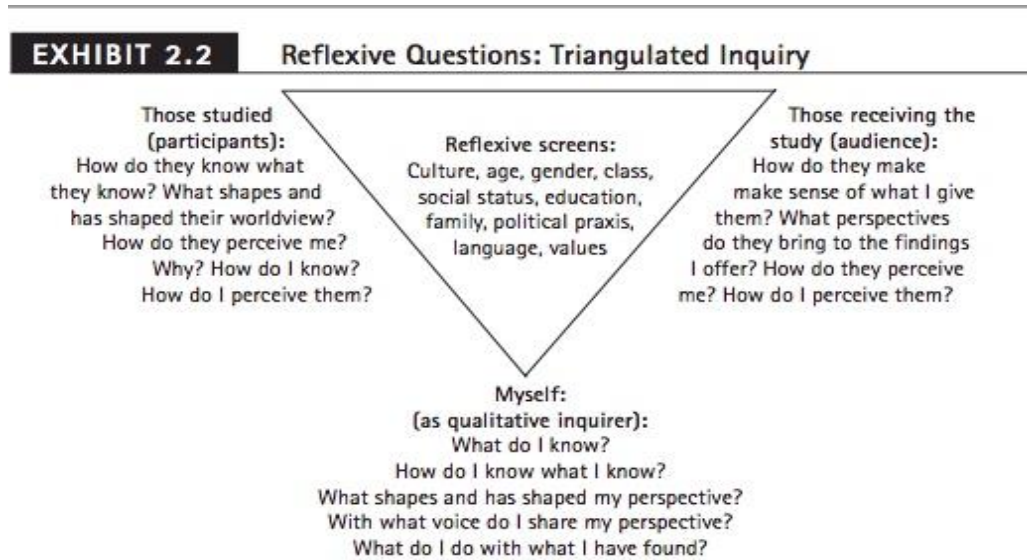
to the time of their abolishment (2023), an insufficient amount of time has passed to claim the "homeostatic" condition and the absence of new policy monopolies formation. Thus, one of this research's limitations consists of the absence of the temporal dimension to observe these changes.

However, the fact that LC institutions will be abolished due to their ineffectiveness by 2023 could signal that we do not observe the formation of a new policy regime and a new trajectory of policy change, as assumed by Howlett & Ramesh (2002).

Also, one of the limitations of this work could be the application of qualitative research methods. From one side, applying qualitative research methods helps for in-depth studies of the research case. However, from another side, qualitative data (e.g., data obtained from interviews, official and media discourse analysis, and non-participant observations) could be subjective and influenced and results much depend on the researcher's interpretation.

Applying qualitative methods in the study helps with an in-depth understanding of institutions such as Land Commissions through expert interviews and non-participant observations. However, applying qualitative methods requires the researcher to be more self-questioning or reflexive, asking questions, "How do I know what I know?." Patton (2014) developed the following Reflexivity Triangulation, which might help researchers understand how their personal views and those studied affect the research.

Figure 27. Reflexive Triangulation.



(Patton, 2014, p. 66).

Patton stresses that:

"Reflexivity reminds the qualitative inquirer to be attentive to and conscious of the cultural, political, social, linguistic, and ideological origins of one's own perspective and voice as well as the perspective and voices of those one interviews and those to whom one reports." (Patton, 2014, p. 65)

Applying this reflexive triangulation of findings, it is possible to stress that the researcher is female academia from the middle class and high education from the same context of the study, meaning from Kazakhstan who studied in the European context. While reading about the topic associated with land issues, land corruption, and land inequalities, all these backgrounds might influence the consideration of the work of the Land Commission from a critical, outsider, or external perspective. However, being relatively politically neutral as the researcher should be while living in the same context in Kazakhstan and reading from media about ineffective LC work and corruption scandals, the author might be affected by these contextual nuances. Thus, from the beginning of the study, the researcher could predict that the research hypothesis will be tested negative, meaning that the inclusion of civil society in Land Commissions does not lead to an effective land allocation process.

Summarizing our findings, it is possible to stress that Hypothesis 1 was tested and approved. Namely, Land Commissions in Kazakhstan have resulted from endogenous shocks rather than a rational decision-making process. While Hypothesis 2 does not. The inclusion of civil society in Land Commissions has not led to more accountable and inclusive land allocation policies.

Despite having already in mind that the inclusion of civil society does not bring the expected results, we tried to avoid bias by conducting semi-structured expert interviews with different stakeholders (not only state officials but also the civil society component), those who were members of LRC and LCs, and those who do not. Also, interviewees work at different levels, starting from the village, district and region, and city LCs and affiliated with different institutions.

Moving to another angle of the triangle, we should consider that those giving interviews also have their background, which influences their reflections on the topic. For instance, Heads of the Land Department mainly claimed the lack or even absence of responsibility of LC civil society representatives; that civil society representative does not take LC obligations seriously, does not regularly attend LC sessions, or are too passive. The academia and think tank representative stressed that all current problems we have in land governance, including the ineffective work of LC, are because the state officials do not communicate and listen to the academia and do not engage it in the work of LCs. At the same time, the National Chamber of Entrepreneurs representatives were stressing that the procedures of LC conduction are obsolete. Interestingly, the public council and deputies do not raise any critical points during the interview. They just stressed that, most probably, the digitalization process might solve the current problem in the LC work (reduction of corruption risks).

Also, it was visible that many interviewees viewed the interviewer as a person who can address the problem to the state officials. One interviewee underlined:

"being a Ph.D. student from Nazarbayev University, studying in the capital and you are closer to the state officials you most probably have access and closer to the decision-makers rather than

we are here in rural areas. Therefore, I hope from this interview that the young generation of scholars you or any other can think about and transfer all these problem areas to the decision-makers." (The interviewees code: SAR.1)

Thus, it looks at the reflexive triangulation and asks, "How do interviewees perceive me?" it is possible to conclude in many interviews that the interviewees most probably see the researcher as the person coming from an urban area (this could be considered an advantage and a disadvantage). The advantage is that the researcher (as the interviewees assume) has more access and could probably raise the problem faster and better; In contrast, a strong minus to interviewees views that because most probably being from an urban area, living and studying in the capital, it is hard to assume that the researcher could understand the local problems in village or district levels in rural areas. Thus, the work affiliation influenced the interviewees' answers and, partially, the personal assumptions about the interviewer and the expectations from the given interviews.

Now, looking at the next angle of the reflexive triangle, the audience who will probably read the work will see the findings. Can they make sense of that? This question indeed is associated with the academic and practical relevance of the work. In the introduction section, we already underlined many gaps in the literature associated with the lack of work capturing the problem of inclusive decision-making in land governance, land corruption, accountability studies in land governance, and many others. Considering this lack of academic work, it is anticipated that this work could serve as a modest contribution to the field in terms of getting a glimpse of how the LC work is organized and most probably give the impetus for future research in this field to the new generation of researchers interested in this topic.

The overall context and the environment in which the research is taking place also influence the research findings. The topic associated with land, in particular coverage of reasons for LRC and LC creation, is associated with the topic's political sensitivity. Out of about 70 individuals who were contacted, the half did not respond, while several who agreed stressed that they would respond to only a few questions and asked not to ask any questions related to the events of 2016

(land protests), stressing that this theme is sensitive. However, most of those contacted stressed that they do not find any sensitivity in the topic and have no problem expressing their views related to civil society participation in land governance. The interviewees stressed that land governance is related more to administration and management problems, so there is no sensitivity in discussing the advantages and limitations of civil society inclusion in land governance. Several, even those who could participate, stressed that they find the topic urgent and crucial to study both for academia and practitioners to get new perspectives on the problems of land governance management and the reasons of failure of such collegial institutions in Kazakhstan.

8.6. Recommendations for Future Research.

As the recommendation for researchers who in the future would like to explore the topics of institutional changes studies and inclusive decision-making in land governance, it is possible to draw attention to the problem of "pro-poor land policies," the notion which was coined and elaborated by researchers Borras & Franco (2010) and others.

Overall, it feels the lack of academic work on land inequality in Central Asia, particularly in the Kazakhstani context. Those reports of international organizations and NGOs apply mainly quantitative methods such as surveys. However, in-depth studying the problem of rural poor population inclusion in the decision-making or policy evaluation is missing.

In this case, it is possible to agree with the researcher (Patton, 2002), who stresses that in recent two decades, the quality of qualitative inquiry has been judged mainly by five evaluation criteria and differentiates five of them: "Traditional scientific research criteria, Social construction and constructivist criteria, Artistic and evocative criteria, Critical change criteria; and Pragmatic utilitarianism." (Patton, 2002, p. 266)

The researcher Patton (2002) stresses that in recent years more widely spread becoming critical change criteria, where: "The 'critical' nature of Critical Theory flows from a commitment to go beyond just studying society for the sake of increased understanding." (Patton, 2002, p. 270).

Thus, adherents of Critical theory have a critical approach to considering the change and balance of powers in a particular setting, particularly those less powerful. (Patton, 2002).

Thus, in terms of institutional change or Critical Theory application still, it feels the lack of academic works capturing the problems of land injustice, land inequality, land corruption, pro-poor land policies, rural and urban youth engagement in land governance, the studies of roots of such inequalities, and the ways to mitigate them. Therefore, it is possible to recommend future research in these fields as pro-poor land policies that are academically and practically relevant for the current Kazakhstani and a broader Central Asian/Eurasian context.

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ANNEX 1. INTERVIEW QUESTIONS FOR NATIONAL INTERVIEWEES.

1. Can you please briefly introduce your self (name, affiliation, position) and share your personal experience in working in the land sector/land governance?
2. In your view, why were Land Commissions in Kazakhstan established? (Purposes, objectives).
3. What were the policy alternatives to Land Commissions? (For instance, land governance digitalization policy adoption instead of the establishment of Land Commission institutions).
4. How in your view, did the land protests 2016 affect the changes in land governance in Kazakhstan? Why was the Land Reform Commission (2016 and 2021) and Land Commissions (2018) established?
5. What are the main benefits of inclusion of multiple stakeholders (civil society) to the work of Land Commissions?
6. What are the main risks and limitations of including civil society to land governance institutions?
7. Can the inclusion of the civil society component to Land Commissions help to address the problem of corruption in the allocation of land?
8. How well are civil society organizations represented in the Land Commission?
9. In your view how has the process of internationalization (the rise of land rights movements, the popularity of ideas civil society engagement in land governance, the spread of land inequality discourse worldwide) changed/or is currently changing modern land governance institutions in Kazakhstan?
10. Have Land Commissions achieved their specified objectives? If yes, how? If not, why not?
11. How is it possible to address the limitations in the work of Land Commissions?
12. In your view, will land governance digitalization help to address current land governance limitations (for instance, land corruption, land governance bureaucratization)?
13. What are the factors that hinder land granting policy change (old ideas, old institutions)?
14. What can be done in order to increase the effectiveness of the work of Land Commissions in Kazakhstan?
15. What in your view will be future trends in the development of land governance institutions in Kazakhstan and the main challenges?

ANNEX 2. INTERVIEW QUESTIONS FOR INTERNATIONAL INTERVIEWEES.

1. Can you please briefly introduce your self (name, affiliation, position) and share your personal experience of working in projects related to land governance?
2. How would you measure institutional effectiveness in land governance? Anything specific about the projects you worked on or ongoing projects related to inclusive decision-making in land governance? (such as Land Governance Assessment Framework (LGAF), Prindex, Landex or other projects).
3. What are the main benefits of including civil society in land governance institutions? Can you think of any successful example resulting from the inclusion of civil society in land governance?
4. What are the main risks and limitations of including civil society in land governance institutions?
5. Can the inclusion of civil society to local land governance institutions help to address land corruption and land inequality? Can you expand on why & how? If, not, why not?
6. Modern land governance systems face the dilemma that decision-making should be inclusive, but this increase in stakeholders involved in decision-making process can lead to bureaucratization and land corruption. How in your view is it possible to address this dilemma?
7. How can land governance institutions be designed to support the principles of transparency, inclusiveness and anti-corruption?
8. Can land governance digitalization and the decrease in number of stakeholders engaged in decision-making process result in less land corruption, greater transparency and distribution inequality? What are the main risks and challenges in land governance digitalization?
9. In your view how has the process of internationalization (the rise of land rights movements, the popularity of ideas civil society engagement in land governance, the spread of land inequality discourse worldwide) changed or is changing modern land governance institutions?
10. What will be the future trends in the development of land governance institutions and the main challenges?