Multiple Institutional Logics within the (Trans)National Welfare Diamond: Child Welfare Transformation in Post-Soviet Kazakhstan

by

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A thesis submitted in conformity with the requirements for the degree of Doctor of Philosophy
Factor-Inwentash Faculty of Social Work
University of Toronto

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Abstract

For over two post-Soviet decades, Kazakhstan has experienced multiple transformations, big and small, visible and invisible, recognized and unnoticed. Focusing on child welfare transformation in post-Soviet Kazakhstan, this thesis pursues two research questions: (1) How have child welfare institutions changed in Kazakhstan in the post-Soviet period? (2) What was the role of (trans)national institutional factors (i.e., legal and regulatory environments, organizational policies and practices, and interorganizational relationships) and Soviet institutional legacies in shaping institutions of child welfare provision in Kazakhstan? Using an integrated multidimensional theoretical framework built upon the welfare diamond, a transnational approach, and historical institutionalism, I examine a mix of national and transnational organizations involved in child welfare reform, conceptualizing them as interconnected policy actors embedded in the historically contingent (trans)national institutional (legal and regulatory) environment. Using qualitative case study methodology for social policy analysis, this thesis draws upon data collected through interviews with key informants, conducted between June and
September 2012, and textual documents (policy and legal documents, organizational and program documents, research reports, and media reports).

The thesis develops two main arguments. The first argument concerns institutional factors that shape child welfare institutions. The transformation of the child welfare system was a function of relations among (trans)national organizational actors whose behaviors were constrained and enabled by the wider (trans)national legal/regulatory environment. The institutional environment and the child welfare diamond were characterized by multiple, competing, and shifting institutional logics. My second argument concerns the effects of the institutional and organizational environment on child welfare institutions. Multiple institutional logics, I argue, have accounted for the development of hybrid child welfare institutions, which encompass core Soviet-type child welfare institutions, maintained and reproduced, along with multiple layers of new institutions introduced over the past twenty years. This analysis indicates that the post-Soviet change in welfare provision consisted of numerous incremental and multidirectional institutional adjustments.
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To my family, thank you for your trust in me, love and support.
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<tbody>
<tr>
<td>ADB</td>
<td>Asian Development Bank</td>
</tr>
<tr>
<td>ARDI</td>
<td>Association of Parents of Children with Disabilities</td>
</tr>
<tr>
<td>DFID</td>
<td>Department for International Development (of the UK)</td>
</tr>
<tr>
<td>DAC</td>
<td>Development Assistance Committee (of OECD)</td>
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<tr>
<td>CAR</td>
<td>Central Asia Region</td>
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<tr>
<td>CEE</td>
<td>Central and Eastern Europe</td>
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<tr>
<td>CIS</td>
<td>Commonwealth of Independent States</td>
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<tr>
<td>CMEA, or SEV</td>
<td>Council for Mutual Economic Assistance</td>
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<tr>
<td>CRC</td>
<td>Convention on the Rights of the Child</td>
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<tr>
<td>EEC</td>
<td>European Economic Community</td>
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<tr>
<td>EU</td>
<td>European Union</td>
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<tr>
<td>FDI</td>
<td>Foreign Direct Investments</td>
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<td>GDP</td>
<td>Gross Domestic Product</td>
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<td>GNI</td>
<td>Gross National Income</td>
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<tr>
<td>GIZ</td>
<td>Deutsche Gesellschaft für Internationale Zusammenarbeit [German Society for International Cooperation]</td>
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<tr>
<td>HDI</td>
<td>Human Development Indicator</td>
</tr>
<tr>
<td>HDR</td>
<td>Human Development Report</td>
</tr>
<tr>
<td>ICNL</td>
<td>International Center for Not-for-Profit Law</td>
</tr>
<tr>
<td>ILO</td>
<td>International Labour Organization</td>
</tr>
<tr>
<td>IMF</td>
<td>International Monetary Fund</td>
</tr>
<tr>
<td>INTRAC</td>
<td>International Training and Research Centre</td>
</tr>
<tr>
<td>IOM</td>
<td>International Organization for Migration</td>
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<tr>
<td>IPEC</td>
<td>International Programme on the Elimination of Child Labour</td>
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<td>Acronym</td>
<td>Full Form</td>
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<tr>
<td>JICA</td>
<td>Japan International Cooperation Agency</td>
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<tr>
<td>MIA</td>
<td>Ministry of Internal Affairs of RK</td>
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<tr>
<td>MEP</td>
<td>Ministry of Environment Protection of RK</td>
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<tr>
<td>MoCI</td>
<td>Ministry of Culture and Information of RK</td>
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<tr>
<td>MoESc</td>
<td>Ministry of Education and Science of RK</td>
</tr>
<tr>
<td>MoFA</td>
<td>Ministry of Foreign Affairs of RK</td>
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<td>MoH</td>
<td>Ministry of Health of RK</td>
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<tr>
<td>MoLSP</td>
<td>Ministry of Labour and Social Protection of the Population of RK</td>
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<tr>
<td>NGO</td>
<td>Non-Governmental Organization</td>
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<tr>
<td>NGO SI/CS SI</td>
<td>NGO Sustainability Index/Civil Society Sustainability Index</td>
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<tr>
<td>ODA</td>
<td>Official Development Assistance</td>
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<tr>
<td>OECD</td>
<td>Organization for Economic Cooperation and Development</td>
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<tr>
<td>OSCE</td>
<td>Organization on Security and Cooperation in Europe</td>
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<tr>
<td>OSI</td>
<td>Open Society International/Institute</td>
</tr>
<tr>
<td>RK</td>
<td>(the) Republic of Kazakhstan</td>
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<tr>
<td>SATR</td>
<td>Centre for Social Adaption and Occupational Rehabilitation of Children with Developmental Problems</td>
</tr>
<tr>
<td>SIDA</td>
<td>Swedish International Development Cooperation Agency</td>
</tr>
<tr>
<td>TACIS</td>
<td>Technical Assistance to the Commonwealth of Independent States</td>
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<tr>
<td>TNC</td>
<td>Trans-National Corporation</td>
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<tr>
<td>TO</td>
<td>Transnational Organization</td>
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<tr>
<td>UN</td>
<td>United Nations</td>
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<tr>
<td>UNDP</td>
<td>United Nations Development Program</td>
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<tr>
<td>UNESCO</td>
<td>United Nations Educational, Scientific, and Cultural Organization</td>
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<tr>
<td>UNHCR</td>
<td>United Nations Office of the High Commissioner for Refugees</td>
</tr>
<tr>
<td>UNICEF</td>
<td>United Nations Children's Fund</td>
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<td>Acronym</td>
<td>Full Form</td>
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<tr>
<td>UNIDO</td>
<td>United Nations Industrial Development Organization</td>
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<tr>
<td>US</td>
<td>United States</td>
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<tr>
<td>USAID</td>
<td>United States Agency for International Development</td>
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<tr>
<td>USSR</td>
<td>The Union of Soviet Socialist Republics</td>
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<tr>
<td>WHO</td>
<td>World Health Organization</td>
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<tr>
<td>WLCI</td>
<td>Women’s League of Creative Initiative</td>
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Chapter 1
Introduction and Sociohistorical Context

On December 16, 1991, Kazakhstan was the last former member republic of the Soviet Union to announce its independence. The country embarked on a nation-building journey, focusing on the restructuring of its economy, the political system, and welfare provision. For over two decades, Kazakhstan has experienced multiple transformations, big and small, visible and invisible, recognized and unnoticed. The country’s economy has become integrated in the global market as a major oil producer; the all-mighty Communist Party of Kazakhstan has become a small oppositional party; and a humble northern town Tselinograd has turned into a striking new capital Astana, described by the Guardian newspaper as ‘the futuristic frontier of architecture’.

While a large share of research on post-Soviet Kazakhstan has been devoted to economic and political reforms, the study of the country’s shifting welfare landscape is indispensable, and at least two arguments can be given to support this claim. First, social policy and the provision of social services have direct implications for the well-being of millions of people living in Kazakhstan. Second, the transformation of welfare provision and the development of social services are located at the core of social change in Kazakhstan. The key characteristic of post-Soviet welfare transformation has been the shift from the centralized welfare system run by the Soviet state to the provision of welfare shared by the state, the emerging market, and the newborn nongovernmental organizations (NGOs). Therefore, the study of shifting welfare architecture in Kazakhstan can offer an insight into some of the mechanisms of social change.

This thesis examines the case of child welfare transformation in post-Soviet Kazakhstan. At the centre of the study is the question of how post-Soviet welfare institutions change. Specifically, two main research questions were pursued:
(1) How have child welfare institutions changed in Kazakhstan in the post-Soviet period?
(2) What was the role of (trans)national institutional factors (i.e., legal and regulatory environments, organizational policies and practices, and interorganizational relationships) and Soviet institutional legacies in shaping institutions of child welfare provision in

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1 See the photo gallery posted on August 8, 2010 on the Guardian’s website at http://www.theguardian.com/artanddesign/gallery/2010/aug/08/architecture-kazakhstan.
Kazakhstan?

Drawing upon the welfare diamond approach, a transnational approach, and historical institutionalism, an integrated multidimensional theoretical framework was used for the case study of domestic and transnational organizations involved in child welfare policy and service provision in Kazakhstan. National and transnational organizations were viewed as interconnected policy actors embedded in the (trans)national institutional (legal and regulatory) environment that shaped their behaviours. At the same time, actions of policy actors shaped the evolution of child welfare institutions. Thus, the institutional analysis was comprised of three components/levels: (1) the (trans)national legal and regulatory environment that shaped the behaviours of organizational actors; (2) the organizational level, including the behaviours of national and transnational organizations and interorganizational relationships: policies and practices of organizations toward each other, power differentials, and distinct roles within the child welfare diamond; and (3) the national child welfare institutions: national child welfare policies, governance of child welfare, governmental and nongovernmental child welfare providers. Moreover, each level of analysis included a temporal dimension in an attempt to identify historical institutional legacies and to use them as a frame of reference for the analysis of post-Soviet institutional dynamics.

This analysis developed two main arguments. The first argument concerns institutional factors that shaped child welfare institutions. The transformation of the child welfare system was a function of relations among (trans)national organizational actors whose behaviours were constrained and enabled by the wider (trans)national legal/regulatory environment. Policy actors were different from one another: they had unequal access to resources; they differed in terms of legitimacy on the policy scene; they (re)produced different knowledge/ideas; and they played distinct roles in the policy process. Relations among policy actors within the welfare diamond were marked by contradiction and interdependency. Thus, the institutional environment and the child welfare diamond were characterized by multiple, competing, and shifting institutional logics. My second argument concerns the effects of the institutional and organizational environment on child welfare institutions. Multiple institutional logics, I argue, have accounted for the post-Soviet development of hybrid child welfare institutions, that include the maintained core Soviet-type child welfare institutions along with multiple layers of institutions introduced over the past twenty years. Overall, the transformation of child welfare provision in post-Soviet
Kazakhstan can be characterized as the interplay of multiple incremental changes and institutional resilience.

This thesis is organized in seven chapters.

Chapter 1 lays out a sociohistorical context of the study focusing on Kazakhstan’s history as a member republic of the Soviet Union and as a newly independent Central Asian state after 1991. I will describe the country context focusing on its major economic, political, and socio-demographic characteristics relevant to the study objectives.

Chapter 2 provides an overarching theoretical framework for the study. Problematizing ‘transition’ as a dominant conceptual and institutional framework for post-Soviet social transformation, I will draw upon historical institutionalism, focusing on the theorizing of institutional continuity and change. For the analysis of the child welfare policy field, I apply a welfare diamond approach modified to exclude the market policy actors and to include transnational actors. In the following chapters, I introduce additional theories that are more specific to particular dimensions or questions. In this chapter, I also outline research methodology, sampling, data collection, and data analysis procedures.

Chapter 3. Transnational Actors: Multiple Logics within the Transnational Institutional Space. This chapter outlines relationships between TOs and national actors in the Soviet Union and post-Soviet Kazakhstan focusing on the historically contingent national and transnational policy environments. The first part of the chapter analyses the national institutional environment, including the history of the relationships between the Soviet state and TOs in 1917-1991 and of the relationships with the state and TOs in post-Soviet Kazakhstan. The second part of the chapter focuses on the transnational institutional environment, including an overview of the evolution of foreign aid frameworks, feature of foreign aid to post-Soviet Kazakhstan, and the characteristics of transnational organizational actors that participated in the policy process in Kazakhstan. Two periods in the TO involvement in Kazakhstan are identified and discussed: the period of NGO capacity building by TOs (1991-2000) and the period of TO withdrawal from direct support for NGOs (2001-2012).

Chapter 4. The State and NGOs: Political Rivals or Social Partners? The chapter depicts the evolution of the national institutional (legal and regulatory) environment concerning NGOs and
TOs during the Soviet and post-Soviet periods of the country’s history. Building upon T.H.Marshall’s framework of social and political/civil rights as a point of reference, I examine the dialectical relationship between the social and the political in shifting national legal frameworks concerning NGOs. I argue that NGOs were defined as apolitical, social organizations in the Soviet past, based on the assumption that the political struggle had been over after the socialist revolution. In the post-Soviet period, the first decade was the period when NGOs were defined as political actors, mostly under the influence of the West, while in the second decade, the state attempted to regain power over NGOs by re-framing them as social organizations.

Chapter 5. National Child-Welfare NGOs: Becoming Policy Actors and Service Providers. The chapter focuses on NGOs as post-Soviet newcomers to welfare provision. There are two distinct phases in the development of NGOs shaped by their relationships with TOs and the state. During the first decade, the state was distant from NGOs; while there was influx of TOs that transferred funds and ideas to NGOs. During the second decade, direct aid from TOs to NGOs declined. Meanwhile, the state moved toward controlling and supporting NGOs as social service providers. During the first phase, NGOs were fundamentally shaped by TOs; but the characteristics that enabled them to access foreign resources impeded their capacity to provide social services to children.

Chapter 6. The State and the Family: Institutional Continuity and Change in Child Welfare Provision. The chapter offers a historical account of child welfare transformation during the Soviet and post-Soviet period focusing on its main institutional components, the governance structure, the organizational infrastructure, and the dominant institutional logics. It is argued that the transformation of child welfare provision during the post-Soviet period of Kazakhstan was the result of the interplay between institutional continuity and change, a multidirectional and multidimensional process that has produced a hybrid welfare system that includes preserved Soviet-type core institutions as well as multiple layers of newly introduced institutions.

Chapter 7. Discussion and Conclusions. This chapter brings all the pieces of institutional analysis together, including the institutional environment, the state, TOs, and NGOs. Bringing back my initial questions and hypotheses, I discuss the findings, focusing on the multiple logics in the institutional environment, contradictions and power shifts within the child welfare
diamond, and changes in the institutions of child welfare provision. The next section discusses major theoretical concepts that cut across different levels of analysis, namely, the transnational social policy; the social paradigm versus the political paradigm; and the relations between agency and structure in the policy process. I also reflect on which findings were expected and which were surprises that have lead to a new understanding (or new questions). I then proceed to discussing the relevance of the theoretical framework and methodology, and the contribution of this thesis to existing theory. Finally, I lay out implications for policy and practice as well as new questions and ideas for future exploration.

1.1 The Sociohistorical Context: Changing Economic, Political, and Social Landscape in Soviet and Post-Soviet Kazakhstan

This chapter lays out the historically contingent political, economic, and social context for the study of the child welfare transformation in Kazakhstan. The purpose of this section is not to draw a comprehensive picture, which would be an impossible task given this paper’s limits, but to provide context-specific information for the study. Since social changes that have occurred over the past two decades were influenced by historical developments in the past, I will begin with a brief overview of the pre-Soviet and Soviet period of Kazakhstan’s history highlighting those developments that contributed to the specific constellation of socioeconomic, demographic, and political characteristics the country has had since independence. Then I turn to the post-Soviet period of Kazakhstan focusing on the key economic, social welfare, and political reforms that have been introduced over the last twenty years as well as on the human dimension of social transformation, reflected in social, demographic, and human development indicators.
1.1.1 Country Information

The Republic of Kazakhstan (Kazakhstan, hereafter) is one of fifteen former Soviet Socialist Republics that became independent after the disintegration of the Soviet Union in 1991. Located in Central Asia, Kazakhstan borders Russia, China, and three other former Soviet Central Asian states, namely, Kyrgyzstan, Uzbekistan, and Turkmenistan. With its vast territory of 2,700,000 square kilometers, Kazakhstan is the second largest state in the former Soviet Union (after Russia), but having a population of only 16 million, the country is sparsely populated\(^2\). The country is landlocked, apart from its share of the coast of the Caspian Sea, geopolitically important due to the deposits of oil and gas (See Figure 1). The capital of Kazakhstan is Astana (from 1991 to 1997, the capital city was Almaty, the capital of the Kazakh Soviet Socialist Republic). In 2009, the country’s multi-ethnic population included the following groups:

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\(^2\) To illustrate, Kazakhstan is the ninth largest country in the world, comparable to the size of Western Europe, but with less than 4% of its population.
Kazakhs (63.1%), Russians (23.7%), Uzbeks (2.9%), Ukrainians (2.1%), Uyghurs (1.4%), Tatars (1.3%), Germans (1.1%), and other ethnic groups (4.5%) (Agency of Statistics of the RK, 2010).

The two main religious affiliations include Islam (70.2%) and Christianity (26.2%) (ibid.)

1.1.2 Pre-Soviet Period (15th Century – 1917)

The formation of the modern Kazakh nation dates back to the second half of the fifteenth century when the Kazakh Khanate, a nomadic state, was established in the territory of modern Kazakhstan. It later disintegrated into three Kazakh zhuzs or hordes: the Great, Middle and Small hordes. The traditional Kazakh lifestyle was nomadic pastoralism, that is, animal herding and annual migration across the steppes of Central Asia. For over four centuries, Kazakh history has been shaped by power relationships with neighbouring peoples and countries, namely, Russia, China, and other states that existed in different historical periods. Concerned with the Jungarian invaders, the khans of the Little Horde and the Middle Horde asked Russia for protection in 1732 and 1740, respectively. This request facilitated the Russian annexation of the Kazakh hordes, which took place between 1822 and 1848. Russia replaced the Kazakh khans’ governance with the Russian colonial administration and encouraged migration of Cossacks and Russian peasants to the territory of modern Kazakhstan. By 1916, the number of Russian settlers had reached 3 million, almost equal to the number of Kazakhs (Bhavna Davé, 2007). Thus, under the rule of the Russian Empire, the Kazakh people lost their independence; however, the Kazakhs preserved their nomadic lifestyle, despite Russia’s attempts to settle them.

Table 1 Key events and periods in the history of the Soviet Union and the Soviet period of Kazakh history

<table>
<thead>
<tr>
<th>Year</th>
<th>Events/Periods</th>
</tr>
</thead>
<tbody>
<tr>
<td>October 1917</td>
<td>The Russian (“October”) Revolution: Bolsheviks led by Vladimir Lenin overthrow the Tsarist regime.</td>
</tr>
<tr>
<td>1918-1922</td>
<td>The Civil War between the Bolsheviks’ government and opposition forces, or Whites, supported by Western powers and Japan.</td>
</tr>
<tr>
<td>1922</td>
<td>Russia, Ukraine, Belarus and the Transcaucasus (the latter divided into</td>
</tr>
</tbody>
</table>

3 E.g., the Khoqand Khanate in Uzbekistan/Central Asia, the Jungarian Khanate in western Mongolia.
<table>
<thead>
<tr>
<th>Year</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>1922</td>
<td>Germany recognizes the Soviet Union.</td>
</tr>
<tr>
<td>1920, 1925, 1936</td>
<td>The Kirgiz Autonomous Republic was established as part of the Russian Republic, which in 1925 was renamed the Kazakh Autonomous Republic. In 1936, it became the Kazakh Soviet Socialist Republic (a member state of the USSR).</td>
</tr>
<tr>
<td>1924</td>
<td>Vladimir Lenin died; Joseph Stalin became the leader of the state and ruled the country until 1953. Milestones of the Stalin’s era: collectivization, industrialization, mass repressions. Stalin proposes a postulate of aggravation of the class struggle in a socialist country surrounded by capitalist states.</td>
</tr>
<tr>
<td>1924</td>
<td>Great Britain recognizes the Soviet Union.</td>
</tr>
<tr>
<td>1933</td>
<td>The US recognizes the Soviet Union.</td>
</tr>
<tr>
<td>1934</td>
<td>The USSR joins the League of Nations and the ILO, until it is ousted from the League of Nations in 1939 and boycotts the ILO from 1940 to 1957.</td>
</tr>
<tr>
<td>1941-1945</td>
<td>The Great Patriotic War of the Soviet Union (World War II): the Soviet Union at war with Germany and Japan</td>
</tr>
<tr>
<td>1945</td>
<td>The Soviet Union is part of a small group of states that draft the Charter for the UN; then becomes a member of the UN and one of five permanent members of the UN Security Council with a right to veto. The USSR and the Western powers divide the world into spheres of influence.</td>
</tr>
<tr>
<td>1954-1964</td>
<td>The softening of the political regime (“the thaw”) and the partial revision of Stalin’s era policies under the leadership of Nikita Khrushchev. Foreign policy is based on the postulate of a peaceful competition between socialism and capitalism on the world stage.</td>
</tr>
<tr>
<td>1964-1982</td>
<td>Leonid Brezhnev as the head of the party and the state; the period of “mature” socialism (later called “the stagnation”).</td>
</tr>
<tr>
<td>1982-1985</td>
<td>Short-term leadership of Yuri Andropov, then Konstantin Chernenko (both died soon after becoming the head of the state).</td>
</tr>
<tr>
<td>1985-1991</td>
<td>Economic and political reforms of perestroika (economic restructuring) and glasnost (openness, freedom of discussion of previously tabooed themes) under the leadership of Mikhail Gorbachev. Foreign policy is based on the postulate of impossibility of winning a war in a nuclear age.</td>
</tr>
<tr>
<td>Date</td>
<td>Event Description</td>
</tr>
<tr>
<td>--------------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>September 1991</td>
<td>The Congress of People’s Deputies votes for the dissolution of the Soviet Union.</td>
</tr>
<tr>
<td>December 8, 1991</td>
<td>Leaders of Russia, Ukraine, and Belarus sign an agreement on founding the Commonwealth of Independent States (CIS), effectively dissolving the USSR.</td>
</tr>
<tr>
<td>December 16, 1991</td>
<td>Kazakhstan declares its independence as the Republic of Kazakhstan.</td>
</tr>
</tbody>
</table>

### 1.1.3 Soviet Period (1917-1991)

After the Russian (Bolshevik) Revolution of 1917, the short-lived Kazakh independent government called the Alash Autonomy (*Alash Autonomiyasy*) (1917–1920) was abolished and the territory of modern Kazakhstan became a part of the Soviet Union, first as the Kirgiz Autonomous Soviet Socialist Republic, renamed as the Kazakh Autonomous Soviet Socialist Republic in 1925, and in 1936 – as the Kazakh Soviet Socialist Republic. Thus, Kazakh people were recognized as a nation under Soviet rule. The forced collectivization in the 1920s, when animal herds were seized from the Kazakhs caused famine and death or refuge of many Kazakhs, who finally became sedentary (Brown, Jr., 1998). Meanwhile, the migration of other ethnic groups to Kazakhstan that had begun during the Russian colonization continued at different phases of Soviet history, including both forced and voluntary migration. This policy resulted in the modern multiethnic composition of its population (Treglia, Gawel & Povolna, 2007) which by 1989 consisted of approximately two fifths of ethnic Kazakhs, two fifths of Russians, and one fifth of other ethnic groups.

**Economy: Integration within the Soviet Union**

During the Soviet period, Kazakhstan’s economy was an integral part of the economic system centrally planned and governed by Moscow. Within the Soviet economy, member republics were

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4 The Kazakhs were called ‘Kirgiz’ in Russian until 1925, probably reflecting the lack of recognition of the Kazakh people.

5 E.g., displacement of prisoners sent to Stalin’s labour camps in Kazakhstan; the deportation of ethnic minorities to Kazakhstan; the evacuation of residents of occupied Soviet territories to Kazakhstan during World War II; the migration of workers for the cultivation of virgin lands during Khrushchev’s rule.

6 Other ethnic groups include Ukrainians, Uzbeks, Tatars, Germans, Uyghurs, and others.
mutually interdependent as crucial elements of production chains, at the same time unable to exist on their own or trade with outside partners. Kazakhstan was an important producer of raw materials for the USSR, including coal, iron ore, oil, and other minerals, but was less developed in terms of industrialization and autarkic industrialization and imported machinery, petroleum, and consumer goods (Charman, 2007; Myant & Drahokoupil, 2008). International trade made up only 10-15 percent of the total trade for Central Asian republics\(^7\). In Kazakhstan, the Soviet government built cities and towns, roads, railways, and other public infrastructure (hospitals, child care facilities, schools, etc.). The large and sparsely populated territory presented a challenge for building infrastructure and providing/accessing services as well as opportunities for military and space programs: the steppes of Kazakhstan were used for the testing of Soviet nuclear weapons (the Semipalatinsk nuclear testing site) and for the Soviet space program (the Baikonur space station). Kazakhstan also received subsidies from the central government, which, in the late 1980s-early 1990s, accounted for approximately 12% of the republic’s GDP (Falkingam, 1999). Altogether these features explain the country’s dependency on the Soviet system of planning and distribution and the detrimental effects of the disintegration of economic links on the country’s socioeconomic conditions.

**Welfare provision: Part of the Soviet welfare system**

The Kazakh Soviet Socialist Republic shared the Soviet centrally planned and funded welfare system. The Soviet welfare system was comprehensive, deeply integrated, and multi-dimensional encompassing full employment, generous maternity benefits, child allowances, sick leaves, and pensions, free education and health care, and state housing (World Bank, 1998). A variety of services, programs, and cash benefits were provided by the state or state-controlled institutions, such as enterprises, trade unions, mass organizations; in addition, some invisible socialist welfare programs were provided in the form of price subsidies for goods (e.g., food) and services (e.g., utilities, public transportation, child care). In addition to universal programs available to all citizens, the state provided special merit-based benefits to diverse categories of beneficiaries (e.g., veterans of World War II and Afghan war, big families with four and more children, military personnel and their families, people with disabilities, orphans). Since all sectors of the

\(^7\) To compare, Canadian provinces trade 34-61% of their total trade internationally (Pomfret, 2003).
society—economy, political system, and welfare provision—were governed by the state, the entire society functioned as a welfare system, and each household received some kind of welfare. Ruminska-Zimny (1997) described how communist ideology, command economy, political system, and welfare provision were integrated in socialist states:

Socialist states claimed a commitment to the eradication of poverty within a framework of a just and equal society with high levels of social security. The latter was based on three pillars: full employment, consumer subsidies and a universal system of entitlement including free access to social services (health and education) and cash benefits which compensated for relatively low and flat wages. State enterprises played a key role in this system as life-time employers and providers of housing, child care, education and training, medical services, as well as offering leisure facilities at low prices or free of charge. (Section One, para. 2)

The Soviet welfare system delivered mixed results. After World War II, the Soviet people’s living standards grew gradually, particularly between the 1950s and 1970s. Major achievements included the eradication of illiteracy, alleviation of extreme poverty, major reduction in infectious diseases, improved health indicators, and increased life expectancy. However, poverty and inequality persisted. In 1988, approximately 14-16% people in the Soviet Union, or 40 million people, were living below the subsistence level (Ruminska-Zimny, 1997). The Soviet poor (under the Soviet euphemism “low provisioned”) included the elderly, especially those in rural areas, families with many children, and single-mother families (Falkingham, 1999). The system of benefits and privileges for certain categories of citizens (e.g., high level officials, academics, acclaimed artists, etc.) also accounted for hidden inequalities in the society. Moreover, there was a significant discrepancy in living standards and other socioeconomic indicators among socialist states, for instance, between European socialist states and the Soviet Union, and among Soviet republics (Ruminska-Zimny, 1997).

Starting in the 1980s, economic growth slowed down. The socialist welfare system was underfunded and poorly managed, and the discrepancy between what it claimed to be and the reality of welfare provision became apparent. By the late 1980s, problems with funding and maintaining a large welfare infrastructure had accumulated and severely affected the accessibility and quality of care. Health care facilities were run down, medical equipment was outdated, and there were shortages of medications. Health care workers and teachers, predominantly women, were poorly paid, and the practice of “under-the-table” payments was common (Kulzhanov & Rechel, 2007). Socialist states, and Soviet states in particular, lagged
behind Western states in life expectancy and health indicators (Ruminska-Zimny, 1997). State housing was in short supply, building construction was insufficient, and waiting lists were decades-long (Feiden et al, 1993). There were shortages of most consumer goods, including food, and accessing them involved informal connections or bribes.

In terms of human development, Kazakhstan had features of both developing and developed countries, similarly to other Soviet republics. Kazakhstan had a lower GNP per capita than the members of the OECD but high human development indicators (Table 2). Kazakhstan was lagging behind “European” Soviet republics (i.e., Baltic republics, Russia), but had better socioeconomic indicators and human development than its Central Asian neighbors (Falkingham, 1999; Pomfret, 2010). The share of people with incomes below the Soviet subsistence level in Kazakhstan was 15%, compared to 33-52% in other Central Asian states (World Bank, 1998).

Table 2 Comparison of selected human development indicators in Kazakhstan in 1991

<table>
<thead>
<tr>
<th></th>
<th>Kazakhstan</th>
<th>OECD</th>
<th>Middle-income countries</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gross National Product (GNP) per capita (US$)</td>
<td>2,470</td>
<td>21,530</td>
<td>2,480</td>
</tr>
<tr>
<td>Adult literacy (%), 1992</td>
<td>97.5</td>
<td>96</td>
<td>79</td>
</tr>
<tr>
<td>Tertiary graduates (as % of potential graduates)</td>
<td>19.5</td>
<td>21.4</td>
<td>16</td>
</tr>
<tr>
<td>Infant mortality (per 1,000 live births)</td>
<td>32</td>
<td>8</td>
<td>38</td>
</tr>
<tr>
<td>Maternal mortality (per 100,000 live births)</td>
<td>53</td>
<td>n.a.</td>
<td>107</td>
</tr>
<tr>
<td>Life expectancy (years):</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Male</td>
<td>64</td>
<td>73</td>
<td>65</td>
</tr>
<tr>
<td>Female</td>
<td>73</td>
<td>80</td>
<td>71</td>
</tr>
<tr>
<td>Human Development Index (HDI)</td>
<td>0.774</td>
<td>0.792</td>
<td>0.558</td>
</tr>
</tbody>
</table>

*Turkey in 1990*

Note: Turkey is used as an example because it had a similar GNP per capita to Kazakhstan


Thus, an overview of the pre-Soviet and Soviet periods in the history of Kazakhstan shows that while Kazakhstan’s socioeconomic state was similar to other members of the USSR, the country
also had specific characteristics which are important for an understanding of transformation during the post-Soviet twenty years. Since independence, these features have influenced the country’s development by shaping political and economic opportunities and policy choices made by the government. Kazakhstan’s rich mineral resources have played a defining role in the country’s socioeconomic development. However, the country’s manufacture was dependent on the supply from other Soviet republics, production was oriented toward the internal market, and oil export was tied to Russian pipelines. While the Semipalatinsk nuclear testing site had dreadful consequences for the environment and people’s health, its closure was used as leverage to negotiate relationships with Western states. Similarly, the Baikonur space station was an important part of negotiating relationships with Russia. The ethnically diverse country’s population was characterized by relatively high human development indicators. However, the multiethnic composition of the population complicated the nation-building process following independence and contributed to an increased risk of ethnic tensions and dislocation (Myant & Drahokoupil, 2010). This feature also affected the government choices of policies and discourses as part of positioning independent Kazakhstan (Schatz, 2006), as discussed in more detail later in this chapter.

1.1.4 Post-Soviet Period (1991-2010)

Since 1991, two phases can be identified in the socioeconomic development of Kazakhstan. The first decade was marked by severe economic depression, an introduction of comprehensive economic “transition” policies, rapid socioeconomic restructuring, dismantlement of the Soviet welfare system, and dramatic reduction in living standards of the population. The second decade was a period of economic recovery, the revival and streamlining of the welfare system, and the improvement of human development indicators.

Economic transformation

During the first decade, similarly to other Soviet republics, Kazakhstan experienced severe and protracted economic depression, a “transformation crisis” (Myant & Drahokoupil, 2010). Soviet supply and consumption chains were disrupted, severely damaging industrial manufacturing. For six consecutive years, Kazakhstan’s GDP was decreasing, reaching its lowest point in 1995, 39%
lower than that in 1989\(^8\) (Table 3). The share of Kazakhstan’s leading sectors in its GDP—
metallurgy, grain, and mining—fell from 31% in 1992 to 21% in 1996 (Franke, Gawrich &
Alakbarov, 2009). Registered unemployment, unknown during the Soviet period, reached two-
digit levels, whereas workers who did not formally lose their jobs were given an indefinite
“unpaid leave”. Furthermore, the collapse of the Soviet Union and the subsequent economic
crisis caused social dislocation, including emigration of substantial number of Russians and other
non-Kazakh ethnic groups (e.g., Germans) from Kazakhstan, resulting in a loss of 1.5 million

Table 3 Gross Domestic Product (GDP) change and Gross National Income (GNI) per capita in
Kazakhstan, 1991-2000

<table>
<thead>
<tr>
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<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>GDP change (annual %)</td>
<td>-11</td>
<td>-5.3</td>
<td>-9.2</td>
<td>-12.6</td>
<td>-8.2</td>
<td>0.5</td>
<td>1.7</td>
<td>9.8</td>
<td>2.7</td>
<td>9.8</td>
</tr>
<tr>
<td>GNI (US$)</td>
<td>1430</td>
<td>1310</td>
<td>1280</td>
<td>1340</td>
<td>1390</td>
<td>1390</td>
<td>1290</td>
<td>1290</td>
<td>1260</td>
<td></td>
</tr>
</tbody>
</table>


In the early 1990s, Kazakhstan introduced a number of “transition” radical economic and
financial reforms, the core of which included price and trade liberalization, privatization (of state
enterprises), and stabilization (of the state budget). Following Russia’s price liberalization,
Kazakhstan (at the time still sharing the ruble zone) liberalized more than 80% of prices, while
keeping state control over prices for essential foods, energy, communications, and transport
(Larsson, 2010). Liberalization of prices caused four-digit inflation in 1992-1994, which led to a
spike of consumer prices and erased families’ savings. In 1993, the country left the ruble zone
with the introduction of the tenge (KZT) as a national currency, established a National Bank, and
started implementing strict monetary control over public expenditures; however, inflation was
stabilized and reduced to the one-digit level only in 2000 (World Bank, 2011). As part of
financial liberalization, state restrictions on banking were removed, and soon hundreds of

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\(^8\) To compare, during the U.S. Great Depression the reduction in the GDP did not exceed one quarter of the GDP
(Falkingham, 2005).
domestic and foreign banks were registered, although, initially, their expected stimulating impact on the economy was limited due to high inflation and the public’s low trust in financial institutions.

The trade liberalization policies introduced in the early 1990s included removing the state monopoly on trade and eliminating/reducing tariffs on imports and exports. As a result, the country’s external trade showed continuous growth, from annual exports of US$1,486 million and imports of US$472 million in 1993, to US$57,244 million of exports and US$24,023 million of imports in 2010 (ADB, 2011). Over time, Kazakhstan also diversified its trade partners. While Russia continued to be one of the key trade partners, foreign trade with non-Soviet states significantly increased. In 2010, the majority of Kazakhstan’s exports were directed to China, followed by Germany, Russia, and France (ibid.).

Privatization of state enterprises in Kazakhstan began in 1991, with the establishment of the Committee on State Property and adoption of the first laws on privatization and denationalization. Privatization was open to foreign investors, who bought, or participated, in joint-stock ventures, concentrated predominantly in oil and energy sectors. First, small and medium size enterprises were privatized, and by 1997, 55% of the country’s GDP was in private ownership. The privatization of larger and strategic enterprises started in 1997 and was marked by tensions and power struggles among various institutions and interest groups (Saab & Kumar, 1997). In 2000-2001, over 300 large and strategically important enterprises were still owned by the state, making up one third of GDP (IMF, 2003).

Stabilization measures were a challenge due to the shrinking GDP, the failure of most state enterprises, and galloping inflation. Replacing the Soviet centralized taxation system, a new taxation system was introduced in 1992, but it struggled in the conditions of economic depression and a sizable informal economy. The government implemented strict austerity measures aimed at reducing public expenditures, including the elimination of subsidies for consumer prices (as part of price liberalization) and cutting social welfare programs (more on that below). Another strategy used to balance the account was an accumulation of arrears for wages and welfare cash benefits (e.g., pensions, child allowances), which were delayed sometimes for months and even years (World Bank, 1998). Also, the first labour reforms were introduced in 1992. The mandatory collective bargaining agreement was replaced by an
agreement between the employer and employee, effectively eliminating the state regulation of wages, except for minimum wages and public sector jobs.

In the 2000s, after a decade of economic depression, Kazakhstan’s economy began to recover. Starting in 2000, GDP grew by approximately nine percent each year, interrupted in 2008-2009 due to financial crisis, but the growth recovered in 2010 (Table 4). In 2003, the GDP reached the 1990 level of US$26.9 billion, and in 2012, the GDP rose to US$201.7 billion (World Bank, 2013).

Table 4 Gross Domestic Product (GDP) change and Gross National Income (GNI) per capita in Kazakhstan, 2001-2010

<table>
<thead>
<tr>
<th></th>
<th>2001</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>GDP change (annual %)</td>
<td>13.5</td>
<td>9.8</td>
<td>9.3</td>
<td>9.6</td>
<td>9.7</td>
<td>10.7</td>
<td>8.9</td>
<td>3.3</td>
<td>1.2</td>
<td>7.3</td>
</tr>
<tr>
<td>GNI (US$)</td>
<td>1,350</td>
<td>1,520</td>
<td>1,800</td>
<td>2,300</td>
<td>2,930</td>
<td>3,860</td>
<td>4,970</td>
<td>6,140</td>
<td>6,840</td>
<td>7,590</td>
</tr>
</tbody>
</table>


The growth of GDP was fueled by increased foreign direct investments (FDI) in oil production driven by the growth of world prices for oil and facilitated by supportive national policies (e.g., the Law on Foreign Investment adopted in 1994). Kazakhstan was the first post-Soviet state granted an investment grade in 2002, and its share of FDI accounts for 80% of FDI in the Central Asia region, leading to the highest proportion of transnational corporation (TNC) capital in Kazakhstan among post-Soviet states (Smirnov, 2006). TNCs are concentrated in the oil sector (60% of FDI) and other mineral resources sectors (ibid.), driving the country’s output and exports. Crude oil production more than tripled, from 19,572 thousand metric tons in 1993 to 67,916 in 2010 (ADB, 2011). In the 2000s, the state increased its control over oil and gas resources by introducing new regulations and re-negotiating conditions with TNCs (Kennedy, 2011). Oil, gas, minerals and other natural resources account for about 80 percent of total exports, while the share of machinery and complex activities within export structures actually decreased between 1995 and 2007 (Myant & Drahokoupil, 2008).
Thus, a number of drastic economic reforms implemented over the past two decades have resulted in the emergence and expansion of the private sector. The country’s economy, formerly deeply integrated in the centrally planned Soviet system, has been restructured and integrated into the world economy, mainly as an important producer of oil and other mineral resources (Myant & Drahokoupil, 2008). An impressive trajectory of Kazakhstan’s macroeconomic indicators in the 2000s indicates the success of such economic restructuring, but the country’s dependency on oil extraction is also viewed as a threat to its sustainable development (Pomfret, 2011, Myant & Drahokoupil, 2008). Recognizing the diversification of the economy as a priority, the government has undertaken a number of strategies aimed to use oil revenues to develop non-extractive sectors. In 2000, the government established the National Fund of the Republic of Kazakhstan, which was used to accumulate oil revenues during the time of rapid growth; these deposits were then used for bailing out national banks and businesses during the economic recession in 2007-20099.

**Social welfare transformation**

During the first decade of independence, major changes to welfare provisions were introduced, including an overall reduction in public expenditures on welfare, health care, and education, as well as a restructuring of the way welfare was provided. Following the contraction of GDP and state revenues, government expenditures on social welfare plummeted (See Table 5).

Table 5 Public expenditure on social sectors as percentage of GDP, Kazakhstan, 1990–2000

<table>
<thead>
<tr>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>GDP change (annual %)</td>
<td>-11</td>
<td>-5.3</td>
<td>-9.2</td>
<td>-12.6</td>
<td>-8.2</td>
<td>0.5</td>
<td>1.7</td>
<td>9.8</td>
<td>2.7</td>
<td>9.8</td>
<td></td>
</tr>
<tr>
<td>Total gov. exp. (% of GDP)</td>
<td>31.4</td>
<td>32.9</td>
<td>31.9</td>
<td>25.2</td>
<td>18.4</td>
<td>18.9</td>
<td>17.4</td>
<td>27.0</td>
<td>24.1</td>
<td>19.6</td>
<td>23.2</td>
</tr>
</tbody>
</table>


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Drastic cuts in welfare programs were achieved by limiting the number of welfare recipients and through monetization of in-kind welfare benefits\(^\text{10}\). In 1994, the provision of welfare benefits to selected categories of beneficiaries was suspended\(^\text{11}\). Monetization of in-kind welfare benefits was implemented in several phases; in 1998, all in-kind welfare programs were replaced with cash benefits for a variety of beneficiaries\(^\text{12}\) (Maltseva, 2008). At the same time, some targeted social assistance was provided to the poor; however, the access to it was limited due to administrative inefficiencies, and more than 60 percent of families eligible for assistance did not receive it in 1996 (World Bank, 1998). Another major welfare reform driven by the need to cut government spending was the introduction in 1998 of pension reform, which eliminated the Soviet-type pay-as-you-go (PAYG) pension scheme\(^\text{13}\) and replaced it with a minimum guaranteed pension along with a mandatory requirement of worker contribution to an individual retirement saving account\(^\text{14}\) (Orenstein, 2000).

In the 2000s, economic recovery and the growth of GDP were accompanied by a steady increase in public spending on social welfare, especially in absolute figures. However, as seen in the Table 6, public expenditures still lag behind as a percentage of GDP as compared to OECD countries\(^\text{15}\) (UNICEF, 2007).

\(^{10}\) As Minister of Labour and Social Protection G. Karagoussova admitted in her interview, monetization allowed the government to cut costs of welfare programs because monetary compensation was sometimes lower than the costs of in-kind benefits (KAZINFORM, 14 December 2006, http://www.inform.kz/kaz/article/167414)

\(^{11}\) E.g., people affected by nuclear weapon testing in Semipalatinsk and by detrimental environmental conditions in the Aral region, victims of mass political repressions.

\(^{12}\) E.g., veterans of the World War II and the Afghan war, big families with four and more children, military personnel and their families, people with disabilities, orphans.

\(^{13}\) The Soviet retirement scheme included relatively generous pension benefits provided by the state at the level of 60% of the highest pre-retirement wage and early retirement age (55 years for women and 60 years for men).

\(^{14}\) Kazakhstan was the first former Soviet republic to introduce the most radical and fast pension reform, inspired by the World Bank’s recommendations.

\(^{15}\) OECD average level of public spending on education is 4.6% of GDP (OECD, 2013c). OECD average spending on health care is 8.9%, out of which 72.9% is covered by public funding (OECD, 2013b).
### Table 6 Public expenditure on social sectors as percentage of GDP, Kazakhstan, 2001–2009

<table>
<thead>
<tr>
<th></th>
<th>2001</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
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<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>GDP change (annual %)</td>
<td>13.5</td>
<td>9.8</td>
<td>9.3</td>
<td>9.6</td>
<td>9.7</td>
<td>10.7</td>
<td>8.9</td>
<td>3.3</td>
<td>1.2</td>
</tr>
<tr>
<td>Total government expenditure (% of GDP), including:</td>
<td>23.4</td>
<td>22.3</td>
<td>23.9</td>
<td>21.9</td>
<td>25.6</td>
<td>22.0</td>
<td>24.1</td>
<td>26.9</td>
<td></td>
</tr>
</tbody>
</table>


Not only did public expenditures begin to grow in the 2000s, but also social welfare reform shifted from the periphery to the centre of official and public discourse, as evidenced from the number of new legislative acts, state programs, and institutions. A number of new legislative acts and state programs were adopted. New labour legislation (e.g., new Labour Law and later Labour Code, Employment Law) redefined the roles of employers, workers, and the state in the provision of welfare and relationships among them. The Concept of Social Protection, adopted in 2001, sought to address deficiencies in welfare benefits for the poor (e.g., unemployment insurance and retirement benefits) resulting in the establishment of a mandatory Social Insurance Fund. The state Program for Combating Poverty and Unemployment was adopted in 2000. In 2002, means-tested social assistance targeted at the poor was introduced; eligibility criteria were linked to a subsistence minimum (ILO, 2004). Targeted social assistance was supplemented by housing maintenance/utility allowances for low-income households. In addition, special Soviet-type merit-based benefits, which are not tied to the income level, continued to be provided to various categories of citizens\(^\text{16}\) (Maltseva, 2008).

In the 2000s, social welfare policies became more sophisticated. If the focus of welfare reform in the 1990s was on minimizing public spending, the focus of welfare reform in the 2000s was on creating, refining, and streamlining multiple welfare programs. As a result, a three-level social welfare system, which distributes responsibility for welfare provision among the state,

\(^\text{16}\) Those beneficiaries included, for instance, veterans of the World War II, the disabled, individuals who participated in the liquidation of Chernobyl catastrophe, families of military deceased in service, bearers of state awards, victims of political repressions, mothers and families with many children.
market/employers, and citizens has been established. The first level welfare programs include state-guaranteed non-contributory universal programs including minimum old age pension, disability benefits, allowances due to loss of a bread-winner, and newborn child allowances. The second level programs include mandatory individual retirement contributions and mandatory social insurance for disability, unemployment, and loss of a breadwinner (survivor insurance). The third level of social welfare encompasses voluntary individual programs such as social insurance, voluntary private pension schemes, and employer responsibility insurances (MoLSP, 2011).

Transformation of the family: Increased burden, reduced public support

Structural transformation in post-socialist and post-Soviet countries was accompanied by dramatic changes in the living conditions and welfare of people (See Table 7). The UN Human Development Report (1999) described the socioeconomic situation in the entire “transition” region as “a human crisis of monumental proportions”. Economic crises in the “transition” region diminished the main source of income—employment, while the erosion of welfare systems aggravated the situation, altogether causing a sharp decrease in incomes, the spread of poverty, growing inequality, deterioration of health, an increase in crime, suicide, and unhealthy behaviours, and dislocation. Kazakhstan’s situation was no exception. The contraction of GDP by almost 40% in 1996 (as compared to GDP in 1989) caused a fall in real wages by 50% (World Bank, 1998) and a spike of unemployment. More than a third of the country’s population (35%) in 1996 had incomes below the state-defined subsistence minimum of approximately US$70 per capita per month. When a poverty line of PPP-corrected US$5 per capita per day was applied, 79% of the population in 2001 was below this threshold (World Bank, 2013).

While the scope of poverty increased, poverty struck different societal groups unequally. Regional inequality became the primary predictor of poverty (World Bank, 2004). In addition to

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17 Actual unemployment might have been higher than the registered unemployment rate indicates, for several reasons: people did not register because unemployment allowances were too small; eligibility criteria were tightened; many people were given an unpaid leave but not formally unemployed.

18 Although the spread of poverty in Kazakhstan was significant, it was even higher in neighboring countries: 76% in Kyrgyzstan, 80-90% in Tajikistan (Ruminska-Zimny, 1997).
“old” categories of the poor, the “new poor” emerged, such as low-paid and low-skilled workers (in rural areas and in the public sector), the unemployed, especially young people, families with many children/large households; moreover, there was an increase in female poverty and regional inequality (Ruminska-Zimny, 1997).

Table 7 Dynamics of human development and social indicators in Kazakhstan, 1990-2000

<table>
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</tr>
</thead>
<tbody>
<tr>
<td>Life expectancy</td>
<td>68.6</td>
<td>68.1</td>
<td>67.6</td>
<td>67.1</td>
<td>66.6</td>
<td>66.1</td>
<td>64.1</td>
<td>64.46</td>
<td>64.5</td>
<td>65.5</td>
<td>65.5</td>
</tr>
<tr>
<td>HDI</td>
<td>.848</td>
<td>.823</td>
<td>.788</td>
<td>.752</td>
<td>.697</td>
<td>.636</td>
<td>.657</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rank on the HDI scale</td>
<td>53</td>
<td>60</td>
<td>68</td>
<td>82</td>
<td>99</td>
<td>100</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Unemployment rate, %</td>
<td>0</td>
<td>7.5</td>
<td>11.0</td>
<td>13.0</td>
<td>13.0</td>
<td>12.7</td>
<td>13.5</td>
<td>12.8</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Poverty rate*</td>
<td>15</td>
<td>34.6</td>
<td>38.3</td>
<td>39.0</td>
<td>34.5</td>
<td>31.8</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Inequality**</td>
<td>.276</td>
<td>(1989)</td>
<td>0.359</td>
<td>(2003)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

Notes: * Share of population with income below the subsistence level (%).
** Distribution of earnings (Gini index)


The health of the population deteriorated swiftly during the first five years of “transition”, as indicated by a sharp decline in life expectancy, particularly, among men, whose life expectancy dropped from 63.9 years in 1990 to 58.9 years in 1996 (WHO, 2011). This spike of male mortality was associated with a sharp increase in cardiovascular diseases, suicides, substance abuse, accidents, and murders (Ruminska-Zimny, 1997). Another alarming trend was a spike of morbidity and mortality from tuberculosis (TB). National TB case notification rates grew from 64.4 in 1991 to 165.1 per 100,000 in 2001 (WHO, 2009), and TB mortality jumped from 10 in

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19 Similar developments were observed across the post-socialist and post-Soviet region. UNDP (1999) estimated that alcoholism, drug abuse and suicides accounted for the loss of life of 9.7 million adult males from 1990 to 1999.
1990 (per 100,000) to 37 in 1999 (Godinho et al, 2005). HIV/AIDS epidemics in the former Soviet republics also took off in the 1990s, initially concentrated among injecting drug users and clearly associated with youth unemployment, poverty, and drug trafficking routes from Afghanistan to Russia and Europe (WHO, 2005). Sexually transmitted diseases, another important public health indicator, also jumped in Kazakhstan, where the incidence of syphilis in 1996 was 100 times higher compared to 1991 (Falkingham, 1999).

The sources of welfare for families have changed dramatically. The main sources of income in the Soviet Union were employment (72% of total gross income), social transfers (13%), and private sources (14%) (Milanovic, 1998, cited by Falkingham, 2005). In the 1990s, when all these sources of welfare were severely jeopardized, families in Kazakhstan started to rely on survival strategies available to them, such as reduction in consumption of food, goods and services; producing foods for family consumption; working second and third jobs; running informal businesses--petty trade, gipsy cabs, services; transferring resources between households from family members and relatives (World Bank, 1998; Falkingham, 2005; Izyumov, 2009).

Another post-Soviet wide-spread phenomenon was “shuttle trade” (or “suitcase trade”), created by a combination of favourable customs regulations for tourists and a shortage of basic consumer goods. Shuttle traders were often educated, qualified individuals who had lost their jobs and went abroad as “tourists”, buying clothes, electric appliances, cosmetics, and other consumer goods there to sell at local bazaars (Klimova, 2006). Bazaars mushroomed across Central Asia and the post-Soviet region; with little state control, they provided informal employment and consumer goods. In fact, bazaars, the informal sector, and informal social networks served as safety nets at a time when the state and the emerging formal market failed to meet people’s needs.

The economic crisis and poverty had a grave impact on the family and demographic situation in Kazakhstan (Table 8). Families with children faced increased pressure to provide necessary care to their children, especially families with children with special needs, families with many children, and single-parent families. The number of children deprived of family care was steadily growing, reaching 88,000 in 1999 (NRFWS, 2000), including 30% of children whose parents deceased and 70% of so called

20 In 1996, one third of consumed food was home-produced (World Bank, 1998).
21 The rise of engagement in criminal activities can also be seen as a survival strategy.
‘social orphans’ (children whose parents are alive but failed to provide care for social reasons). The number of children abandoned by their parents, including newborn babies left in maternity wards, almost doubled (2,630 in 1998, and 4098 in 1999). Out of 88,000 children deprived of parents, 84% were cared for by other family members or adopted, while the rest of children were placed in children’s residential institutions. The adoption rate decreased by half (5,448 children were adopted in 1998, and 2,807 in 1999).

Table 8 Selected demographic indicators in Kazakhstan, 1990-2010

<table>
<thead>
<tr>
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<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Total population (in 1,000s)</td>
<td>16,298</td>
<td>15,676</td>
<td>14,902</td>
<td>15,075</td>
<td>16,205</td>
</tr>
<tr>
<td>Number of children (million)</td>
<td>6.066</td>
<td>5.604</td>
<td>5.053</td>
<td>4.660</td>
<td>4.786</td>
</tr>
<tr>
<td>Female life expectancy at birth (years)</td>
<td>72.7</td>
<td>69.7</td>
<td>71.1</td>
<td>71.8</td>
<td>73.3</td>
</tr>
<tr>
<td>Male life expectancy at birth (years)</td>
<td>63.2</td>
<td>58.0</td>
<td>60.2</td>
<td>60.3</td>
<td>63.5</td>
</tr>
<tr>
<td>Crude birth rate (live births per 1,000)</td>
<td>22.2</td>
<td>16.3</td>
<td>14.9</td>
<td>18.4</td>
<td>22.5</td>
</tr>
<tr>
<td>Crude death rate (per 1,000)</td>
<td>7.9</td>
<td>10.7</td>
<td>10.1</td>
<td>10.4</td>
<td>8.9</td>
</tr>
<tr>
<td>Fertility rate (live births per woman aged 15-49)</td>
<td>2.76</td>
<td>2.05</td>
<td>1.85</td>
<td>2.25</td>
<td>2.59</td>
</tr>
<tr>
<td>General divorce rate (per 100 marriages)</td>
<td>26.4</td>
<td>39.5</td>
<td>30.1</td>
<td>26.3</td>
<td>28.4</td>
</tr>
<tr>
<td>Non-marital births to mothers under age 20 (as per cent of live births to mothers under age 20)</td>
<td>29.0</td>
<td>33.5</td>
<td>46.5</td>
<td>46.1</td>
<td>41.0</td>
</tr>
</tbody>
</table>

*Source: TransMONEE database, 2012.*

The welfare of people as reflected in human development indicators started to recover in the mid-2000s but still has not reached the pre-transition level (Table 9). Rates of unemployment and poverty have been relatively high until recently, although figures improved in the late 2000s. Life expectancy is gradually increasing but still lower than the pre-transition level. Income inequality (as shown by the distribution of earnings, Gini index) which jumped from the 1989
level appears to have stabilized in the late 2000s\textsuperscript{22}. Other demographic indicators (e.g., fertility, birth and death rates) have been slowly improving (Table 8).

Table 9 Dynamics of human development and social indicators in Kazakhstan, 2001-2010

<table>
<thead>
<tr>
<th>Year</th>
<th>Life expectancy</th>
<th>HDI</th>
<th>Rank on the HDI scale</th>
<th>Unemployment rate, %</th>
<th>Poverty rate, %</th>
<th>Gini index</th>
</tr>
</thead>
<tbody>
<tr>
<td>2001</td>
<td>65.77</td>
<td>0.714</td>
<td>68</td>
<td>10.4</td>
<td>28.4</td>
<td>0.276</td>
</tr>
<tr>
<td>2002</td>
<td>65.97</td>
<td>0.721</td>
<td></td>
<td>9.3</td>
<td>24.5</td>
<td>0.359</td>
</tr>
<tr>
<td>2003</td>
<td>65.87</td>
<td>0.727</td>
<td></td>
<td>8.8</td>
<td>31.6</td>
<td>0.370</td>
</tr>
<tr>
<td>2004</td>
<td>65.89</td>
<td>0.727</td>
<td></td>
<td>8.4</td>
<td>18.2</td>
<td>0.420</td>
</tr>
<tr>
<td>2005</td>
<td>65.91</td>
<td>0.729</td>
<td></td>
<td>8.1</td>
<td>12.7</td>
<td>0.414</td>
</tr>
<tr>
<td>2006</td>
<td>66.16</td>
<td>0.733</td>
<td></td>
<td>7.8</td>
<td>12.1</td>
<td>0.31</td>
</tr>
<tr>
<td>2007</td>
<td>66.5</td>
<td>0.733</td>
<td></td>
<td>7.3</td>
<td>8.2</td>
<td>0.412</td>
</tr>
<tr>
<td>2008</td>
<td>67.02</td>
<td>0.740</td>
<td></td>
<td>6.6</td>
<td></td>
<td>0.359</td>
</tr>
<tr>
<td>2009</td>
<td>68.43</td>
<td></td>
<td></td>
<td>6.5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2010</td>
<td></td>
<td></td>
<td></td>
<td>5.8</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Notes: * Share of population with income below the subsistence level (%).
** Inequality: distribution of earnings.


Apart from demographic and socioeconomic changes, the country’s ethnic composition has significantly changed over the past twenty years. In 1989, Kazakhs constituted 39.7% of the population of the republic, Russians made up 37.8%, and the rest of the population was comprised of dozens of diverse ethnic minorities (UNDP, 2005). After the collapse of the Soviet Union and before 2009, Kazakhstan lost over 3 million of people due to emigration, mostly by ethnic Russians and Germans (UNDP, 2005). From 1991 to 2012, under the government program of support to the repatriation of ethnic Kazakhs (oralman, or returnees in Kazakh), approximately one million of ethnic Kazakhs migrated to Kazakhstan, primarily from Uzbekistan, Mongolia, Turkmenistan, China, and Russia (Commission on Human Rights, 2012). As a result, in the late 2000s, Kazakhs made up the majority of the country’s population, while

\textsuperscript{22} Gini index measures income distribution in a given population against a perfectly equal distribution. Gini index of 0 represents perfect equality and an index of 100 represents perfect inequality. For comparison, Gini coefficient was 26 for Norway (2000), 33 for Canada (2000); 41 for the US (2000), and 42 for Russia (2008).
the share of Russians has significantly reduced. In 2009, there were 63.1% of Kazakhs, 23.7% of Russians, and 13% of other ethnic groups (Agency of Statistics of RK, 2010).

Religious affiliations in Kazakhstan have been in flux, too. During the Soviet period, religious groups and associations were controlled by the state, and religious affiliation was strongly discouraged. Nevertheless, there were diverse religious associations in Soviet Kazakhstan. 671 religious associations registered in 1989 included 168 Baptist, 171 Lutheran, 62 Russian Orthodox, and 46 Islamic congregations (Ivanov & Trofimov, 1999, cited in Podoprigora, 2010). Independent Kazakhstan announced the freedom of conscience and adopted a number of regulations that allowed citizens joining religious associations. As reported by the official media, in 2008, there were over 4,000 religious organizations registered in Kazakhstan, including 2,337 Islamic, 28 Russian Orthodox, 82 Roman Catholic, and 1,180 Protestant associations (Kazakhstanskaya Pravda, 18 April 2008, as cited in Podoprigora, 2010). According to the 2009 Census, the majority of the population reported Islam as their religious affiliation (70.2%), and the second religious group was Christianity (26.2%). However, these figures do not represent the real situation, which is much more complex. Religious affiliation in post-Soviet Kazakhstan is often equated with ethnicity; while individuals identify themselves with certain religions, most of them are not members of religious groups and do not participate in religious practices. Religious associations are separated from the state and are not allowed to participate in the political life, while the state exercises control over religious associations through administrative tools. The official discourse on religious associations declares tolerance toward religious views and inter-religious harmony and dialogue. In 2003, the President of RK initiated the Forum of the Leaders of the World and Traditional Religions, which was held in Astana every three years.

Political transformation

As a member republic of the USSR, Kazakhstan had a political system which consisted of three branches: the Central Committee of the Kazakhstan’s Communist Party, the Supreme Council

23 According to Podoprigora (2010), “[A]ll Kazakhs, Tatars, Uzbeks, Uighurs [sic], and other Asian nationalities who make up the majority of the population of Kazakhstan are often automatically considered to be Muslims. The same is true with the Slavic population: all Russians, Ukrainians, and Belarusians are often automatically considered to be members of the Russian Orthodox Church. However, most of these people […] do not in fact regard themselves as orthodox Muslims or members of the Russian Orthodox Church; they may take part in various religious ceremonies, but they do not go to the mosque or church regularly. The general level of religiosity in Kazakhstan is rather low, to a large extent because of secularization in the Soviet period” (p.457).
(legislative branch), and the Supreme Court (judicial branch). On December 16, 1991 Kazakhstan became the last member Soviet republic to announce independence. Nursultan Nazarbayev, who was the First Secretary of the Communist party of Soviet Kazakhstan and Chairman of the republic’s Supreme Council since 1990, was the first elected President of the Republic of Kazakhstan and was re-elected for his fourth term in 2011. According to Kazakhstan’s Constitution, the President enjoys wide-ranging powers, including the authority to appoint the central and provincial government, dissolve the Parliament, initiate amendments to the Constitution, and call a referendum. The bi-cameral Parliament of the Republic of Kazakhstan consists of the Senate and Majilis; members of the Senate are appointed by the President or indirectly elected through provincial councils, while members of Majilis are elected based on party lists and territorial representation.

After the collapse of the Soviet Union, the Communist Party lost its power and monopoly, and many parties were formed in Kazakhstan. Party building has been a dynamic and swiftly changing process. At present, the biggest and most influential party in Kazakhstan is Nur Otan, which since 2007, has been chaired by the President. Apart from Nur Otan, there are numerous smaller parties: some represent pro-government views, while others represent the so called ‘soft’ or ‘hard’ opposition (Bowyer, 2008). Seven parties participated in the latest elections in 2012, and three got seats in the parliament; Nur Otan holds the majority of seats. With the exception of Nur Otan, the party of the political elite, parties in Kazakhstan have limited influence on public opinion and limited involvement in policy making.

A useful conceptualization of the evolution of the political system in post-Soviet Kazakhstan was offered by Satpayev (2008). The early post-Soviet phase (1991-1995) was marked by ‘Pro-Western’ democratic romanticism and pluralism, when the political elite and the public were looking for the model for the country’s development, while keeping Soviet political institutions. The second phase (1995-1999) was characterized by the institutionalization of the power of the President in the Constitution; the political elite chose the Asian model of development, placing economy first, and politics second. During the third phase (1999-2001), the consolidation of the power continued, while the balance among political elites was maintained. The next phase (2001-2004) was marked by increasing conflicts among political elites. The following phase
(2004-2005) was a reaction to “colour revolutions” in several post-Soviet states\textsuperscript{24}, including tightening of political control over political opposition, parties, and NGOs.

While Kazakhstan created formal democratic political institutions, political processes and outcomes, or, as Junisbai (2010) puts it, “who gets what, when and how” (p. 235) in Kazakhstan are driven to a large extent by informal institutions, such as clan/kinship, region/centre dynamics, and/or financial-industrial groups (Jones Luong, 2004; Schatz, 2004; Junisbai, 2010). While informal politics and formal political institutions are not identical, they intertwine and therefore, neither can be dismissed: changes in formal institutions indicate informal political dynamics, and vice versa.

Therefore, relations between the general public and the formal institutions of power in Kazakhstan are very different from those in Western democracies. Typically, citizens have been detached from the political process and do not view formal political institutions as an instrument for representing/protectiong their interests. To illustrate, social policy reforms in Kazakhstan faced little public resistance, with rare exceptions. Although many “transition” reforms (e.g., the pension reform, privatization of higher education, closing rural health care facilities) severely cut existing benefits and services and affected large populations, the lack of political organization and advocacy groups accounted for the fact that reforms could be implemented with ease.

One explanation of the public acceptance of policy reforms credits successful policy discourse. As Maltseva (2008) describes, the government of Kazakhstan used East Asian states, or “Asian tigers”, such as Singapore, as an example of successful transition under strong leadership; similarly, Kazakhstan was branded as a Central Asian “snow leopard”. The official and media discourse emphasized the importance of political stability and interethnic harmony for the success of reforms, a message which resonated with the country’s multiethnic population. Furthermore, a major theme in the policy discourse was individual and family responsibility for providing care for family members and the need to end Soviet-type dependency on the state, thus effectively erasing the Soviet value system and re-instating Asian/traditional ethics. A different explanation of public conformity links it to an oil-based social contract. Some scholars

\textsuperscript{24} “Colour revolutions” refers to the popular unrest resulting in the overthrow of political elites in Georgia (2003), Ukraine (2004-2005), Kyrgyzstan (2005).
pessimistically categorize Kazakhstan as a “resource-curse” or a “rentier” country. Mineral resource-rich countries run the risk of being exploited by TNCs, often have poor quality state institutions, and tend not to rely on taxation for supporting government policies, thus lacking a feedback mechanism for citizens to hold governments accountable (Jones Luong & Weinthal, 2010; Franke, Gawrich & Alakbarov, 2008). They function as a “rentier state” in which a small number of the elite have access to the “rent” paid by foreign actors, while the majority of the population depend on the elite.

**Geopolitical position and foreign policy**

After the disintegration of the Soviet Union, Kazakhstan positioned itself as a ‘Eurasian space’, that is, a country “uniquely situated geographically between East and West, between Europe and Asia, and between Islam and Christendom” (Schatz, 2006, p.274) and launched a multi-vector foreign policy 25, which involves cooperation and negotiation with major states that have competing interests in Central Asia, such as the US, Russia, China, and the European Union (Blank, 2007).

Kazakhstan’s openness to international involvement might be linked to the country’s past. According to Schatz (2006), each newly independent country at the beginning of the post-colonial/post-Soviet nation-building phase had to find and choose legitimacy claims to frame its policies. He convincingly argues that Kazakhstan had few acceptable legitimacy claims to position itself. The Kazakh state did not exist before the Soviet Union, and claims based on Kazakh ethnicity/culture/history were sensitive considering the country’s multiethnic population and the continuing influence of Russia. Therefore, the government chose to build its legitimacy on the claims of international recognition. Such claims opened the doors to international and supranational organizations whose involvement has been an important part of the country’s development since its independence. Such involvement does not mean that the country simply followed policy prescriptions; rather, policy choices made by the government were influenced by

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25 This is how a prominent politician Kassymzhomart Tokaev, ex-Minister of Foreign Affairs and current speaker of the Senate of the Parliament, explains the multi-vector foreign policy: “There are two ways to build houses in countries prone to earthquakes: either to lay the foundation deep down in the ground or to use a balancing system. For Kazakhstan, it's better to use a balancing system” (Tokaev, 2004: 124, cited in Kennedy, 2011).
institutional configurations, which included transnational actors. According to Schatz, international involvement contributed to the formation of the so-called ‘soft authoritarian’ regime in Kazakhstan, a sociopolitical constellation which is based “on the means of persuasion, more than on the means of coercion” (Schatz, 2008, p. 50).

Historically, major states, such as Great Britain and Russia competed for control over Central Asia, a rivalry that was called a ‘great game’. After the disintegration of the Soviet Union, the countries that had interest in the region included the US, Russia, China as well as the European Union and Turkey (Blank, 2007). The US recognized the significance of Kazakhstan for their national interests in the early 1990s because of its location, the ownership of the Soviet nuclear weapon and biological and chemical weapon facilities, and vast reserves of oil and gas. After September 11, 2001, Kazakhstan became an important Central Asia partner in the U.S. war in Afghanistan (Davis & Domrowski, 2000). For Russia, Kazakhstan was an important element of its goal of taking control over the regional energy market and the flow of oil and gas through the region. Russia also viewed the partnership with Central Asian states as a matter of national security, that is, of the safety of its southern borders and counterterrorism (Blank, 2007). China’s involvement in the region was driven by its interest in Kazakhstan’s natural resources. In addition, Kazakhstan and China have overlapping ethnic populations: there are 1 million ethnic Kazakhs living in China and 300,000 Uyghurs living in Kazakhstan (Kazakhstan borders the Xinjiang Uyghur Autonomous Region of China). In addition to the energy sector, China began investing in the development of transport infrastructure through Kazakhstan (Nichol, 2012).

26 The U.S. Deputy Secretary of State Strobe Talbott in his 1997 speech claimed that the success of reforms in Central Asian states “will contribute to stability in a strategically vital region that borders China, Turkey, Iran, and Afghanistan, and that has growing economic and social ties with Pakistan and India...It would matter profoundly to the United States if [internal and cross-border conflicts] were to happen in an area that sits on as much as two hundred billion barrels of oil. That is yet another reason why conflict resolution must be Job One for US policy in the region: it is both the prerequisite for, and an accompaniment to, energy development (Talbott, 1997, cited in Olcott, 2011).

27 In 2009, China’s investment in oil and gas sector in Kazakhstan reached US$13 billion, while US total FDIs in the energy sector in the country reached US$16 billion in 2012 (Nichol, 2012). As reported by Reuter on 7 September 2013, China bought stakes in one of Kazakhstan’s oil project for US$5 billion (http://www.reuters.com/article/2013/09/07/oil-kashagan-china-idUSL5N0H302E20130907). Thus, Chinese investments have already surpassed those of the US.
In agreement with its multilateral foreign policy, Kazakhstan managed to pursue its interests through negotiating with superpowers competing for domination in the region. In his 2012 Address to the People of Kazakhstan, the President stated that “our priorities will stay unchanged—partnership with our neighbours—Russia, China, Central Asian states, as well as the US, European Union, Asian countries.” While maintaining overall good relationships with these states, in the late 2000s, Kazakhstan became increasingly involved in the regional cooperation through regional organizations, such as the Shanghai Organization of Cooperation and the Collective Security Treaty (a regional military and counterterrorism alliance). Since 2010, Kazakhstan joined the Customs Unions with Russia and Belarus, and announced its strategy for the nearest future to work toward the Eurasian Economic Space.

1.2 Summary

To summarize, this chapter has provided a sketch of the sociohistorical context for the study of the development of social services in Kazakhstan. An overview of the pre-Soviet and Soviet periods of Kazakhstan’s history highlighted those developments that contributed to the country’s specific constellation of socioeconomic, demographic, and political features, such as an educated and ethnically diverse population, a resources-based economy integrated within the Soviet Union, and a universal and comprehensive centralized Soviet welfare system. Next, I outlined the major economic, social welfare, and political reforms introduced during the past two decades, as well as the dynamics of selected social and human development indicators in Kazakhstan. Even a sketch of these economic, social and political reforms indicates that the transformations have been embedded in a variety of societal institutions—laws, organizations, and other “rules of the game”—pointing out the importance of institutions for the analysis of social change. The combination of these multiple and swift reforms has radically changed the architecture of welfare provision in this society. Economic reforms have resulted in the emergence and development of the market. Social welfare reforms have shifted the responsibility for welfare provision from the state to the state, market and family. Political reforms have led to the emergence of multiple political parties, whose engagement in the policy process has been limited, and the third, nongovernmental and nonprofit, sector which has become increasingly involved in the policy.

process and the provision of social services. Transnational actors have been an integral part of many aspects of social transformation and in the shaping of all sectors, including market and state institutions. However, it may be argued that TOs played a particularly important role in shaping NGOs as political actors and providers of social services. Overall, the organization of welfare provision has shifted from the Soviet-type state-controlled and state-run welfare system to multisectoral welfare provision shared by the state, the developing market, the family, and the newly emerging nonprofit nongovernmental sector.
Chapter 2
Theoretical Framework for the Study and Method

This chapter outlines the overarching theoretical framework for the study, the key concepts guiding the study, and research methodology. The multidimensional framework has drawn upon three approaches: the welfare diamond approach, a transnational perspective, and historical institutionalism. These theoretical tools have been selected for this study based on their relevance and sensitivity to sociopolitical processes shaping post-Soviet/post-socialist social policy and welfare systems. The welfare diamond conceptualizes welfare provision in terms of four sectors of the society: the state, the market, family, and nonprofit/nongovernmental/voluntary sector. The welfare diamond, I argue, is a particularly useful approach for this study because the key characteristic of the post-Soviet welfare transformation is the shift from the state welfare system toward multi-sectoral provision of welfare, shared by the state, family, newborn NGOs, and the emerging market. In other words, the post-socialist welfare transformation can be described as the development of the welfare diamond. Further, a transnational dimension was added to the welfare diamond in order to examine the influence of transnational actors on national social policy in Kazakhstan. In addition to the welfare diamond, this study utilizes a historical institutionalist perspective, which allows me to examine the transformation of child welfare institutions embedded in the post-Soviet sociohistorical context, focusing on the interplay between institutional continuity and change and the role of Soviet institutional legacies.

The chapter is organized in two main parts: the first section discusses the theoretical framework for the study and the second one focuses on the research methodology. I begin the theoretical section by outlining the welfare regimes approach (Esping Andersen, 1990) as a major theoretical framework that was developed for the study of Western welfare states and, as my literature review indicates, was used extensively for the analysis of the transformation of post-socialist welfare systems, especially at the earlier phase (the 1990s-early 2000s). Building upon the discussion of the challenges to the application of welfare regimes and other typology-based approaches for the study of post-Soviet welfare systems, I argue that these approaches lack sensitivity to dynamic sociopolitical post-Soviet/post-socialist processes. I also critique ‘transition’, a framework that was applied, explicitly or implicitly, to frame the post-Soviet/post-socialist transformation. Based on the critique of typology-based approaches and of ‘transition’
as a linear, oversimplified concept of social change, I develop an argument for the use of three approaches that are sensitive to post-Soviet/post-socialist social transformations: welfare diamond, the transnational approach, and historical institutionalism. After outlining these three approaches, I present an integrated multidimensional model for the study. The second section of this chapter is devoted to research methodology and presents case study methodology, sampling, data collection, and data analysis procedures.

2.1 Post-Socialist and Post-Soviet Countries: My Use of Terms

For the discussion of welfare systems and social policy in the post-socialist and post-Soviet context it is necessary to explain (and justify) the selection of countries for this literature review. The commonly used term in the relevant literature is ‘transition’ economies/states, which includes fifteen former Soviet Socialist republics, called post-Soviet states in this paper, and former socialist states in Europe, called post-socialist states in this paper. The terms “post-Soviet” and “post-socialist” are used in this paper, on the one hand, to suggest that these two families of states share a common past and, on the other, that they differ from one another. Also, the use of terms “post-socialist” and “post-Soviet” in this paper does not seek to imply that there is no continuity between the Soviet/socialist past and capitalist present; these terms are used to simply mark the historical period covered by this analysis, that is, the period started in the 1989-1990 with the collapse of the Soviet Union and the Eastern Bloc.

In the literature, various subdivisions and groupings can be found, reflecting the complex politics of post-socialist “transition” and the specific objectives of each study. Examples of sub-groups are Central and Eastern Europe (CEE) which includes Eastern Europe (Czech Republic, Hungary, Poland, Slovakia), the Balkans (Albania, Bulgaria and Romania), the Baltic States (Estonia, Latvia, and Lithuania); and the successor states of the former Socialist Federal Republic of Yugoslavia; the CIS group (the Commonwealth of Independent States) which includes Russia, Ukraine, Belarus, Moldova, Caucuses (Azerbaijan, Armenia, Georgia), and Central Asian states (Kazakhstan, Kyrgyzstan, Uzbekistan, Tajikistan and Turkmenistan).

Some accounts also include Mongolia and China into the category of ‘transition’ economies.
While by no means these countries are homogenous, their selection for this literature review is based on the assumption that, first, their welfare systems before the collapse of the Soviet Union shared similar principles, and second, they all have been undergoing major social transformations over the past two decades. Therefore, research on selected post-socialist and post-Soviet states is deemed relevant for the discussion of welfare transformation in Kazakhstan. It is worth noting that studies of states in ‘transition’ almost never include all post-socialist/post-Soviet states. There is notably more data on post-socialist European states, less on post-Soviet European states (Baltic states, Romania, Moldova, Russia), and scarce research on other post-Soviet states (Ukraine and Belorussia in the European continent, the Caucuses, and Central Asian states including Kazakhstan). The dearth of research on welfare reform in Kazakhstan is another reason for including a larger selection of post-socialist and post-Soviet states in this review.

2.2 Welfare States Scholarship as a Western Project

The field of welfare scholarship emerged as the study of welfare systems and social policy in post-war capitalist countries in Western Europe and North America. For the past half-century, both the expansion of welfare states and then their apparent downsizing have been an object of inquiry for social scientists who in their theorizing and empirical research sought to understand the place of social policy and welfare systems in a market-driven society. Issues central for welfare states’ research, as brilliantly articulated by Harold Wilensky in his seminal work *The Welfare State and Equality* (1975), include, “first, the interplay of affluence, economic system, political system, and ideology; second, the effect of social organization on the behavior of political elites” (p.xi). He also formulated his research objectives which have been driving the field of welfare research ever since: “to discover the structural and cultural determinants of the welfare state and to explain why rich [emphasis added] countries, having adopted similar health and welfare programs, diverge so sharply in their levels of spending, organization and administration of services and benefits, and styles of administration” (p. xi).

Since for decades the focus of welfare states analysis was on wealthy Western states, theories of welfare states and analytical concepts were sensitive to Western social and political institutions and bear certain assumptions about political forces driving the policy process. Within the diverse and heterogeneous field of welfare studies, the welfare regimes approach became the
dominant approach at the time of the collapse of socialism in the 1990s-early 2000s. Not surprisingly, it was applied extensively for the study of post-socialist/post-Soviet welfare systems, and it is necessary to outline its main arguments and critique before proceeding to the discussion of post-socialist welfare policy.

2.3 The Welfare Regimes Approach

In his influential work *The Three Worlds of Welfare Capitalism*, Esping-Andersen (1990) made several major claims regarding the causes and consequences of welfare states. The first claim is that “politics not only matters, but is decisive” (p.4) in shaping welfare states. The interaction among a mix of political factors, such as class mobilization, political alliances between classes, and pre-existing institutional policies or approach influence policy outcomes, resulting in the formation of distinct types of modern wealthy welfare states, or welfare regimes. The second major proposition is that differences between welfare states cannot be understood solely in terms of the level of social expenditures. Modern welfare states, it is argued, can be characterized by how they orchestrate welfare provision among three sectors of society: the state, the market, and the family. The organizing principles and, simultaneously, effects of welfare states, are conceptualized as two constructs: “de-commodification” and “stratification”. De-commodification is defined as a degree to which individuals’ well-being is (in)dependent on their participation in the market. Stratification refers not only to the goals and stratifying outcomes of social policies but also to the organization of welfare states: “[S]ocial policy is supposed to address problems of stratification but it also produces it” because “the welfare state [is] as a stratification system in its own right” (p.3). Added later to the model a concept of “de-familialization” examines the role of the state in reducing an individual’s dependence on the family as a source of welfare (Esping-Andersen, 1999).

By applying the concepts of de-commodification and stratification to a comparative analysis of wealthy welfare states, Esping-Andersen (1990) identified three types of welfare-state regimes30.

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30 Earlier typologies of welfare states were developed by Wilensky and Lebeaux (1958) whose concepts of “residual” and “institutional” models drew on the role of the state, the market, and the family in welfare provision. Titmuss (1974) added an ‘industrial achievement’ model.
The first cluster, a “liberal welfare state regime”, exemplified by the US, Canada and Australia, is characterized by a minimal degree of de-commodification and high degree of social stratification. Social welfare programs are viewed as a last refuge for those who fail to have their needs met through the market and family. The second group, “corporatist” or “conservative” regime, represented by Austria, France, Italy, and Germany, is characterized by a high degree of de-commodification and high degree of stratification. Welfare benefits are provided through the state but their redistributive effects are limited because they are pre-determined by citizens’ social class and status. The third category, “social-democratic regime”, found in Nordic countries, exhibits a high degree of de-commodification and universal welfare coverage which have equalizing effects on social strata. Out of several complex and interconnected claims made by Esping-Andersen, the concept of welfare regimes was arguably the most popular among students of welfare states, as evident from extensive cross-national research and case-study research (Abrahamson, 1999; Powell & Barrientos, 2011).

What made welfare regimes influential was not only the abundance of studies which corroborated its claims but also a plethora of critique, important to this discussion of an appropriate analytical tool for the study of a post-Soviet welfare system. First, the welfare regimes approach was criticized for its state-market binarism, including the neglect of the role of family and gender in welfare provision by feminist scholars (Lewis, 1992; Daly & Lewis, 2000) and the roles of the non-state, nonprofit/voluntary welfare providers (Graefe, 2004). Moreover, although welfare regimes were conceived of as a comprehensive set of social policies, Esping-Andersen’s analysis drew upon social transfers, while services (e.g., health care and social services) were surprisingly omitted (Alber, 1995; Bambra, 2005; Jensen, 2008). Furthermore, while the welfare regimes’ approach identified major differences in the makeup of capitalist welfare systems by the end of the era of welfare expansion, it appears to be less sensitive to ongoing changes in welfare systems during the era of welfare retrenchment (Andersen, 2007; Clegg & Clasen, 2003). Another limitation is that welfare regimes are conceived of as a package of consistent policies and practices, whereas real life welfare systems are ‘messy’ combinations of incoherent, fragmentary, and often contradictory policies resulting from relatively independent

31 Lightman (2003) noted that though Canada did not fit in the liberal cluster at the time of Esping-Andersen’s analysis, more recent policies moved the country closer to the US.
policy processes (Kasza, 2002). Next, the welfare regimes’ typology encompasses a limited number of capitalist states, namely, wealthy Western states, while an analysis of welfare arrangement in other countries, e.g., Southern-European, East-Asian, developing countries, or post-socialist states, required an inclusion of additional variables and led to the multiplication of welfare regime types (e.g., Castles, 1991; Ferrera, 1996; Kwon, 1997; Wood & Gough, 2006).

While much of the critical assessment of the welfare regime model was revealing, critics did not merely dismiss Esping-Andersen’s claims but engaged with them for developing alternative perspectives. A fruitful line of argument was developed by feminist scholars who criticized the welfare regimes’ approach for ignoring the role gender plays in the construction and provision of welfare (see a comprehensive review of feminist research and theorizing by Orloff, 2009). Feminist thinkers shifted the focus of analysis from welfare states to the state, market, and family nexus and relationships among them (Daly & Lewis, 2000). Influenced by feminist scholars, Esping-Andersen (1999) in his later work added the concept of de-familialization and incorporated family into the model: “A welfare regime can be defined as the combined, interdependent way in which welfare is produced and allocated between state, market, and family” (1999, p.34-35). Esping-Andersen’s (1999) refined welfare regimes model is shaped as a triangle encompassing state, market, and family as three main sources of welfare.

2.4 Post-Socialist and Post-Soviet Welfare Systems

2.4.1 Exclusion of Socialist/Soviet Welfare Systems from Welfare State Analyses

Early influential scholars, such as Titmuss (1974) and Wilensky (1975) included socialist countries and the Soviet Union in their analyses of welfare states, without underestimating apparent East-West differences in political organization and welfare provision. The inclusion of Soviet and socialist states in the welfare analysis is based on the premise that social policy and welfare provision are among the primary concerns of any contemporary society, regardless of geographic location and political organization. As Titmuss (1974) puts it, “the central political issues of ends and means for the governments of all countries, rich and poor, cannot be thought

32 De-familialization refers to the degree to which satisfaction of an individual’s welfare needs are taken away from the family (Esping-Andersen, 1999).
of wholly in economic terms” (p. 21). Until the collapse of the Soviet Union and the Eastern bloc, however, welfare studies excluded socialist/Soviet states, implying that ideological and political differences resulted in incomparable welfare systems. The several decade-long exclusion of Soviet and socialist states from welfare analysis resulted in a theoretical “black hole” which made it difficult to analyze post-socialist changes in welfare provision (Aidukaite, 2009). Moreover, it can be argued that the focus on a few affluent Western states may have accounted for major limitations in welfare state theories and models, limitations which became exposed when other states (e.g., East Asian, developing, and post-Soviet/post-socialist states) were included in the analysis.

2.4.2 Welfare Systems under Socialism

Since the 1990s, welfare systems and social policy in socialist states and the Soviet Union reappeared in Western academic literature, including some retrospective analyses of welfare provision under socialism described as an ideal type shared by all socialist and Soviet states. For instance, according to Deacon’s (2000) account, welfare systems were integrated with countries’ political systems and economies. In exchange for compliance, citizens had access to subsidized food, housing, full employment, public health care, free education, old age pensions, disability benefits, and sickness benefits. Unlike capitalist systems, the welfare provision was tied to a workplace and funded from the state budget but not from taxation. Some additional services (e.g., allowances, access to recreational and vocational facilities for workers and family members) were provided by employer organizations through state trade union branches. The welfare provided solely by the state was paternalistic in principle, as the citizens were not allowed to express their social needs. Women’s employment was encouraged and supported with often generous child-care benefits, long (up to three year) maternity leaves, and subsidized child care; however, women had to carry the double burden of formal employment and domestic work. The variation in workers’ wages was small, contributing to the low level of inequality across societal strata, although certain benefits and privileges for party and state officials were hidden in the welfare system (Deacon, 2000). Similarly, Esping-Andersen (1996) points to three main features of socialist welfare systems: “full employment and quasi-obligatory employment; broad and universalistic social insurance and a highly developed typically company-based, system of services and fringe benefits” (p.9).
However, the picture of socialist welfare as a uniform, coherent system was challenged by some researchers. Hering (2009) argues that the Western perception of welfare provision in socialist states suffered from a number of prejudices, namely, the perception of a uniform, stable, rigid system, common for all socialist states, and centrally governed by Moscow. Historical research of social care in socialist states offers different accounts of socialist welfare systems (Hering, 2009). First, welfare arrangements in socialist and Soviet states were diverse, and numerous differences were found among European socialist states, between European and Soviet states, among Soviet states, and the peculiarities of welfare in other socialist states (e.g., China, Cuba). Second, the welfare system under socialism was a historical product, which had evolved over time. Third, socialist welfare provision was full of contradictions. Some of them are not dissimilar to contradictions in the capitalist welfare (e.g., welfare as a right versus reward; women as emancipated and equal workers vs women’s traditional family roles; redistribution vs recognition; Fraser, 1995), but other contradictions seem to be inherent for socialist states.

Although the communist ideology and economic determinism postulated that under socialism the structural sources of social problems were eliminated, there was a (possibly reluctant and implicit) recognition of existing social problems and needs for social support, reflected, for instance, in steadily increasing welfare benefits (Wiktorow, 1992) and “surrogate” social work services provided by other professions (e.g., teachers, nurses) and mass organizations (e.g., Komsomol, trade unions; Hering, 2009).

The assessment of successes and failures of socialist welfare systems is a complicated task as many scholars appear highly ambivalent. As a Hungarian critical scholar Ferge (1997) notes, “state socialism was not unqualified evil […]. By development, and assuring access on a mass scale to the health care system, to education and to stable incomes, it contributed to the eradication of practically feudal social distance, the very significant reduction of utmost poverty, and the development of human capital” (as cited in Horibayashi, 2006, p. 335). Hering (2009) also describes social welfare under socialism as one full of “ambitions, ambiguities, and mismanagement” (p.20). Similarly contradictory assessments, which include both successes and

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33 E.g., a right to work versus mandatory work; an ideology-based ideal of a society with no social issues versus the reality full of social problems, the hypocrisy of the official discourse versus the reality of welfare bureaucracy.
failures of socialist welfare states, can be found elsewhere (Ruminska-Zymni, 1996; Deacon, 2000; Falkingham, 1999).

The question of whether and how welfare systems under socialism were (dis)similar to capitalist welfare systems generated different answers. Titmuss (1974) sees similarities between the (conservative/corporatist) welfare state in West Germany and the Soviet welfare system. Horibayashi (2003) finds commonalities with social-democratic regimes, such as a high level of decommodification and women’s employment. Similarly, Dixon and Kim (1992) point out that between capitalist and socialist states there is “the wide area of convergence insofar as social welfare programmes are concerned” (p. ix). Deacon (1997), on the one hand, admits that the socialist welfare system shared certain commonalities with capitalist welfare, namely, conservative-corporatist welfare regime, such as linkages between welfare benefits and employment. On the other hand, he views the socialist welfare system as a distinct type, “a particular product of the expropriation of capital and the paternalistic management of the state” (p.43).

The variety of accounts of socialist welfare systems as well as historical research call into question the conventional conceptualization of socialist welfare systems as homogeneous, coherent and stable. Though this is a debate about the past, it has implications for the present. If the conventional perspective is adopted, than the post-socialist dynamics has to be rather straightforward, unidirectional, and uniform in transition. But if socialist welfare systems were heterogeneous, contradictory, and evolving, then post-socialist transformations could be anything but simple.

2.4.3 “Transition”: A Framework for Post-Soviet/Post-Socialist Change

Social transformation occurring in former member republics of the Soviet Union and CEE states was commonly conceptualized as “transition”34, a linear, unidirectional path from socialism to capitalism which involves two major structural reforms: transition from a state-planned,

34 “Countries with transition economies (transition countries, transition economies). Countries moving from centrally planned to market-oriented economies. These countries- which include China, Mongolia, Vietnam, former republics of the Soviet Union, and the countries of Central and Eastern Europe- contain about one-third of the world's population” (World Bank, 2011).
command economy to the market and transition from the Soviet one-party political system to
democracy (Kuzio, 2001). Within the modernization paradigm, states are classified in terms of
economic development as “modern” or “developed” Western states and poor “developing”
countries (Nielson, 2011). After the collapse of socialism, former socialist states were placed into
the category of “countries in transition” within a classification used by the UN and other
supranational/international development agencies (Boenker, Muller & Pickel, 2002).

In the social sciences, the concept of “transition” indicated a shift of paradigms with regards to
the study of social processes in (former) socialist societies. Communist studies and Sovietology,
area studies established in the 1950s, became compromised due to their apparent failure to
predict and explain the sudden disintegration of the Soviet Union and the Eastern Bloc and were
replaced by “transition” and transitology (Boenker, Muller & Pickel, 2002). Whereas area
studies were concerned with sociohistorical characteristics specific to the Soviet Union and
socialist European states, “transition” and transitology emphasized the universal, market
economy-driven logic of development, building upon economic determinism of modernization
theory and linking to the global neoliberal project. Therefore, the focus of research framed by
‘transition’ was on the economic changes, as reflected in microeconomic indicators, and political
reform, as reflected in formal, Western-type political democratic institutions (ibid.).

As a theoretical concept, “transition” suggests a linear, unidirectional development path and the
existence of two points: the point of departure and the one of destination (Fairclough, 2005).
However, recent history of increasingly diverse post-socialist and post-Soviet states shows that
whereas the departure point is (presumably) known, the destination points are far from clear.
“Transition” falls short in explaining why similar reforms produced a variety of outcomes across
borders, capturing the multitude and complexity of social processes, explaining an increasing
discrepancy among these countries, and predicting the directionality of changes (Cohen, 2000;
Muller & Pickel, 2001). The evolution of “transition”—from “double” transition focused on the
economy and polity to “triple” and “quadruple” to incorporate other dimensions of social change
such as reforming state institutions and nation-building (Kuzio, 2001)—also indicates the

35 Later, the concept grew to incorporate the other dimensions transforming into a ‘triple’ and ‘quadruple’ transition (Kuzio, 2001).
inadequacy of this construct for capturing the complexity of post-socialist transformation. The emphasis of “transition” on the macro—market economy, political system—has accounted for the neglect of historical, contextual, social, and institutional factors and “small transformations” (Rona-Tas, as cited in Burawoy and Verdery, 1999, p.1). As a result, ‘transition’ overlooked and was unable to explain unintended, unexpected social changes (Burawoy & Verdery, 1999).

Scholars who continue to engage with modernization theory and ‘transition’, have adjusted the concept with notions of “reflexive modernization” and “multiple modernizations” and acknowledge the role of institutional, social, cultural, historical contexts (Blokker, 2005). Alternative research in post-socialist societies (and this study falls into this category) goes beyond “transition” by employing ethnographic, institutionalist, historical, multidisciplinary approaches, looking into changes in a variety of social spaces, and bringing alternative concepts and variables (Burawoy & Verdery, 1999; Boenker, Muller & Pickel, 2002; Cerami & Vanhuyesse, 2009).

2.4.4 Post-Socialist/Post-Soviet Welfare Systems: A Challenge to Welfare Studies

As this literature review indicates, welfare regimes was the most commonly used approach in an attempt to model post-socialist welfare systems after three (sometimes four) Western welfare regimes. A plethora of research can be divided into three broad categories. The first category interprets post-socialist social policy within the paradigm of “transition”. From this perspective, after some intermediary period of restructuring and reforms, “transition” states will follow the path of “mature” welfare states, resulting in an institutional welfare configuration congruent with one of three (or four, with the inclusion of the Southern European type) Esping-Andersen’s welfare regimes. Soon after the collapse of the Soviet Union and Eastern Bloc, Deacon (1993) attempted to make an early prediction that post-communist states, which inherited from their communist past conservative corporatist welfare systems, will eventually evolve into one of the three Esping-Andersen’s welfare regimes: conservative corporatism, social-democratic type, or liberal-capitalist type (Deacon, 1993). As Deacon (1993) envisioned, “in a few years time we will be able to look back and characterize the social policy of these countries in terms that reflect Esping-Andersen’s threefold typology, together with a new term that will have to be coined to describe the unique post-communist conservative corporatism of parts of the one-time USSR, Romania, Bulgaria and parts of one-time Yugoslavia” (p.193). Eight years later, Deacon (2000)
confirmed his prediction, describing the features of Western welfare regimes in post-socialist states. Esping-Andersen (1996) rejects the idea of an additional, post-communist, welfare regime, forecasting that post-socialist states, after going through a period of transition, will have features of one of the three welfare regimes. Few empirical studies of selected post-socialist and post-Soviet European states find that they were moving toward a particular (liberal or conservative-corporatist) welfare regime (Aspalter, Kim & Park, 2009). Critical scholars (e.g., Ferge, 1997), too, interpreted social policy reforms in the region as a major shift toward neo-liberalism, parallel to the global trend happening in the Western welfare states. As Beblavy (2008) puts it, “the transition has not been about construction of a welfare state, but about the reconstruction and downsizing of the Leninist welfare state” (p.7).

The second stream of research emphasizes profound differences between ‘transition’ states and “mature” welfare states, arguing that post-Soviet and post-socialist states constitute a distinct welfare regime which has maintained its unique characteristics over time (Aidukaite, 2004; Burlacu, 2007). Drawing upon the analysis of social security programs in the Baltic states, Aidukaite (2004) identifies features specific to the post-communist welfare state regime, such as the supremacy of insurance-based schemes, the universal coverage combined with the low level of social benefits, and the legacy of Soviet welfare policies. Somewhat similarly, Cerami (2009) views CEE welfare regimes as “…‘unique hybrids’ encapsulating elements of various worlds of welfare: the re-enforcement of Bismarckian-oriented policies as heritage of the Austro-Hungarian empire, the maintenance of egalitarian and universal aspirations as fostered during the communist period, coupled with the introduction of market-friendly welfare provisions as main social policy logic of the post-communist environment.”

The third perspective contends that post-socialist and post-Soviet states follow multiple paths, and is supported by the growing qualitative and quantitative evidence from a variety of empirical studies. The following overview of selected studies includes, first, research focusing on macro aspects of welfare programs, such as welfare spending and socioeconomic indicators, and second, research of specific social protections programs, such as pensions and social assistance. Depending on variables included in the analysis and specific policy areas, research finds commonalities and distinctions between “mature” welfare states and “transitional” states as well as a great variation within the “transition” group with not a single pattern. Kuitto’s (2010), who analyzes disaggregated welfare spending in the OECD European states and CEE countries and
clustered them based on the pattern of social expenditures, concludes that CEE states fell into different clusters at different steps of the analysis, exhibiting features of the Nordic, Continental, Southern European, and mixed clusters. In another macro-level study, Fenger (2007) uses a hierarchical cluster analysis to examine three groups of variables (i.e., state welfare programs, socioeconomic indicators, and political participation) for 18 Western countries and 29 post-socialist and post-Soviet countries (the paper reports findings on 15 select post-socialist and post-Soviet states). Fenger, too, reports that ‘transition’ countries do not belong to any of the four Esping-Andersen’s regimes but exhibit mixed features of conservative-corporatist and social-democratic regimes. At the same time, Fenger (2007) finds that “transition” countries differ from the Western states mostly on socioeconomic indicators, but not as much on state welfare programs. Orenstein (2008) finds that post-socialist and post-Soviet welfare policies simultaneously bear features of conservative, liberal, and South European welfare regimes. Also, Ferge (2001) in her historical analysis of social policies adopted by three consecutive governments in Hungary describes them as “fuzzy” with no specific resemblance to any of the three welfare regimes.

Similarly to the macro-level welfare analysis, research of specific welfare programs found a variety of patterns. Aidukaite (2006) studies social security schemes in the Baltic countries and finds a mix of liberal and conservative-corporatist principles across various programs. Next, Kangass’ (1999) study of social transfer programs in Western and Eastern European countries, which includes post-Soviet Ukraine and Russia, does not find a single model of institutional arrangements. Finally, Hacker (2009) analyzes pension systems, health care provision, and unemployment insurance programs in CEE countries and finds that social policy reforms were implemented in multiple directions, borrowing from all four welfare regimes and that no single trajectory of change can be identified within the CEE group.

The striking multiplicity of interpretations of social policy and welfare reforms points to the heterogeneity of transformational processes in post-socialist and post-Soviet states. Typology-based analytical approaches developed for Western welfare states appear insensitive for capturing shifting social policy and welfare arrangements. Notably, the literature clearly shows that post-socialist and post-Soviet state are difficult to assign to any particular Esping-Andersen’s welfare regimes not due to the lack of similarity with Western welfare states, but due to the presence of features of all regimes. Another significant finding shared by different studies
is the variation within the “transition” group along various axes. As Toots and Bachman (2010) convincingly argue, the welfare regime approach falls short in explaining multi-directional and, sometimes, contradictory post-socialist welfare transformations. Moreover, attempts to develop typologies specifically for post-socialist and/or post-Soviet states have limited application because national welfare systems encompass mixes of features of various welfare regimes, and as Hacker (2009) suggests, the processes that take place are better described as *hybridization*, rather than clustering.

2.4.5 **Features of Post-Socialist/Post-Soviet Welfare Policy**

An application of the Esping-Andersen’s welfare regimes typology to post-socialist and post-Soviet states with no reference to the sociohistorical and political context is problematic. While welfare regimes are often treated as universal, ahistorical archetypes, Epsing-Andersen (1990) asserts that welfare regimes were three distinct *historically* shaped institutional arrangements which resulted from specific political configurations. The question, therefore, is whether power resources of the working class and class coalitions, used to explain the policy process and variations in Western welfare systems (Korpi, 1989), can explain policy dynamics and variation in post-socialist societies.

In post-socialist and post-Soviet societies, political configurations (e.g., socioeconomic classes, political organizations, and interest groups) are still in the process of formation and (self-) identification. Similarly, newly (re-)introduced political democratic institutions (e.g., parties, elections, laws) continue to be of a product in the making. Moreover, unlike in Western states, social classes, political parties, and interest groups do not necessarily identify with specific social policies and welfare programs (Aidukaite, 2004). Therefore, in a post-socialist context, different political forces appear to drive the policy process (Sengoku, 2009). Compared to Western states, there was overall weak resistance to curtailing major social welfare programs and benefits (e.g., pension reforms, privatization of higher education, housing, and health care, etc.) across the CEE and post-Soviet states. While power resource theory and class-coalition theory appear to lack explanatory power when applied to in post-socialist/post-Soviet welfare processes and outcomes, research employing alternative approaches reveals different institutional factors that drive post-socialist social policy. For instance, Sengoku (2009) applies an institution-based approach for his comparison of welfare expenditure and institutional configurations in CEE countries and finds
that “specific characteristics of each [welfare] institution derive mainly from the difference in influential actors’ configuration in welfare politics” (p.174). Inglot’s (2008a) historical-institutionalist study of the evolution of social policy in Hungary, Poland, and Czechoslovakia attributes recent policy outcomes to historical institutional legacies and path dependence. Resource-curse theories, too, point to a different type of a social contract behind the policy process and outcomes in resource-rich countries, such as Kazakhstan (Franke, Gawrich & Alakbarov, 2008).

To understand why welfare regimes and other typology-based approaches generate a dizzying variety of conclusions when applied to post-Soviet/post-socialist welfare contexts, let us return to Kasza’s (2002) pointed critique of the welfare regime approach. According to Kasza (2002), countries have “a disjointed set of welfare policies due to the following typical features of welfare policy making: (1) the cumulative nature of welfare policies, (2) the diverse histories of policies in different welfare fields, (3) the involvement of different sets of policy actors, (4) variations in the policymaking process, and (5) the influence of foreign models” (p.271). Although Kasza’s critique concerns welfare policy in general, his characterization of welfare policy is remarkably relevant to social policy making in post-socialist/post-Soviet contexts. In the context of major socioeconomic and political shifts, post-socialist/post-Soviet societies welfare policy can be viewed as particularly dynamic and fragmented fields.

Drawing upon Kasza’s key features of social policies, I develop an argument for a theoretical framework for the study of welfare transformation in post-Soviet Kazakhstan. First, considering diverse histories of welfare policies and the cumulative nature of welfare policies, a historical approach is needed for the analysis of the transformation of welfare institutions. Historicizing welfare institutions includes their examination in relation to the sociohistorical context, the focus on change over time, and the inclusion of past developments and institutional legacies. Second, the analysis of welfare policies within a certain field has to identify specific institutions, interest groups, and a mix of institutional actors that play a role in shaping the social policy process and outcomes. Third, the transnational dimension of policy making is commonly omitted in welfare analysis of Western states but constitutes a critical element of welfare reforms in post-socialist states. Thus, the theoretical framework for this study integrates three approaches: (1) the welfare diamond approach as a framework for analyzing the roles policy actors and relations among them in shaping welfare policy; (2) a transnational approach to account for the role of
transnational policy actors in post-Soviet policy process; and (3) historical institutionalism as a historical approach to examining the transformation of welfare institutions. A more detailed discussion of these approaches follows.

2.4.6 Welfare Diamond: A Sectoral Perspective on Welfare Provision

Similar and often overlapping but not entirely identical concepts appear in the literature: welfare mix, welfare pluralism, mixed economy of welfare, care diamond, and welfare diamond (Johnson, 1987; Lightman, 2003). What they all have in common is a shift from the focus on the state as a provider of welfare, a perspective which dominated welfare state analysis, to an integrated perspective that looks into the variety of welfare providers. The addition of a voluntary sector, first proposed by Evers, Pilj, and Ungerson (1994, as cited in Jenson & Saint-Martin, 2003), and then further developed by Jenson and Saint-Martin (2003), resulted in a diamond-shaped model of welfare provision integrating the state, the market, the voluntary sector, and the family.

![Figure 2 Welfare diamond](source: Adapted from Razavi, (2007, p.21).

By including key social actors that participate in welfare provision, the welfare diamond allows one to examine “the role and responsibilities as well as governance arrangements that are used to design and implement relationships among family, market, community and the state” (Jenson, 2004, p.3). As Razavi (2007) put it, “In all of these conceptualizations, which go beyond a notion simply of the welfare state, the accent is on the diversity of sites in which welfare is produced.
and the decisions taken by society to privilege some forms of provision over others” (p. 21). The question of interest is the roles played by different actors and relationships among them, as well as the trajectory of change in the division of labor within the “mixed economy of welfare”. All these questions are relevant for the study of welfare transformation in Kazakhstan.

Although the welfare diamond is not usually placed under the umbrella of institutionalism, it is essentially an institutional framework that encompasses “the institutional arrangements, rules and understandings that guide and shape concurrent policy decisions and expenditures of states, problem definitions by states and citizens, and claims-making by citizens” (Jenson, 2004, p.80). In other words, the welfare diamond approach interrogates welfare provision as a mix of institutions shaped by specific political configurations. The multiplicity of sources of welfare poses a number of research questions of how welfare provision sites differ from one another, how they relate to one another, and how they are recognized by the society.

The welfare diamond is not a theory per se as it does not define relations among policy actors. Norman Johnson (1987) identified many contradictions of the welfare pluralism paradigm, as reflected in the multiplicity of meanings: multiple sites of welfare provision; political pluralism, decentralization, and community participation; part of a neoliberal project of a smaller government; part of a leftist, liberating, anti-bureaucratic discourse of community empowerment and participation. The relationships among different sectors within the welfare diamond are complex and full of contradictions. For instance, the voluntary sector in relation to the informal sector serves three functions: replacement, reinforcement, and relief. For the commercial sector, the nonprofit sector is a competitor. In relation to the state, the voluntary sector can play a complementary role (provision of services not provided by the state); supplementary role (provision of services provided by the state); or the role of a sole service provider (shelters for women victims of violence, services for drug users). Unlike scholars who unquestionably construct the state-nonprofit relationship as partnership/cooperation, Johnson pointed to the difference in power and the risks of “vendorism” (government procurement of services) for the independence of nonprofit actors (Johnson, 1987).

As the welfare diamond does not define the nature of relationships among societal sectors, it can be used as a flexible and inclusive frame (Evers, 1995) which promises to be an advantage when examining fragmentary, incoherent, and dynamic welfare systems. The welfare diamond has
been increasingly used for the analyses of changing welfare systems in developed and developing countries, as well as for cross-national comparative studies of welfare systems (e.g., Razavi, 2007; Peng, 2009). The welfare diamond, I argue, is a particularly useful approach for this study because one of the key characteristics of post-Soviet welfare transformation is the shift from the state welfare system toward multi-sectoral provision of welfare, shared by the state, family, newborn NGOs, and the emerging market. In other words, the post-socialist welfare transformation can be described as the development of the welfare diamond.

2.4.7 Transnational Dimension of Post-Socialist Social Policy

Until recently, welfare states research has paid little attention to the transnational aspects of social policy. As social policies and welfare institutions were historically part of nation-state building, (Western) nation-states have been the central unit of analysis for welfare research, and even the term ‘welfare states’ is used to refer both to welfare systems and nation-states. Cross-country comparative studies and single-country case studies treated welfare systems as isolated and independent formations restricted by nation-state borders, “based upon assumption of an all-embracing state national identity rooted in both cultural and civic axes” (Moreno & McEwen, 2005, p.7). Major theories of causes of welfare states, such as power resource and class-coalition theory, are concerned with political forces within a given nation state. Similarly, Esping-Andersen’s welfare regimes as constellations of institutional arrangements are geared to nation-states. Likewise, the welfare diamond approach was conceived of as a framework of relationships among societal sectors within nation-state borders. Research employing the historical institutionalist perspective also emphasized social and political institutions within nation-states. Thus, it may be argued that, similarly to much of the social sciences, major theoretical approaches to welfare policy analysis suffered from ‘methodological nationalism’—an assumption of natural, impermeable, and all-encompassing nation-state borders (Wimmer & Glick Schiller, 2002a).

Over the past two decades, the analysis of Western welfare states has been framed by the globalization discourse. There are at least two interpretations of transnational effects on welfare states and social policy (Yeates, 2001). One perspective holds that economic globalization, including transnational flows of capital and global competition for foreign direct investments, constitutes major pressures on national governments which, in response, reduce and restructure
welfare programs. From this perspective, globalization is an external force that pushes nation-states in one direction and causes their social policies to conform and their welfare institutions to converge (the welfare states’ convergence hypothesis; Taylor-Gooby, 1997; Mishra, 1999). The other perspective contends that forces within nation-states (e.g., political, institutional, cultural, etc.) continue to play a decisive role and counteract the pressures of globalization accounting for the resilience of welfare states. As a result, there continues to be a sustainable variation in social policy and welfare arrangements among nation-states (the welfare states’ resilience and divergence hypothesis; Esping-Andersen, 1996). Both perspectives, though apparently distinct, construct globalization as both a homogeneous and homogenizing external force that undermines welfare (nation) states, causing them to conform and converge, while domestic (political, ideological, institutional, social, cultural) factors and their capacity to mitigate the pressures of globalization are viewed as a source of variation in welfare systems.

Unlike the study of Western welfare states, the transnational dimension of economic and social policy in post-socialist contexts simply could not be ignored. Since the collapse of socialism, a heterogeneous group of transnational actors, including supranational (multilateral) organizations, foreign governmental (bilateral) agencies, and international NGOs have been engaged in social policy through the provision of foreign aid36 (Deacon, 2000; Cerami, 2006; Ferge, 1997; Lehrer & Korhonen, 2004). However, the dominant perspective until the late 1990s was that internal factors were the major determinants of policy outcomes (Davis & Dombrowski, 2000). As Dawisha and Turner (1997) observed, there was “practically a nostrum of the literature on political culture, civil society, democratization, and indeed of comparative politics that societal change is generated almost exclusively by domestic forces, and that attempts by international actors to influence the trajectory of a country’s movement are likely at most to be marginal in their impact” (p.402). A growing body of research, however, has led to the re-evaluation of the role of TOs in post-socialist policy processes and outcomes.

There is no agreement among scholars regarding the roles transnational actors played in post-Soviet/post-socialist policy reform. Some studies found that supra/international organizations

36 Foreign aid refers to a “concessional resource transfer to a foreign country aimed at improving its social, economic and/or political conditions” (OECD DAC, as cited by the Institute for International Economics, www.iie.com).
were responsible for the “residualization” of social policies, that is, for moving away from the universal socialist type toward neoliberal, US-type residual policy models (Ferge, 1997). Such dynamics of welfare restructuring paralleled the general neoliberal shift of Western welfare policy at the time of austerity. Other studies draw a more complicated picture of transnational actors’ influences on newly designed and adopted social policies on post-Soviet and post-socialist states due to the diversity of transnational organizations. As shown by Deacon (1997), transnational organizations differ in a variety of aspects: they represent or are influenced by different states, conduce different ideologies/value systems, have different mandates, and use different approaches.

There is a clear inequality and power discrepancy built into relationships between transnational actors and national organizations, emphasized by many scholars of social policy reform in post-socialist states (Davis & Dombrowski, 2000; Deacon, 1997, 2007; Ferge, 1997). At the same time, research indicates that aid-receiving institutions should not be viewed as passive recipients and implementers of policy recommendations made by powerful supranational and international organizations. Lehrer & Korhonen (2004), drawing upon a review of the literature and research on foreign aid to post-socialist states, describe complex donor-recipient interactions in the process of aid negotiation. A variety of factors influence domestic actors’ preferences regarding policy choices and the degree of their compliance with policy recommendations coming from outside, such as countries’ political and economic interests (e.g., the prospects of joining the EU, Orenstein and Hass, 2005), or institutional configurations in the receiving country (Philips, Henderson, Andor & Hulme, 2006). As Philips et al. (2006) put it, there is a “dialect of exogenous and endogenous processes in the determination of social policy reform” (p.587).

The study of transnational shaping of social policy has its own biases. First, the study of the transnational dimension of social policy has been predominantly focused on international and supranational organizations, while ignoring domestic actors. As Inglot (2008b) argues in his theoretical discussion paper, current research on cross-border influences on social policies emphasized top-down policy transfer from the West to developing and ‘transitional’ countries. However, he contends, transnational influences are filtered through a variety of domestic factors, such as long-term historical legacies, nation-building processes, and characteristics of national state and non-state institutions. Most importantly, Inglot (2008b) points to the interactional character of transnational social policy by arguing that “in contemporary Europe as a whole, and
in post-communist Europe in particular, we are seeing not so much a displacement of domestics actors by the transnational ones, but a measurable increase in the quantity and quality of interactions between the two” (p.28). Second, most studies of transnational social policy look into West-East cross-border relations and neglect horizontal relations with non-Western states (e.g., Japan, Korea, Turkey, later – Russia; Inglot, 2008b; Lehrer & Korhonen, 2004). Moreover, much research of cross-border influences on social policy focus on major policy reforms resulting from interactions between transnational actors and national governments, while, for instance, small incremental changes resulting from foreign assistance to local governments or NGOs is generally overlooked, although these changes may lead to significant changes in welfare systems’ configurations (Inglot, 2008b).

An overview of transnational actors’ influence on social policy in post-Soviet and post-socialist countries challenges major perspectives on the effects of globalization on welfare states and social policy. As discussed earlier in this section, globalization is constructed as a both homogeneous and homogenizing external force which undermines welfare states, causing them to conform and converge, while the persisting variation among national welfare systems is viewed as an outcome of domestic political factors. An analysis of welfare reform in post-socialist states, however, indicates that external forces, operationalized as transnational institutions, are neither homogeneous nor unidirectional. Therefore, variation among post-socialist/post-Soviet welfare arrangements cannot be attributed solely to domestic factors or external factors but should be viewed as an outcome of the interplay between domestic and transnational institutions. Focus on institutions within a specific welfare mix provides an opportunity for exploring institutional mechanisms through which ‘globalization’ influences national welfare systems and social policy.

2.4.8 Historical Institutionalism: Historicizing Institutions

Another approach this study employs is historical institutionalism, a stream of research originated in political science that examines institutions embedded in wider sociohistorical contexts (Steinmo, 2008). From the historical institutionalist perspective, institutions are “the formal or informal procedures, routines, norms and conventions embedded in the organizational structure of the polity or political economy” (Hall & Taylor, 1996). This definition offers two characteristics of historical institutionalism critical for this study’s perspective. First, institutions
include a variety of formal and informal “rules of the game”, such as laws, policies, procedures, practices, routines, norms, and culture (Rothstein & Steinmo, 2002). Second, institutions are inseparable from the larger economic and political context. As Skocpol (1992) put it in the important study *Protecting Soldiers and Mothers: The Political Origins of Social Policy in the United States* (1992), her approach “views the polity as the primary locus of action, yet understands political activities, whether carried on by politicians or social groups, as conditioned by the institutional configurations of governments and political party systems” (p.41).

A critical feature that distinguishes historical institutionalism from other institutional perspectives (e.g., rational choice institutionalism and sociological institutionalism) is a historical perspective on institutions, which can be described in two dimensions. First, historical institutionalism views institutions as evolving structures; therefore, the focus of inquiry is on institutional change and continuity, including forces causing change and forces resistant to change, such as processes leading to the reproduction of existing institutional arrangements. Second, institutions are historically embedded, that is, they result from specific constellations of conflicts, interactions, and processes. In this sense, they represent particular historical places and can be understood within those contexts. A historical context is viewed not as a mere background for the study of institutions but an essential characteristic of the institutional configuration at the center of inquiry (Thelen, 1999). If “the rules of the game” are historically constructed, then the game can only be played in a given historical context.

The question of agency and structure is of particular importance to historical institutionalist research. In contrast to perspectives that view institutions as outcomes of characteristics and behaviors of individuals, historical institutionalism seeks to understand why and how institutions shape behaviors of collectivities, groups and organizations (Hall & Taylor, 1996). The relationship between individuals and institutions is viewed as reciprocal: actors use institutions to attain their strategic objectives, while their behaviors are restricted or enabled by existing institutions, such as laws, norms, and conventions. As policy actors compete for scarce resources, their behaviors and policy choices are constrained by political configurations that give different power to different groups (Hall & Taylor, 1996). As a result, policy outcomes are attributed to specific historical political institutional environments.
Given the premise of historical contingency, historical institutionalist analysis includes a variety of political actors that shape the given policy/institution. For instance, Immergut (1992) in her comparative study of health care systems in several European countries examined the roles and behaviors of members of parliament, government authorities, professional associations/service providers, labour and business groups. Skocpol (1992) in her historical study of the early shaping of a distinct version of the welfare state in the US, American female-run public organizations—was also historically justified: “We can understand why the United States has elaborated distinctive sorts of social policies at different phases of its history only by situating the politics of social policy making within a broader, organizationally grounded analysis of American political development” (p.526). Thus, the historical institutionalist approach requires that rather than assuming certain political forces as determinants of welfare systems (e.g., left-wing political parties, trade unions, class coalitions), research has to identify and focus on a relevant mix of political agents that drive the policy process in a given sociohistorical context.

At the same time, historical institutionalists see the state and formal political institutions playing the key role in shaping the behaviours of political actors because “the institutions alter the constellation of groups that are pertinent to a given policy decision, as well as the relative importance of these groups. Institutions change the array of relevant actors and redefine the political alternatives” (Immergut, 1992, p.229, 231). Similarly, Skocpol (1992) asserts that “[g]overnment institutions, electoral rules, political parties, and prior public policies – all of these, and their transformations over time, create many of the limits and opportunities within which social policies are devised and changed by politically involved actors over the course of a nation’s history” (p.527).

Historical institutionalism is an inductive approach, not a theory (Steinmo, 2001; Thelen, 1999). Having emerged as an alternative to structuralist approaches in political and social sciences, historical institutionalism is neither interested in grand theory nor in testing pre-existing hypotheses; rather, it seeks to develop a middle-range theory drawn upon empirical findings. Historical institutionalists engage in empirical research driven by research questions that arise

from real life, such as, “Why does the U.S. welfare system differ from European welfare states?” (Skocpol, 1992), or “Why did European states adopt such different health care systems, i.e., universal and comprehensive versus fragmentary insurance-based? (Immergut, 1992). Answers to these questions are searched and found in empirical data which are grounded in the sociohistorical and political context.

While historical institutionalism has generated illuminating insights into the institutional processes of policy making, it has been criticized for the limited contribution to the advancement of theory of institutional change (Hall & Taylor, 1996). Interestingly, historical institutionalist models, rather than explaining why institutions change, often explain why institutions do not change (Thelen, 2004). Important for the historical institutionalist argument are the related notions of “policy feedback” and “path dependence”, both explaining the mechanisms of institutional reproduction. Policy feedback refers to existing institutions that shape people’s wants and demands as well as shape the strategies they choose in their battles (Steinmo & Watts 1995). Therefore, policy choices made at the earlier phases result in the establishment of institutions that limit policy choices at later stages (policy feedback) and lead to the reproduction and maintenance of existing institutions (path dependence) (Pierson, 1996).

Somewhat paradoxically, historical institutionalism, which draws upon a historical perspective on institutions and finds empirically that institutions change, has been lagging behind in advancing theories of change (Hall & Taylor, 1996). Contrary to Pierson’s (1994) claim about (Western) welfare states’ resilience, empirical research indicates that welfare states do change, and changes can be found in a variety of dimensions, depending on the research perspective, research method, and research question (Goul Andersen, 2007; van Gerven, 2008; Taylor-Gooby, 2002). The punctuated equilibrium theory, a major concept of change in historical institutionalism, presents institutional dynamics as long periods of stability and self-maintenance interrupted by short periods of abrupt change during particular historical moments, called “critical conjuncture”, when external structural forces create conditions under which institutions become more vulnerable/more susceptible to change and depart from their paths (Capoccia & Kelemen, 2007). From this perspective, incremental changes serve the purpose of institutional adjustment and maintenance, while “real” institutional change can only result from major, drastic restructuring (Thelen & Streeck, 2005).
Challenging the punctuated equilibrium theory, Thelen and Streeck (2005) argue that incremental change can lead to institutional transformation, and disruption can result in institutional return to its old path as well as to drastic institutional transformation. Focusing on gradual, incremental transformation, they propose a typology of incremental institutional changes that over time can lead to institutional transformation. They identify five types of incremental institutional transformation: (1) displacement, which refers to the rise of subordinate institutions to replace the dominant one; (2) layering, which is defined as creating new institutions in addition to existing ones; (3) drift, a process of institutions’ losing significance due to inadequate maintenance; (4) conversion, that is, remodelling of institutions; and (5) gradual breakdown, which refers to institutions’ dying out (p. 57). This typology offers guidance in examining institutional change as a historical process that intertwines with institutional continuity and maintenance.

The punctuated equilibrium theory illustrates another shortcoming of historical institutionalist take on institutional change. Much research that focuses on institutional continuity and change locates the sources of institutional change outside institutions, in their structural environment. Some attempts to identify the sources of change within institutions are based on the premise that institutions are ‘messy’ structures driven by complex power dynamics. For instance, Orren’s and Skowronek’s model of institutions (Thelen, 1999) views them as interactional and conflicting systems with asymmetrically distributed power and competing interests. Such systems, it is argued, can generate forces which disintegrate policy feedback loops (chains) and lead to a change in the arrangement. Similarly, Clemens and Cook (1999) point to the multiplicity and complexity of institutions whose competing interests counteract institutional reproduction and stability. Thus, institutions in a given historical context do not represent a coherent system which is moving in certain direction but have their own multidirectional trajectories and asynchronous dynamics: institutions “both individually and collectively, juxtapose different logics of political order, each with their own temporal underpinnings” (Orren & Skowronek, 1994, p.320, cited in Thelen, 1999, p.382).

The multiplicity and complexity of institutions as a source or a contributing factor for institutional change can be best approached by incorporating ideational frameworks in institutional analysis. (Steinmo, 2008). For historical institutionalism, which views institutions as the ‘rules of the game’, ideas can become an organic element of the theoretical model (Beland,
Historical institutionalists developed promising approaches to examining ideas as part of welfare policy analysis. For instance, Hall (1993) proposed the concept of “policy paradigms” defined as “a framework of ideas and standards that specifies not only the goals of policy and kind of instruments that can be used to attain them, but also the very nature of the problems they are meant to be addressing” (1993, p.279). Therefore, social and political actors can employ ideas as “frames” to package their messages and make them acceptable and desirable (Beland, 2005). Policy paradigms exist in relation and competition with dialogical ideas, or “policy alternatives”, creating a dynamic and contested field. With ideas incorporated into the theoretical frameworks, changes in social policies are conceptualized as “paradigm shifts” (ibid.).

A related and promising concept that has been recently gaining much scholarly attention in institutional and organizational studies is that of institutional logics, which refers to “socially constructed, historical patterns of cultural symbols and material practices, including assumptions, values, and beliefs, by which individuals and organizations provide meaning to their daily activity” and “frames of reference that condition actors’ choices for sense-making” (Thornton, Ocasio & Lounsbury, 2012, p.2). While the notions of institutional logics were developed in earlier instututional and organizational research (reviewed in Thronton & Ocasio, 2008; e.g. Alford & Friedland, 1985; Jackall, 1988; DiMaggio, 1991), recently an attempt was made to develop a meta-theory of institutional logics (Thornton & Ocasio, 2008; Thornton, Ocasio & Lounsbury, 2012). Dominant institutional logics shared by individuals and organizations within a given interinstitutional system constitute institutional orders that “shape how reasoning takes place and how rationality is perceived and experienced” (ibid, p. 2).

Institutional logics as shared cognitive schemes that drive social practices and behaviors of individuals and organizations within a certain social system provide an opportunity to bridge the context (the macro level) and agents (the micro level) and to examine institutional change at the intersection of individual/organizational actors and the institutional context. As Thornton and Ocasio (2008) argue, “to understand individual and organizational behavior, it must be located in a social and institutional context, and this institutional context both regularizes behavior and provides opportunity for agency and change” (pp.101-102). Unlike historical institutionalism, which is mostly concerned with the influence of institutions on individual behaviors, the institutional logic perspective views individuals and organizations as actors who are capable of changing institutional logics and institutions. The core assumption of the institutional logics as
meta-theory is that of embedded, partially autonomous agency at the intersection of three levels of society: “individuals competing and negotiating, organizations in conflict and coordination, and institutions in contradiction and interdependency.” (p.104). If earlier theorizing emphasized organizational isomorphism as a product of the homogenizing institutional logics, recent institutional analysis is concerned with multiple and different logics, conflicting and competing logics, and multiple-level logics (Thornton & Ocasio, 2008). While Thornton and Ocasio (2008) do not view competing institutional logics as a cause for institutional change, they suggest that multiple logics can be antecedents or consequences of change. The institutional change, they suggest, can be introduced through three mechanisms: institutional entrepreneurs (agents); structural overlap (restructuring of organizations); and event sequencing (events that change the meaning and interpretation).

Thus, the institutional logics approach appears to complement historical institutionalism by offering a tool for incorporating ideational frameworks in the institutional analysis and bridging individual and organizational actors and the institutional environment. For this study, the institutional logics perspective provides an opportunity to explore change in welfare institutions as a change in institutional logics as well as to examine the use of ideational frameworks by individual and organizational actors as a strategy for creating new institutions or changing existing institutions.

2.5 An Integrated Multidimensional Theoretical Framework for the Study

This literature review shows that the application of the welfare regimes approach and other typology-based analyses of post-socialist/post-Soviet welfare systems produced a variety of inconsistent findings. Welfare regimes were developed as an approach to the analysis of Western welfare states and have built-in assumptions about the driving forces of the political process that do not reflect political dynamics in post-socialist/post-Soviet societies. Therefore, welfare regimes and other typology-based approaches appear to be less suitable to the study of social policy in the context of post-socialist change. Further, I call into question the notion of ‘transition’ as a linear, unidirectional process of post-socialist/post-Soviet change, including the transformation of welfare institutions. Post-socialist/post-Soviet welfare institutions are embedded in the context of drastic sociopolitical and economic shifts and can be characterized as
dynamic and fragmentary. Moreover, social policy in post-socialist contexts has been greatly influenced by transnational policy actors. Therefore, I argue for the application of an integrated multidimensional theoretical framework drawn upon three approaches that are sensitive to post-Soviet/post-socialist social transformations: the welfare diamond, the transnational approach, and historical institutionalism.

The welfare diamond that conceptualizes welfare provision in terms of roles of four sectors of society: the state, the family, the market, and the voluntary sector is a promising tool for examining shifting welfare provisions in both Western and non-Western societies. Moreover, in the post-socialist/post-Soviet context, the use of the welfare diamond is particularly relevant as state-dominated welfare systems have been shifting toward multi-sectoral welfare provision due to the emergence of new welfare providers: the market and the nonprofit sector. The welfare diamond approach allowed me to examine relationships among welfare providers and their shifting roles and responsibilities.

Another advantage of the welfare diamond is its applicability to diverse welfare systems and therefore, the possibility of comparisons. Despite undeniably enormous differences between changes happening in welfare systems in ‘old’ capitalist states and ‘new’ capitalist states over the past two decades, in either context, these changes are concerned with the shifting roles of the state, market, nonprofit sector and the family in welfare provision, that is, along the axes of the welfare diamond. Apart from being adaptable to a specific sociohistorical context, the welfare diamond can serve as a common framework of reference shared by welfare systems in developed, developing, and post-socialist states without neglecting differences among them. The building blocks of the welfare mix – the state, market, nonprofit sector, and family as well as relations among them are open to interpretation and comparison in different sociohistorical contexts. While being flexible and adaptable, the welfare diamond approach offers a certain degree of abstraction and structure to allow for comparison, generalization, and theory building both across nation borders and across time periods.

Furthermore, a transnational dimension of social policy is integrated in the conceptual framework. While transnational influences on social policy reform in this region were undeniably significant, the diversity of international and supranational organizations, differences, tensions, and tacit competition among them, the possibility of alternative perspectives within an
organization, and the fluidity of agency perspectives over time create a complex and dynamic transnational institutional context. This context cannot be reduced to a single policy direction. Instead, the policy-making process always involves interactions between domestic and transnational organizations which together create institutional networks. While donor-recipient power differences are extremely important, policy outcomes cannot be attributed solely to international or supranational organizations’ behaviors. Therefore, the theoretical model for this study focuses on the shifting welfare mix that integrates domestic and transnational actors.

The third approach employed for this study is historical institutionalism, a perspective that examines institutions as dynamic and complex formations embedded in their sociohistorical contexts. In agreement with the historical institutionalist tradition, this study is concerned with institutional continuity and change in relation to the interplay between individual and organizational actors and the institutional environment. In addition, the institutional logics concept is integrated with the historical institutionalism as an analytical tool for examining institutional change and the role of ideational frameworks in introducing new institutions and/or changing existing institutions. Unlike other major analytical approaches which predefine the causes and driving forces of the social policy process, historical institutionalism allows the researcher to incorporate into the study a mix of (trans)national organizational and institutional actors within the given policy domain as relevant social and political institutions (formal and informal) that shape their behaviours. The integrated multidimensional welfare diamond is presented in Figure 3.

![Figure 3 Modified child welfare diamond with a transnational dimension](image-url)
2.6 Method

2.6.1 Research Design

The study utilizes a case study research design, which in various forms has been applied extensively in social policy analysis. Several characteristics of this methodology make it particularly relevant for this study’s objectives. First, case study methodology is congruent with the study’s interpretive and inductive conceptual framework which conceptualizes child welfare policy as a process contingent on a sociopolitical and cultural context. Second, the case study approach is instrumental for inquiries that examine broadly defined issues, seek to include not only selected variables but multiple contextual factors, and draw upon a variety of sources of information (Yin, 2003). Unlike models based upon a limited set of pre-determined variables, the case study approach produced rich data about the child welfare institutions and organizational actors in Kazakhstan. Drawing upon these data, the study identifies context-contingent variables and relations among them and develops a historically-grounded multi-level and multidimensional account of the researched phenomenon.

The case study of the transformation of child welfare in Kazakhstan is a mix of national and transnational organizations that together constitute a welfare diamond in the domain of child welfare policy and service provision, including national NGOs, government agencies, and supranational/international aid organizations. The welfare diamond drawn for this study is context-specific; in other words, abstract categories constituting welfare diamond dimensions--NGOs, the state, the market, the family, and its transnational dimension--are concretized and interpreted in the socio-political context of post-Soviet Kazakhstan. Furthermore, a historical perspective is employed to retrospectively examine changes that have occurred in the organizations during the post-Soviet period, such as organizational policies, practices, and relationships among these organizations. Besides the major restructuring with the end of the Soviet regime, the time-frame of two post-Soviet phases was identified inductively based on the changes on the ground. Organizations were examined in relation to shifting institutional environments within which they operated, including relevant regulatory and policy frameworks and dominant ideas or policy paradigms (both domestic and transnational) and their evolution.

Case study methodology has a number of limitations, which are often mentioned, but also contested. Flyvbjerg (2011) identifies and disputes five common misconceptions about the case
study: (1) the superiority of general knowledge versus case-specific knowledge; (2) the difficulty of generalization of case-study findings; (3) the suitability of a case study for generating hypotheses, not for testing them; (4) a researcher’s bias built in case study research; and (5) the difficulty of summarizing a case study and theory building. Some critical points reflect different epistemological standpoints and are beyond the scope of this paper, while the relationship between case-specific data and general theory needs to be discussed, as the proposed study seeks to generate an explanatory model of the post-Soviet child welfare transformation in Kazakhstan. The use of case study methodology for this inquiry is intended to capture the complexity and variability of social life and to avoid untested assumptions about the main forces that drive the social policy process. Such perspective allows for building historically-grounded, context-specific explanatory models and theories.

As noted by Yin (2003), there are technical difficulties when developing explanatory models from rich context-specific data, as such data potentially point to many variables. Therefore, he emphasizes the importance of a clear theoretical framework for a case study. For the proposed study, the focus on institutions assisted me with selecting variables relevant for the study’s objectives, while the use of the welfare diamond provides a necessary degree of abstraction and structure that are needed for theory building and comparison. Finally, case studies are criticized for the limited generalizability of their findings. However, generalizability is not the primary objective of case study research. Scholars of welfare systems have traditionally employed case study methodology to produce knowledge instrumental for cross-referencing and comparisons as well as for theory generation (Flyvbjerg, 2011).

### 2.6.2 Key Variables and Operational Definitions

The key concepts framing this study are as follows: welfare, or social welfare; social services; national/domestic nongovernmental organizations; transnational organizations; welfare diamond. In agreement with the inductive approach, it is envisioned that this research will generate additional, historically-grounded and context-specific variables, which will be incorporated into an explanatory model of the development of social services in Kazakhstan within a changing and sensitive to transnational influences welfare diamond.

*Child* is any person below the age of 18 years, in accordance with the UN Convention on the Rights of the Child, adopted by the Republic of Kazakhstan.
National/domestic nongovernmental organizations (NGOs) in Kazakhstan are nonprofit, non-state entities that are registered as public associations; receive funding from various public and private, domestic and foreign sources; and are involved in a variety of activities of societal value.

Social services/Personal social services: this study adopts a definition (or, rather a compilation of definitions) by Claudius (2006) who uses five references to describe the characteristics of personal social services:

1. Form the third pillar of the social welfare system, supplementing benefits in kinds and financial benefits (Amitsis, 2001);
2. “fulfill personal rather than physical or intellectual needs (Bahle, 2003, p.7);
3. “are performed by persons on persons in direct social interactions (Bahle, 2003, p.7);
4. “are delivered by professionals and paid employees in social service occupations, as well as volunteers, in an organizational context (Muller, 1998; Thimmel, 2003);
5. Comprise the areas of prevention, diagnosis, social and occupational rehabilitation (Stathopoulos, 1999). (Claudius, 2006, p.93)

Social services for children view children as ultimate beneficiaries and may target not only children but also parents, siblings, educators, social workers, and communities.

Social welfare refers to publicly funded programs and services intended to meet the variety of needs of citizens that are viewed as essential for their well-being. Social welfare includes health care, education, housing, social security, social assistance, and a variety of personal social services.

Transnational organization (TO) refers to an organization whose primary mandate involves the flow of resources, people, and ideas across nation-state borders. Transnational organizations include foreign government (bilateral) agencies, supranational (multilateral) organizations, international NGOs, and transnational for-profit organizations (transnational corporations). The term “transnational organization” is used not to indicate that transnational organization is different from international or supranational organization, but to emphasize that the point of interest is the processes of the flow of resources (funding, technical resources), people (experts, consultants), ideas (policy paradigms, program approaches), facilitated by a transnational organization.

Welfare diamond/Welfare mix is a theoretical framework that conceptualizes the provision of welfare in a society in terms of four societal sectors: the state, the market, the family, and the voluntary/nonprofit/nongovernmental sector.
2.6.3 Sampling and Recruitment

For this study, purposive, convenient, and snowball sampling was employed. The sample included national and transnational organizations involved in a variety of roles in the provision of social services for children in Kazakhstan. These organizations include: (a) national NGOs; (b) relevant national and regional government agencies and state institutions providing care for children (e.g., MoLSP, MoESE, children’s houses, infant houses); and (c) transnational organizations (e.g., UNICEF, ILO-IPEC, USAID, international NGOs). Organizations to be included in the sample were selected if the following criteria were met:

(1) The organization was involved in child welfare provision at the time of an interview or had been involved in the past. In this context, to be considered ‘involved in the provision of child welfare’, the organization could play one or more of the following roles: legal documents/policy design; program design; program/intervention planning; research/evaluation; direct service provision; educating service providers; funding.

(2) The researcher has access to the organization, including its geographical location and willingness of its head/representatives to participate in the study.

The sample was not intended to be exhaustive but rather sought to include (most) important actors and a variety/diversity of organizations involved in the child welfare policy reform or social service provision representing different sectors (i.e., NGOs, government agencies, and transnational actors). The variety/diversity in this context referred to the following aspects: an area of social services for children/social issue an organization seeks to address/the target population (e.g., services for children with disabilities, street children, children in institutions, child abuse); approaches used by organizations to address the issue/models of intervention (e.g., educational programs, community development, awareness raising activities, counseling for children and parents, training for professionals working with children); demographic characteristics of users/ intended beneficiaries of services (e.g., age, gender, ethnicity, citizenship status, income level).

As noted earlier, the development of social services in Kazakhstan has been a dynamic process, and areas of specialization are in the process of formation. Therefore, an organization was not required to focus on child welfare exclusively. Nor were there any restrictions on the years of
experience in child welfare provision. As the study was interested in understanding the change in child welfare provision and institutional factors shaping this change, organizations that used to be engaged in the provision of child welfare but for some reason withdrew as well as organizations that recently became involved in this field were included in the sample.

The study’s geographic coverage included Almaty, the largest city in the country and the former capital, and Astana, the country’s capital since 1997. These two cities were selected for a few reasons. First, it was not possible to include all regions of Kazakhstan within this project’s timeframe and resources. Second, it was known that the majority of NGOs in Kazakhstan tend to concentrate in big cities, such as Almaty and Astana. Moreover, the key national government agencies are based in Astana, whereas the headquarters of transnational organizations are located in Astana and/or Almaty. Hence, although an Almaty and Astana-based sample excludes smaller towns and rural areas, the major players were reached out.

I conducted my fieldwork in June-September 2012 in Almaty and Astana, Kazakhstan. In total, I interviewed 30 key informants, including 14 representatives of NGOs (all Almaty-based), 5 representatives of government agencies, and 11 representatives of international/supranational organizations (Appendix 2). Key informants were people who were currently working or had been previously working in the field and who were familiar with the policy and/or practice of child welfare and had knowledge of their respective organization (e.g., heads of NGOs and NGOs’ practitioners; government officials and public servants—heads of departments, chief specialists; the representatives of international organizations—program managers/ coordinators).

The lack of trust in public institutions and reliance on informal connections in post-Soviet states is well documented (Dadabayev, 2006; Sapsford & Abbott, 2006) and can be an obstacle to recruiting study participants. In the process of reaching out to key informants, I relied on my professional relationships with experts in the child welfare field built during years of my previous work in Kazakhstan as well as snowball sampling techniques. In general, representatives of NGOs and TOs were more open to participating in the study, while public employees were more cautious and, therefore, reluctant to enroll. The second strategy used to build trust with study participants were measures protecting their privacy and confidentiality of information, such as the use of a consent form and providing participants with full information before the interview about their rights and how data will be used. It should be noted, though, that
these procedures seemed to inhibit participants’ confidence because they created the atmosphere of a formal relationship with the researcher, and as discussed earlier, people in post-Soviet contexts tend to have low trust in formal institutions.

2.6.4 Data Collection

The study utilized two main sources of data: interviews with key informants and textual documents.

**Written (textual) documents**

Written documents included texts, provided by key informants or found in the public domain (the Internet, the national library, archives), that relate to the developments in the child welfare provision over the past twenty years, such as organizational policy and practice documents, policy and legal/regulatory documents, program reports, requests for grant applications, grant proposals, donor and government reports, press releases, media coverage, and other relevant materials. Most data were qualitative, but when applicable and available, quantitative data were collected (e.g., national, program, and organizational budgets, the number of beneficiaries, the number of employees). In addition, the study utilized research by Western and by Soviet and post-Soviet (Russian) scholars in order to depict the Soviet historical context or the broader institutional environment.

**Semi-structured interviews with key informants**

For semi-structured interviews with key informants, a generic questionnaire was designed (Appendix 1). I decided not to have a customized questionnaire for different types of organizations in order to avoid an imposition of pre-determined roles and functions. Hence, the questionnaire included a variety of clarifying questions that were easy to adapt to a specific type of organization/program/activity. The questionnaire was written in English and then translated into Russian. Interviews were conducted by the researcher in Russian, the language commonly used and understood by most people living in Kazakhstan. The questionnaire included broadly
formulated open-ended questions, along with prompts (clarifying questions), divided into five sections:

1. Individual participant data (occupation, education, job position, gender, years of experience in this organization and in the provision of social services for children);
2. Characteristics and history of the organization (i.e., organizational status, geographic location, area/problem/target population, approaches/programs/modes of intervention, years of experience in this area, sources of funding, organizational policies and practices other activities; changes in the characteristics of the organization over time;
3. Organizational networks and relationships at present and retrospectively (e.g., key organizations including NGOs, government, transnational actors, for-profit organizations, the nature and dimensions of relationships between them, formal and informal assumed/designated roles);
4. Institutional environment (e.g., policy/legal frameworks and changes over time);
5. Concluding open-ended questions (comments).

2.6.5 Data Analysis
Data were examined using framework analysis, an approach to applied policy research that derives from grounded theory but has distinct features, which make it appropriate for this study (Srivastava & Thomson, 2009). Framework analysis allows for dealing with multiple and varied data and includes a sequence of phases: (1) familiarization; (2) identifying a thematic framework; (3) indexing; (4) charting; and (5) mapping and interpretation (Ritchie & Spencer, 1994 sited in Srivastava & Thomson, 2009). I began with familiarization with the data collected at the previous phase (i.e., reading notes, texts, listening to the records of interviews, reading interview transcripts). Next, drawing upon the welfare diamond framework, I drafted a thematic framework, which included sectors of society (the state, NGOs, and transnational actors); organizational policies and practices; institutional environment; ideas (discourses, policy paradigms, institutional logics, etc.); and themes/categories emerging from the data. This framework was then used to categorize and interpret the data. This phase was an open-ended

38 Questions for sections 2, 3 and 4 of this Questionnaire were developed with the assistance of the World Bank’s Framework for Institutional, Political and Social Analysis in Poverty and Social Impact Analysis: Micro-, Meso-, and Micro-Level Analysis (World Bank, 2007) and the IFAD’s Sourcebook on Institutional and Organizational Analysis for Pro-poor Change (International Fund for Agricultural Development, IFAD, 2008).
process aimed at clarifying, developing, and enriching the existing theoretical model. The following steps, indexing and charting, involved working with textual documents and linking them to specific themes/categories. Finally, mapping and interpretation involved an analysis of the data organized in charts at a higher level of abstraction and complexity by identifying relationships between themes and categories. At this phase, findings were checked with raw data to make sure that these categories and hypotheses were grounded in interview data. When the key variables were identified and the relationships among variables were formulated, the literature was searched again to juxtapose the grounded explanatory model to the current theoretical/empirical context. When developing explanatory models, alternative explanations were explored. Finally, the peer/supervisor review process as part of the doctoral program was an integral element of this study at all phases, including data analysis.

2.7 Summary

The purpose of this chapter was to develop the overarching theoretical framework for the study of child welfare transformation in post-Soviet Kazakhstan and outline research design and methodology. Drawing upon the review of the literature on welfare policy analysis in post-socialist and post-Soviet countries, I developed an argument that typology-based approaches, mainly, welfare regimes, are not suitable for capturing dynamic and fragmentary welfare policies and policy processes. I also critiqued “transition”, a conceptual framework that views post-Soviet/post-socialist transformation as a linear, predictable process that prioritizes major structural changes. I then identified and discussed three approaches that are sensitive to post-Soviet/post-socialist social transformations: the welfare diamond, the transnational approach, and historical institutionalism. Drawing upon these approaches, I developed an integrated multidimensional model for the study as well as key concepts.

The multidimensional framework was drawn upon three approaches: the welfare diamond approach, a transnational perspective, and historical institutionalism. These theoretical tools have been selected for this study based on their relevance and sensitivity to sociopolitical processes shaping post-Soviet/post-socialist social policy and welfare systems. The welfare diamond conceptualizes welfare provision in terms of four sectors of the society: the state, the market, family, and nonprofit/nongovernmental/voluntary sector. The welfare diamond, I argue, is a
particularly useful approach for this study because the key characteristic of the post-Soviet welfare transformation is the shift from the state welfare system toward multi-sectoral provision of welfare, shared by the state, family, newborn NGOs, and the emerging market. In other words, the post-socialist welfare transformation can be described as the development of the welfare diamond. Further, a transnational dimension was added to the welfare diamond in order examine the influence of transnational actors on national social policy in Kazakhstan. Apart from the welfare diamond, this study utilizes a historical institutionalist perspective, which allows me to examine the transformation of child welfare institutions embedded in the post-Soviet sociohistorical context, focusing on the interplay between institutional continuity and change and the role of Soviet institutional legacies. The second section of this chapter presented case study research design and methodology, including sampling, data collection, and data analysis procedures.
Chapter 3
Transnational Actors:
Multiple Logics within the Transnational Institutional Space

This chapter examines the historically contingent (trans)national institutional environment in relation to the child welfare reform in post-Soviet Kazakhstan, focusing on its three components: (1) the transnational environment conceptualized as the global foreign aid context that shaped behaviours of transnational actors; (2) the national legal/regulatory environment in relation to the “outside” world, including TOs; and (3) the transnational involvement in the policy process in post-Soviet Kazakhstan, specifically, frameworks for foreign aid in post-socialist/post-Soviet contexts and transnational organizational actors that played a role in shaping child welfare transformation. The chapter is organized in three main sections.

The first part of the chapter focuses on the transnational institutional environment. First, it offers an account of the evolution of foreign aid frameworks in the period 1950-2010. Second, it offers an analysis of aid architecture - institutional configurations through which foreign aid is transmitted to receiving countries and identifies characteristics of TOs important for this study, such as their transnational nature and the managerial logic.

The second section focuses on the national institutional environment concerning TOs. It begins by depicting the history of relationships between the Soviet state and the West and Western international organizations (1917-1991) and continues by the analysis of the national policies toward TOs in post-Soviet Kazakhstan (1991-2012). Two distinct periods in the development of the post-Soviet national institutional environment concerning TOs are identified: the phase of opening up to transnational involvement (1991-2000) and the phase of setting up boundaries to transnational involvement (2001-2012).

The third section examines the transnational involvement in the policy process in post-Soviet Kazakhstan. After outlining how foreign aid frameworks were adopted for post-socialist/post-Soviet contexts, I will review the characteristics of foreign aid to post-Soviet Kazakhstan. An analysis of transnational organizational actors that played a role in shaping child welfare transformation will follow. Two periods in the TOs’ involvement in Kazakhstan will be discussed: the period of generic capacity-building of national NGOs by TOs with political
agendas (1991-the early 2000s) and the period of rising significance of TOs specialized in child welfare (the early 2000s-2012). I will conclude with the summary of the key findings stemming from the analysis of the transnational institutional environment and reflections on transnational social policy.

The use of terms “transnational” and “(trans)national”

In this thesis, the term “transnational” is used in relation to the “outer”, “outside” institutions, including global institutional environment and international and supranational organizations actors. The term “transnational” is used to emphasize that the point of interest is the processes of the flow of resources (funding, technical resources), people (experts, consultants), ideas (policy paradigms, program approaches), facilitated by transnational actors. The term “(trans)national” is used in relation to the national institutional environment/policy scene that is open to transnational influences.

3.1 Transnational Institutional Environment

3.1.1 Shifting Frameworks: Evolution of Foreign Aid Doctrines (1950s-2010s)

Foreign aid refers to “all resources – physical goods, skills, and technical know-how, financial grants (gifts), or loans (at concessional rates)—transferred by donors to recipients” (Riddell, 2007, p.17). Aid as a modern institution of voluntary transfer of resources from one nation-state to another began with the U.S. assistance to the post-war reconstruction of Europe under the Marshall’s plan in the 1948-1953 and had an underlying agenda of counteracting the spread of communism in Europe (Thorbecke, 2006). Created in the 1940s multilateral organizations, such as the World Bank, IMF, and UN agencies, became the tools for delivering aid.


40 In his inaugural speech in 1949, President Truman introduced foreign aid as “a bold new program for making the benefits of our scientific advances and industrial progress available for the improvement and growth of underdeveloped areas. [...] What we envisage is a program of development based on the concepts of democratic fair-dealing” (Truman, 1949).
In the 1960s, the focus of foreign aid turned to former colonies in Asia and Africa. Shaped by the Cold War context, among other objectives, foreign aid was used as a strategy to limit the influence of the Soviet Union on the newly independent countries (Thorbecke, 2006). The basic premise of foreign aid was that injections of capital can facilitate economic development (i.e., industrialization and the growth in GNP) in poor countries. Foreign aid became an integral element of foreign policies of wealthy states and was increasing in size. In the 1970s, however, it became apparent that aid had not produced economic growth and instead led to poor countries’ indebtedness (Thorbecke, 2006). Developing countries were facing grave socioeconomic problems, such as poverty, inequality, unemployment, rural-to-urban migration, and worsening demographic indicators. The emphasis of foreign aid shifted from aggregate growth toward ‘basic needs’ (or poverty alleviation) and redistribution; in other words, development aid moved from being focused on economic growth toward a perspective which integrated welfare (Thorbecke, 2006).

In the early 1980s, an accumulation of the developing world’s debt led to the financial crisis, accompanied by the economic recession in developed countries. This environment gave rise to the idea that balancing budgets and paying off debts were essential conditions for development. Foreign aid shrunk and was increasingly tied to conditions, such as neoliberal ‘structural adjustment’ measures (Van de Walle, 2005). In addition, there was growing disillusionment among those involved in foreign aid in the ability of aid to improve development indicators and welfare of recipient countries. The perceived inefficiency of aid was interpreted as the failure of recipient states and attributed to their “bad policies” (e.g., corruption). The influential World Bank’s *Assessing Aid* research report, published in 1998, claimed that aid worked in countries with “good” economic policies, or “good governance”, and “strong” institutions. In the 1990s, a “new policy agenda” rose as a new development aid doctrine, comprising economic liberalization, good governance, and democratization as main aid objectives (Ebrahim, 2005).

In the 1980s, the rise of neoliberal thinking with its mistrust in governments (Western and non-Western) was translated into the increasing significance of the private sector and NGOs on the foreign aid agenda (Roland-Holst & Tarp, 2002). While recipient states were failing to meet

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donor requirements of “good governance”, allocating resources to national NGOs became a solution. Starting in the 1980s and through the 1990s, aid was increasingly channeled through NGOs, both Western NGOs and NGOs in recipient countries (Van de Walle, 2005).

The collapse of the Soviet Union in 1990 marked the end of the Cold War, and post-Soviet and post-socialist states were integrated in the foreign aid system as aid recipients. Frameworks and approaches developed elsewhere and in circulation at that time were adjusted and applied to frame aid to post-socialist/post-Soviet states (more on that later, in the section Re-framing Foreign Aid for Post-Socialist/Post-Soviet States). Neoliberal policies high on the agenda of Western states were translated into aid supporting the “transition” of post-socialist/post-Soviet states to market economies and democratic governance. However, the promise of instantaneous economic growth did not realize, while the social and human costs of drastic structural reforms were hard to ignore (Ruminska-Zimny, 1997). Moreover, in the late 1990s, the economic crisis struck East Asia, Latin America, and Russia. These developments along with the growing critique of the World Bank and IMF-imposed liberalization policies caused another shift in the foreign aid doctrine. Beginning in the 2000s, the neoliberal wave in the development aid had passed and donors, once again, turned toward structural measures, poverty alleviation, and national-level interventions. It also became evident that NGOs could not replace states, particularly, in poor countries with weak states (Van de Walle, 2005), and the state regained its place in development aid approaches. Nonetheless, the “good governance” framework, which combined the discourse on the quality of state institutions with democratization, human rights, and participation, allowed NGOs to maintain their importance in development aid (Banks & Hulme, 2012).

3.1.2 Foreign Aid Architecture: Multiple Actors, Shifting Agendas

Foreign aid/assistance is defined by the DAC of the OECD as “financial flows, technical assistance, and commodities that are (1) designed to promote economic development and welfare as their main objective (thus, excluding aid for military or other non-development purposes); and (2) are provided as either grants or subsidized loans” (Radelet, 2006). The DAC divides foreign

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42 To illustrate, the estimated number of so called development NGOs registered with OECD almost doubled between 1980 and 1993 (Hulme & Edwards, 1997).
assistance into three categories: (a) official development assistance (ODA) from donor
governments to low- and middle-income countries; (b) official assistance (OA) from
governments to richer countries (e.g., Israel, Singapore, some post-Soviet/post-socialist
countries); and (c) private voluntary assistance, which includes grants from private sources (e.g.,
NGOs, religious and charitable organizations, foundations, and businesses). ODA makes up the
largest portion of foreign aid and is provided through bilateral and multilateral mechanisms.
ODA is provided by 25 OECD DAC members, including Western European states, the US,
Australia, Canada, New Zealand, Japan, and Korea. In 2012, G5 states provided 70% of all net
ODA, and the largest contribution in absolute numbers\(^43\) was made by the US, the United
Kingdom, Germany, France, and Japan (OECD, 2013).

However, over the past few years, there has been unprecedented growth in the contribution of
non-DAC countries (e.g., China, Turkey, Kuwait, the United Arab Emirates, India, Russia and
other states; [Woods, 2008]). The implications of “new” donors entering the development aid
scene are a subject of discussion in the aid literature. While some scholars express anxiety about
“new” donors’ effect on the architecture and the effectiveness of aid, others point to
opportunities to re-invent aid provision (Kim & Lightfoot, 2011; Manning, 2006). One
significant implication is that “new”, non-Western donors have been so far less interested in
democracy and political reforms and, therefore, they were less likely to impose conditionality
based on human rights, environment, and gender. Non-Western donors viewed governments of
recipient countries as their main partners and were reluctant to interfere with domestic politics
(Woods, 2008).

Depending on institutional mechanisms through which aid is channeled, two types of ODA are
distinguished: bilateral and multilateral (OECD, 2013). Bilateral ODA is provided by the donor
governments through government agencies specialized in aid\(^44\) as well as through other
government agencies, such as embassies and ministries that have international programs in

\(^{43}\) When ODA is calculated as percentage of the gross national income [GNI], the top three donors are Sweden,
Norway, and Denmark (2012 data of the UN Statistics Division, accessed at

\(^{44}\) E.g., United States Agency for International Development (USAID), UK Department for International
Development (DFID), Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), Japan International
Cooperation Agency (JICA), Canadian International Development Agency (CIDA), etc.
addition to their domestic mandates. Further, assistance can be provided either directly to the recipient state’s institutions (e.g., governments, NGOs, private firms) or through international NGOs. Multilateral ODA is provided to multilateral agencies, such as the World Bank, ADB, UN agencies, and other international intergovernmental organizations. The institutional structure of aid provided by the EU has another layer of complexity. Member states provide bilateral aid through their own national agencies, while the European Commission is involved in the provision of foreign aid on behalf of the EU (World Bank, 2010).

The term used in the literature is ‘aid architecture’, which refers to “the totality of donors, instruments and strategic or political frameworks covering the specification and implementation of aid to developing countries” (Corre, 2008, p.2). Thus, foreign aid is transmitted through a complex web of institutions and agencies: bilateral and multilateral agencies, international NGOs, and further down the aid chain—national organizations. Aid architecture is not a neutral medium for transmitting resources. Aid organizations have diverse missions, different mandates, priorities, areas of expertise, policies and practices that shape the provision of aid.

3.1.3 Transnational Actors: Transnationality as a Source of Ambiguity

Since its inception, foreign aid has been much more than the manifestation of help provided by wealthy nations to nations in need. Foreign aid has multiple functions: it is provided “to further the strategic and political interests of donors; to further the economic, including commercial, interests of donors; in response to a series of imperatives arising from historical relations between donor and recipient; and for ethical or moral reasons” (Riddell, 1996, p.191). The

45 E.g., the U.S. Department of Labor provides funds to ILO; U.S. Department of Health and Human Services – to the World Health Organization, and so forth.

46 To illustrate, out of $9.4 billion of ODA provided by the US in 2000, $1.4 billion (14%) were allocated to multilateral agencies and $8 billion were provided through bilateral mechanisms, including $2 billion given to NGOs (Institute for International Economics, 2011).

47 A donor state can have more than one foreign aid agency; for instance Germany has four agencies involved in aid provision: Development Ministry, GTZ, KfW, Inwent.

48 For instance, relationships between the USAID and implementing organizations are guided by a set of regulations, such as the Federal Acquisition Regulation (FAR), the Code of Federal Regulations (CFR), and internal Agency regulations, policies, and procedures (USAID Automated Directives System (ADS) (USAID, 2013 http://www.usaid.gov/work-usaid/get-grant-or-contract/grant-and-contract-process).
complexity of foreign aid inevitably stems not only from the multiplicity of actors and rules used in the field but also from the inherent transnationality of this practice.

TOs involved in the provision of foreign aid are deeply ambiguous in nature, as they exist in two or more national institutional environments. To illustrate, U.S. foreign assistance is part of the domestic political process determined through a budget approval process. After the Congress approves allocations, federal funds are transferred to the U.S. foreign assistance programs through USAID and multilateral agencies. USAID, the main instrument of U.S. foreign aid, is an embodiment of transnational duality: it is embedded in the U.S. political system and is accountable to the U.S. Congress and the Department of State (Tendler, 1975). At the same time, USAID regional and country missions in recipient countries have to be integrated to a certain degree in domestic national political and institutional contexts in order to fulfill their foreign aid goals. In the environment of limited resources, the challenging task for USAID is to legitimize its activities by influencing U.S. stakeholders that might have limited knowledge of recipient countries and little interest in foreign aid to non-constituents. Compare, for instance, the following quotes from USAID documents describing the agency’s work. The first one, posted on the general USAID website, appears to be intended for American stakeholders and emphasizes foreign aid as a tool for promoting U.S. national interests worldwide:

Through our assistance programs, USAID plays an active and critical role in the promotion of U.S. foreign policy interests. The investment we make in developing countries has long-term benefits for America and the American people. Development now takes its place alongside defense and diplomacy as the three essential components of American foreign policy (USAID, 2013, retrieved from http://www.usaid.gov/where-we-work).

A different message is conveyed in the welcome note by Anne Aarnes, USAID/CAR Regional Mission Director, posted on the regional mission’s website: “USAID works on the behalf of Americans to improve the lives of people throughout the world” (USAID, 2013). The transnationality of aid organizations influences their policies and practices and has significant implications for aid recipients.
3.1.4 Transnational Actors: Managerialism as an Overarching Institutional Logic

Foreign aid agencies constitute heterogeneous, fragmentary, incoherent fields, which exist in an unpredictable and conflicting transnational environment. Despite particularities and fragmentation, transnational organizational fields are characterized by overlapping discourses, logics and approaches. Arguably, the most common institutional logic shared by various TOs across nation-state borders and institutional boundaries is managerialism (also known as “rational planning”), which drives their policies and practices. The Logical Framework is a program management tool developed by USAID in 1969 and widely used in the development aid by donors, aid agencies, NGOs and governments. The Logical Framework is a model that connects project goals, objectives, outputs (products), and inputs (tasks, processes, and resources). The Logical Framework is integrated into the USAID’s Program Cycle, “agency-wide policy and strategies, strategic planning, project design and implementation, and evaluation and monitoring.” This approach is claimed to be “informed by continuous learning and adapting, influence the annual budget and resource management processes, and be focused on achieving results” (USAID, 2011).

EU development aid agencies employ similar management tools. The European Commission defines a project as “a series of activities aimed at bringing about clearly specified objectives within a defined time period and with a defined budget” (Project Cycle Management Guidelines, 2004). The project elements include “stakeholders, including the primary target group and the final beneficiaries; […] coordination, management and financing arrangements; a monitoring and evaluation system to support performance management; and an appropriate level of financial and economic analysis, which indicates that the project’s benefits will exceed its costs.” Further, the “management activities and decision-making procedures” of organizations are conceptualized as the Project Cycle Management (PCM), a model which consists of several steps: Programming, Identification, Formulation, Implementation, and Evaluation/Audit. The PCM is based on the Logical Framework, which comprises “the project's hierarchy of objectives (Project Description

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49 In her cover letter to the Program Cycle Overview, the Secretary of the State writes, “We are re-establishing USAID as the world’s premier development agency […] improving the way we measure results […] and making funding decisions based on those results.”
and expected Outputs); the key external factors critical to the project's success (Assumptions); and how the project's achievements will be monitored and evaluated (Indicators and Sources of Verification)”. Other aid agencies also use the Logical Framework and the project approach.\(^{50}\)

The pervasive use of program/project approaches across various transnational aid agencies represents the dominance of the logic of managerialism, referred to as a “set of beliefs and practices, at the core of which burns the seldom-tested assumption that better management will prove an effective solvent for a wide range of economic and social ills” (Gulrajani, 2011, p.9).

As argued by Gulrajani (2011) in his critical discussion of the rise of managerialism in foreign aid, this paradigm serves several functions. Managerialism replaces values with ‘scientific’, abstract knowledge; promises solutions to achieve aid improvement, effectiveness, and efficiency; and presents the complex reality of foreign aid in a simplified, ‘manageable’ form. It can be argued that in the transnational space, managerialism serves as a lingua franca, helping diverse aid institutions to smoothen differences in values and legitimize their activities across institutional and nation-state borders. Furthermore, the managerial approach has an implicit claim of being neutral, non-political, and therefore, good universally. As this analysis indicates, managerialism had a profound effect on the relations between TOs and national NGOs in Kazakhstan and contributed to aid fragmentation by imposing short-term thinking in the form of programs and projects (the implications of the managerial logic for national NGOs are discussed in Chapter 5).

### 3.2 National Institutional Environment

#### 3.2.1 In the Divided World: The Soviet State and Transnational Actors (1917-1991)

Since the Russian Revolution (1917), the Soviet state had tumultuous relationships with the world. During the Civil War (1918-1922) between Bolsheviks and their Red Army and the White Army, major Western and non-Western powers supported the White Army, hoping to overthrow the Soviet government (Encyclopedia Britannica, 2013). When the White forces were eventually defeated in 1920, the Soviet Government undertook extensive diplomatic efforts to gain

\(^{50}\) See for instance, the World Bank’s *The logframe handbook: A logical framework approach to project cycle management* (2005).
recognition as a legitimate state on the international stage. By 1925, Soviet Russia was recognized by twenty states, including Germany, Great Britain, France, Italy, Norway and other countries, with the exception of the US.

Gaining international recognition enabled Soviet Russia and the Soviet Union (the official name of the country since 1922) to become a legitimate player on the international stage, including participation in international organizations. In 1934, the USSR became a member of the League of Nations\(^{51}\) and of the ILO\(^{52}\), but these engagements were short: in 1939 the Soviet Union was ousted from the League of Nations as a penalty for invading Finland (Hanhimäki, 2008) and the country withdrew from the ILO in 1940\(^{53}\).

While the League of Nations failed to prevent World War II, the idea of a strong international organization as a foundation for peace re-emerged (UN, 2013). In 1944, the Soviet Union, China, the US, and the UK drafted the United Nations Charter, which defined the rules for the post-war organization of the world. The UN was officially established in October 1945, and the USSR became a member of the UN Security Council with the right of veto. However, rather than being an instrument for negotiation and consensus, the UN and its specialized agencies, particularly, the ILO, became a battleground for the Cold War, shaped to a large extent by the ideological, political, and economic confrontation between the Soviet Union with its socialist allies and the US and its Western allies. This confrontation was rooted in apparently opposing standpoints best exemplified by the clash concerning the significance of political rights versus social and economic rights.

The UN Declaration on Human Rights, adopted in 1948, was a product of the post-World War II aspirations of policy actors to create an international legal instrument that would prevent the atrocities from happening again. The Declaration on Human Rights included a variety of rights,\(^{51}\) The League of Nations was the predecessor of the United Nations created under the Treaty of Versailles in 1919 as an instrument of preventing another war (http://www.un.org/en/aboutun/history/).

\(^{52}\) The ILO was established in 1918 under the Treaty of Versailles as a response to labour movements aimed at assisting Western states to improve their socioeconomic policies. The ILO objective was to resolve the conflict between labour and capital in order to prevent social revolutions, such as the Russian Revolution.

\(^{53}\) The USSR had boycotted the ILO until rejoining it in 1957 (Jacobson, 1960).
such as the right to life, liberty and security of person, freedom of thought, conscience and religion, freedom of association, freedom of thought and expression, freedom of movement, the right to education, employment, health and welfare, the right to culture, and other rights. Thus, the Declaration on Human Rights, which was not a legally binding document, did not distinguish political rights from social and economic rights. However, when work started on drafting legally binding instruments, the divide between the West, insisting on the primacy of civil and political rights, and the Soviet Union, emphasizing economic, social, and cultural rights, widened. This split resulted in two documents: the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social, and Cultural Rights (Burke, 2012). During the Cold War era, the disagreement on the meaning and significance of rights continued. At the same time, Western states implemented welfare policies that in fact implemented social and economic rights, although avoiding the use of the rights language (Burke, 2012).

Apart from the UN and its agencies, other international military and economic organizations created after the World War II reflected the world division into two camps, the Eastern Bloc and the Western Bloc. The Soviet Union and socialist countries were members of the Warsaw Pact (1955–1991) and of the Council for Mutual Economic Assistance (CMEA, or SEV), while Western allies joined NATO (established in 1949) and the European Economic Community (EEC, 1957). Although the USSR did not join Western supranational financial organizations, such as the IMF and the World Bank, the Soviet Union participated in a variety of ‘non-political’ UN agencies, such as UNESCO, WHO, UNIDO. The Soviet Union was also engaged in international nongovernmental organizations, such as the International Organization for Standardization, the International Electrotechnical Commission and the World Energy Conference (the Big Soviet Encyclopedia, 1969-1978).

A radical change in the relationships with the West began in 1985, when Mikhail Gorbachev introduced the ‘New Political Thinking’, a new Soviet foreign policy doctrine based on the idea of shared human values, interdependency, and the impossibility of winning a nuclear war.

54 The West argued against social and economic rights because they required resources for their implementation, while political rights did not (Whelan, 2010).
55 The contestation led to the delay in adoption of Covenants: both Covenants were adopted only in 1966 and ratified in 1976.
New Political Thinking indicated the desire of Soviet leadership to move from militarization and confrontation with the West towards cooperation and international engagement. In line with its new foreign policy, the Soviet Union not only revived its relations with international economic organizations in which it had participated (e.g., SEV) but also reached out to organizations that were part of the Western camp. In 1990, the Soviet leadership started negotiating with Western states the conditions for joining the IMF and the World Bank by the USSR (Kaufman & Hardt, 1993), but in December 1991, the Soviet Union disintegrated.

3.2.2 The State and TOs in Post-Soviet Kazakhstan (1991-2012): From Unequivocal Openness to Boundary Setting

Opening up to transnational Involvement in 1991-2000

After the disintegration of the Soviet Union, Kazakhstan ‘paid more attention to its international representation than any other Central Asian republic’ (Olcott [1992: 120], cited in Schatz, 2006). Kazakhstan’s multi-vector foreign policy opened doors to international and supranational organizations whose involvement the policy process was an important part of the country’s development since its independence. Such involvement does not mean that the country just followed policy prescriptions; rather policy choices made by the government were influenced by institutional configurations which included international organizations.

Since gaining independence, Kazakhstan has been recognized by over 140 countries around the globe and established diplomatic relations with them, and in 2012, the country hosted 66 foreign diplomatic missions (MoFA, 2012). Kazakhstan became a member of the United Nations in 1992 and has joined a number of UN agencies as well as many bi-lateral and multilateral political and economic agreements and organizations (see Table 10).

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56 E.g., the General Agreement on Tariffs and Trade (GATT), the predecessor of the World Trade Organization, Asian Development Bank, IMF, OPEC (Aslund, 1988).

57 According to Schatz, international involvement contributed to the formation of the so called ‘soft authoritarian’ regime in Kazakhstan, a sociopolitical constellation that is based “on the means of persuasion, more than on the means of coercion” (Schatz, 2008, p. 50).

58 It should not be assumed, though, that Kazakhstan joins any transnational organization/network. As Schatz notes (2006), Kazakhstan had strategically delayed joining the Organization of Islamic Conferences until 1996 in order to avoid being defined merely as an Islamic state.
Table 10 International intergovernmental (multilateral) organizations joined by Kazakhstan

<table>
<thead>
<tr>
<th>Regional intergovernmental organizations</th>
<th>Year of joining the organization</th>
</tr>
</thead>
<tbody>
<tr>
<td>(The) Conference on Interaction and Confidence Building Measures in Asia (CICA)</td>
<td>1999</td>
</tr>
<tr>
<td>Commonwealth of Independent States (CIS)</td>
<td>1991</td>
</tr>
<tr>
<td>Collective Security Treaty Organization (CSTO)</td>
<td>2002</td>
</tr>
<tr>
<td>Shanghai Cooperation Organization (SCO)</td>
<td>2001</td>
</tr>
<tr>
<td>Economic Cooperation Organization (ECO)</td>
<td>1992</td>
</tr>
<tr>
<td>(The) Eurasian Economic Community (EurAsEC)</td>
<td>1996</td>
</tr>
<tr>
<td>Asian Cooperation Dialogue (ACD)</td>
<td>2003</td>
</tr>
<tr>
<td>(The) Euro-Atlantic Partnership Council (EAPC); before 1997 named the North Atlantic Cooperation Council</td>
<td>1992</td>
</tr>
</tbody>
</table>

International financial institutions

| Asian Development Bank (ADB)                                                                              | 1994                             |
| European Bank for Reconstruction and Development (EBRD)                                                   | 1992                             |
| International Monetary Fund (IMF)                                                                        | 1992                             |
| International Bank for Reconstruction and Development (IBRD)                                              | 1992                             |
| Islamic Development Bank (IDB)                                                                             | 1995                             |
| The Extractive Industries Transparency Initiative (EITI)                                                   | 2005                             |

United Nations, UN Agencies, and other intergovernmental organizations

| (The) United Nations (UN)                                                                                   | 1992                             |
| Food and Agriculture Organization (FAO)                                                                     | 1997                             |
| International Civil Aviation Organization (ICAO)                                                            | 1992                             |
| International Organization for Migration (IOM)                                                              | 2002                             |
| International Labour Organization (ILO)                                                                     | 1993                             |
| United Nations Conference on Trade and Development (UNCTAD)                                                  | 1992                             |
| UNESCO (United Nations Educational, Scientific and Cultural Organization)                                     | 1992                             |
| United Nations Industrial Development Organization (UNIDO)                                                   | 1997                             |
| World Tourism Organization (UNWTO)                                                                         | 1993                             |
| World Health Organization (WHO)                                                                            | 1992                             |
| International Atomic Energy Agency (IAEA)                                                                   | 1994                             |
| The International Criminal Court (ICC)                                                                      | Non-party state                  |
| International Fund for Agricultural Development (IFAD)                                                       | 1998                             |
| International Financial Cooperation (IFC)                                                                    | 1993                             |
| The International Federation of Red Cross and Red Crescent Societies (IFRCS)                               | 1992                             |

59 The Republican organization as a branch of the Red Cross and Red Crescent Society Alliance of the USSR was formed in March 1937; in 1992 it became a national organization.
Soviet regulations adopted during the years of perestroika \(^\text{60}\) started the process of opening the doors to TOs, allowing them to register and operate in the Soviet republics. Independent Kazakhstan adopted a number of regulations that continued this process. It should be noted national provisions regarding branches and representative offices of international organizations were part of relevant regulations concerning both national and international legal entities. The Law on Societal Associations (1991; 1996), which opened the way to forming national non-state organizations, also allowed international nonprofit organizations to operate in the country \(^\text{61}\). Similarly, initially there were not separate rules for activities of a branch/representative office of an international organization in Kazakhstan \(^\text{62}\). Moreover, there were no regulations/restrictions

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\(^{60}\) E.g., the Regulation #1074 of the 30 November 1989 by the USSR Council of Ministers On Approval of Guidelines for the Procedure of Establishment and Activities of Representative Offices of Foreign Companies, Banks and Organizations in the USSR.

\(^{61}\) To register a branch or a representative office in Kazakhstan, an international organization is required to follow the same rules as a national organization, with the exception of the requirement to submit a proof of registration as a legal entity and as a taxpayer in the country where it is based (the Law of RK on State Registration of Legal Entities and Registration of Branches and Representative Offices, 1995).

\(^{62}\) Starting 2005, representative offices and branches of international organizations have been obliged to publish in national/local media annual reports on their activities including their founding partners, composition of assets, sources of funding and activities.
on the activities of a person representing an international organization in Kazakhstan. Thus, the national legislation allowed for the integration of international organizations in the national institutional network.

However, regulations adopted in the 1990s were not entirely free of certain sensitivity of national lawmakers regarding foreign involvement in the political process in Kazakhstan. For instance, the national legislation prohibited the participation of foreign citizens or stateless individuals in political parties in Kazakhstan. Further, foreign citizens or stateless individuals were not allowed to found a societal association, while they can participate in national or local organizations/associations (the Law on Societal Associations, 1991; 1996). Similarly, the Constitution of the RK prohibits operating of foreign political parties and trade unions in Kazakhstan as well as the financing of national political parties and trade unions by international organizations or foreign citizens.

With the exception of political activities, national regulations adopted in the 1990s created necessary conditions that facilitated the flow of resources from TOs to national entities, primarily, national NGOs. Transnational transfer of resources from transnational actors (i.e., foreign states, international governmental agencies, private charities, and international NGOs) to national actors (i.e., the Government of Kazakhstan, legal entities, and individuals) was institutionalized in national legislation as a ‘grant’ and was exempted from taxation (The Law on Taxes and Other Mandatory Budget Payments, 1995). The list of international grant-giving organizations is compiled and updated by the Government of Kazakhstan. Financial/in-kind assistance provided by national actors or international organizations not included in the government-approved list is considered as sponsorship or charitable activity, according to the Tax Law (1995) and the Tax Code (2008).

63 Only as recently as 2008, the Tax Code (2008) expanded the concept that allowed to Kazakhstan public associations and NGOs to give grants (Tax Code of Kazakhstan, 2008).

64 The latest version of the list (2009) contains 164 organizations, including 53 international/multilateral organizations, 31 foreign governments’ organizations, and 80 international NGOs (the exception was made for the Bota Foundation added to the list in 2010, which was registered as a national NGOs but was established by international organizations).
Thus, the national institutional environment in the 1990s was overall supportive of transnational actors’ involvement in the country’s developments. National legislation adopted in the early 1990s created few restrictions to registration and operation of branches and representative offices of TOs in Kazakhstan. In addition, national tax regulations institutionalized ‘grants’ as the flow of foreign resources to national actors, including government, private companies, NGOs, and individuals. As a result, TOs, such as foreign government agencies and international NGOs, were able to register and operate in Kazakhstan, conducting their own activities as well as fund the activities of national organizations.

**Setting boundaries to transnational Involvement in 2001-2012**

Beginning in 2000, the priorities of the state shifted from the primary focus on economic and political liberalization toward greater emphasis on political consolidation and social welfare reforms. The goal of the political reform was to consolidate all political and social actors within the national agenda of democratization with national specifics. In his 2000 Address to the nation entitled “To the free, effective and secure society”\(^6\), the President argued that while democratization is a universal path, “export of liberalism at the end of the 20\(^{th}\) century as well as export of a revolution in this […] century are counterproductive […]. It is not an accident that the UN Declaration adopted by the Millennium Summit on October 8, 2000, states: “Differences within societies and between societies must neither frighten nor cause persecution and must be cherished as the main value of humanity. We should actively encourage the world culture and the dialogue between all civilizations.”

Pointing to the specific characteristics of the country (i.e., the lack of experience in nation-building, cultural, ethnic and religious heterogeneity, and regional politics), the President stated that “pseudodemocratic slogans beyond the bounds of the legal field in a legal state do not work as they lead to conflicts, destruction, and bloodshed […].

Democracy is not only political freedoms in spite of their importance and value. It is also realization of a number of other fundamental rights, including the right to decent economic living conditions and security” (emphasis added). Thus, the Soviet-era disjuncture between political rights and economic and social rights re-appeared in the official discourse. Moreover, the

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distinction between two types of rights was inscribed in the transnational context. Within the new policy agenda, national NGOs were given an important role as partners of the state in solving social issues and thus contributing to the social and political stability in the society. NGO dependency on foreign funding, which was desirable during the first decade of independence, turned into a (perceived) obstacle to exercising greater control over NGOs, leading to the government’s new policy of providing grants to support ‘socially significant projects’ of (national) NGOs.

Initially, the new policy course in relation to NGOs did not directly affect TOs. The U.S. NGOs supporting civil society (e.g., Counterpart International and ICNL) and national NGOs had long called for the recognition of NGOs and increased support for NGOs from the state and the private sector. Therefore, the new course was welcomed by TOs and NGOs as a positive development toward the diversification of domestic NGOs’ resources that could strengthen NGOs and increase their role in the society (USAID NGO SI, 2001). However, actual financing of NGOs by the state did not start until 2005, when state social contracting was introduced, and TOs continued to be the main provider of resources for NGOs (National policies concerning NGOs are discussed in greater detail in Chapter 4).

Parallel shifts occurred in Kazakhstan’s foreign policy. Within the multi-vector foreign policy framework, a greater emphasis was placed on regional security and participation in regional organizations/alliances, such as the Shanghai Cooperation Organization (2001) and the Collective Security Treaty Organization (1992). Also, the strategy of the country’s openness to adopting international laws was re-evaluated in relation to the national interests of Kazakhstan. The government concern over regional security was

66 The Shanghai Cooperation Organization was established in 2001; its members include post-Soviet Central Asian states, Russia, and China.

67 The Collective Security Treaty Organization is a military alliance of several former Soviet republics established in 1992.


69 In his 2001 Address, the President noted: “A different problem [is] the ratification of international agreements. An analysis showed that in ten years we have ratified about 350 international agreements and joined another fifty by
exacerbated by the so called “colour revolutions”\textsuperscript{70}. Political elites in the region attributed these events to the ‘political technologies’ employed by international organizations that provided financial support to political opposition (Ó Beacháin & Polese, 2009). In addition to earlier adopted provisions that somewhat restricted the participation of foreigners and international organizations in the political process, several measures taken by the state in the mid-2000s indicate an attempt to restrict the engagement of TOs in the political process and to limit their influence on national NGOs.

In 2005, 32 international organizations and some national NGOs were subjected to inspections and audits of by the General Prosecutor’s Office and audits by tax authorities (USAID NGO SI 2005). Next, two draft laws targeting international nonprofit organizations operating in Kazakhstan and national NGOs were proposed by several members of the Parliament in 2005 (i.e., the draft Law on Activity of Branches and Representations of International or Foreign Non-profit Organizations on the territory of the RK, and the draft Law on Amendments to Several Legislative Acts of the RK concerning Nonprofit Organizations; see a more detailed discussion on legislation concerning NGOs and TOs in Chapter 4). These draft laws had provisions requiring re-registration of international nonprofit organizations and registration of branches/representative offices of international NGOs that provided assistance in Kazakhstan but had not established offices on the country’s territory. Also, national NGOs would be required to get a prior state approval of the funding from international organizations as well as an approval of planned activities/events. These draft laws instigated such a vigorous advocacy campaign (Larrabee, 2005; International Federation for Human Rights, 2006) that the government ultimately discarded them (USAID NGO SI, 2005). However, less visible restrictive provisions were made through amendments to existing laws.\textsuperscript{71} As a result, international organizations were adopting legal acts. Questions arise: Do we take upon ourselves too many international obligations; do all of them meet the interests of Kazakhstan […]?” Retrieved from http://www.akorda.kz/ru/allNews?category_id=26.

\textsuperscript{70} “Colour revolutions” is a term coined by media that refers to popular movements that resulted in the overturn of political elites in several post-Soviet states in the 2000s, including Georgia (“Rose revolution”, 2003), Ukraine (“Orange revolution”, 2004-2005) and Kyrgyzstan (“Tulip revolution”, 2005).

\textsuperscript{71} E.g., the National Security Law, Amendments to the Code on Administrative Legal Violations and in the Law on Non-commercial Organizations (2005).
Thus, in the 2000s the state introduced or attempted to introduce policies that sought to limit the engagement of transnational actors in the political process, including their influence on national NGOs. These policies were shaped by external factors that raised the government’s concerns about outside threats to the country’s stability and cohesion. At the same time, seeking international recognition continued to be an important government strategy for gaining legitimacy. Therefore, discrepancies emerged between the policy of openness to transnational influences as part of the country’s integration in the international community and measures aiming at greater control over TOs and national NGOs. Interestingly, the policy of openness implemented in the 1990s had resulted in the strong presence of transnational actors and emerging but vocal national NGOs\textsuperscript{73} that resisted the introduction of more restrictive policies in the 2000s\textsuperscript{74}.

3.3 Transnational Involvement in the Policy Process in Post-Soviet Kazakhstan

3.3.1 Re-framing Foreign Aid for Post-Socialist/Post-Soviet States

The collapse of the Soviet Union and of the Eastern Bloc, the consequent economic crisis, social disarray, and unrest called for an urgent humanitarian response. In the aftermath of the Cold War, the West had little trust in post-socialist and particularly, in post-Soviet governments, and many politicians were reluctant to help the recent foe. Nonetheless, the idea grew that history presented a rare window of opportunity, and that it was in the national interests of the U.S. and other Western states to engage in economic and political reforms in the post-socialist/post-Soviet

\textsuperscript{72} In 2008, this requirement was softened: NGOs are now required to report only a general amount of foreign resources.

\textsuperscript{73} Few national NGOs participated in the advocacy campaign along with international organizations.

\textsuperscript{74} This supports Schatz’s (2005) argument that the presence of international organizations and the emergence of the NGO sector were unintended consequences of the country’s strategy to ground its legitimacy as a new nation-state in international recognition.
The Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act, (i.e., FREEDOM Support Act [FSA]), signed by President George Bush on October 24, 1992, had removed Cold War restrictions and served as a legal framework for U.S. assistance to newly independent post-Soviet states over next two decades. The main objectives of the FREEDOM Support Act were to provide humanitarian assistance (food, medical assistance); ensure nuclear safety and demilitarization; support the development of free markets; and support democratic reforms. Similarly, aid to post-Soviet states from other OECD states was envisioned to “(1) foster the emergence of a competitive market-oriented economy with the majority of the economic resources privately owned and managed (market reforms); (2) support the transition to transparent and accountable governance and the empowerment of citizens through democratic political processes […] (democratic reforms); (3) strengthen the capacity to manage the human dimension of the transition to democracy and a market economy […] (public and social service reform)” (OECD, 1996, p.63, as cited in Davis & Dombrowski, 2000).

Social transformation occurring in former member republics of the Soviet Union and CEE states was theorized as “transition”, a linear, unidirectional path from socialism to capitalism which was initially conceived of as two structural reforms: transition from a state-planned, command economy to the market and transition from the Soviet one-party political system to pluralist democracy (Kuzio, 2001). As a concept, “transition” stemmed from the modernization/development paradigm, which views historical development as an evolution from

75 The justification for foreign assistance to post-Soviet countries is well illustrated by the testimony regarding Russia given to the House Foreign Affairs Committee by S. Talbot, Time correspondent and Clinton’s friend: “A stable, democratic, market-oriented Russia […], a Russia integrated rather than contained, will mean fewer US tax dollars spent on defense, a reduced threat from weapons of mass destruction, new markets for US products and a powerful, reliable partner for diplomacy as well as commerce in the 21st century” (Zeuli & Ruttan, 1996).

76 After September 2011, another foreign policy objective in this region, the US war on terror, was added.

77 “Countries with transition economies (transition countries, transition economies). Countries moving from centrally planned to market-oriented economies. These countries- which include China, Mongolia, Vietnam, former republics of the Soviet Union, and the countries of Central and Eastern Europe- contain about one-third of the world's population” (World Bank, 2011).

78 A concept of “transition” was developed earlier for political transformations of authoritarian regimes in Southern Europe and Latin America (Terry, 1993).

79 Later, the concept grew to incorporate the other dimensions transforming into a “triple” and ‘quadruple” transition (Kuzio, 2001).
traditional, pre-modern societies to modern, industrialized and urbanized states. Within this paradigm, Western states are viewed as modern, developed states, while non-Western developing countries are undergoing the process of modernization (Nielsen, 2011). The collapse of the Soviet Union was interpreted as a proof of the ultimate victory of the capitalist system and, consequently, of the singularity/universality of development and modernization. The third category of “countries in transition” was created for former socialist states within the classification used by the UN and other supranational/international development aid agencies (Boenker, Muller & Pickel, 2002).

Hence, “transition” was instrumental in both separating post-socialist states from developed and developing states and integrating former foes into the major development and modernization framework. Unlike developed countries, post-socialist states had state-planned economies and communist-party-ruled political systems. Unlike developing countries, former socialist societies had gone through industrialization, achieved high levels of education coverage, and built extensive welfare systems. While the “third world”, or “global South” was perceived of as a case of “underdevelopment” which required development aid, the “second world”, or “global East”, was treated as a case of “misdevelopment” which required assistance with reforms in order to bring them into the state of “normalcy” (Coleman, 2009; Muller & Pickel, 2001).

“Transition” emphasizes the universal, market economy-driven logic of development, building upon economic determinism of modernization theory and linking post-socialist/post-Soviet transformation to the global neoliberal project. Therefore, the focus of foreign aid framed by “transition” was on economic reforms leading to market institutions and political reforms leading to Western-type political democratic institutions (Boenker, Muller & Pickel, 2002). Economic restructuring in former socialist states was guided by the Washington Consensus, a set of ten microeconomic policy recommendations, agreed upon by supranational financial institutions.

80 As Francis Fukuyama put it in his famous 1989 essay, entitled tellingly ‘The End of History?’, “What we may be witnessing is not just the end of the Cold War, or the passing of a particular period of post-war history, but the end of history as such: that is, the end point of mankind’s ideological evolution and the universalization of Western liberal democracy as the final form of human government” (p.2).

81 These policies were developed initially for Latin American countries in 1989 but also used as prescriptions for the ‘transition’ to the market of post-socialist states (Kolodko, 1998).

82
The core policies included privatization (of state enterprises), liberalization (of prices and trade), and (fiscal and monetary) stabilization. Viewed as a shortcut to capitalism, these policies were expected to unleash liberating and self-regulating market forces which would stimulate economic growth and generate wealth and welfare.  

The other major element in foreign aid toward the ‘transition’ of post-socialist/post-Soviet states was democratization. The U.S. democratic assistance entailed support to institutions in three areas: the electoral field (e.g., electoral commissions, voter education, and monitoring of elections); governing institutions (e.g., constitutional advise, parliamentarian support, and judicial reform); and civil society (activities targeting advocacy-oriented NGOs, unions, and media [Carothers, 1997]). Of these three areas, civil society as an integral element of democratization and ‘transition’ was particularly important for shaping the development of NGOs in post-Soviet states. Aksartova (2006) in her compelling analysis of foreign aid to NGOs in post-Soviet states argues that since post-socialist/post-Soviet states did not need development aid per se, development aid actors adopted civil society as a symbol of citizens’ liberation from totalitarian states. She posits that “[a]dopting the narrative of civil society enabled foreign aid organizations to do two things: update the development paradigm that had expired alongside the Cold War, and incorporate post-socialist countries into the realm of development” (p.18). Civil society was operationalized as the U.S.-type professional NGOs, which were fostered in post-Soviet states through foreign aid (Aksartova, 2005).

Thus, frameworks for foreign aid to post-Soviet/post-socialist states were drawn upon the dominant foreign aid doctrine at the time and adapted for the post-Soviet/post-socialist context. The neoliberal wave that dominated foreign aid discourse in the late 1980s-1990s was

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82 As an illustration of the power of policy prescriptions, according to Boenker, Muller & Pickel (2002), the analytical report on the Soviet economy prepared by the IMF, World Bank, OECD and EBRD in 1991 included recommendations for a standard set of liberal reforms. By April 1995, this set of reforms was adopted by 24 post-socialist states.

83 As one of the architects of ‘shock therapy’ in Poland Jeffry Sachs (1994) promised, “[m]any of the economic problems solve themselves: markets spring up as soon as central planning bureaucrats vacate the field” (cited in Boenker, Muller & Pickel, 2002, p.323).
compatible with the directionality of post-socialist “transition” reforms. Foreign aid in post-socialist/post-Soviet states was directed toward economic liberalization, the curtailing of welfare, democratization, and civil society. The neoliberal anti-government sentiment was in agreement with the lack of trust in the post-Soviet state and the need to support emerging civil society, operationalized as newborn NGOs. As a result, the development of NGOs in post-Soviet contexts was fundamentally shaped by foreign aid.

3.3.2 Foreign Aid to Post-Soviet Kazakhstan

The size of ODA

Since independence, Kazakhstan has received considerable amount of foreign aid:\textsuperscript{84} the total amount of ODA and official aid received by the country in 1992-2011 was US$7.7 billion (Table 11).

Table 11 Net Official Development Assistance [ODA] and official aid received (current US$) by former Soviet republics, 1993-2011 (largest on top)

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Tajikistan</td>
<td>7,814,850</td>
<td>21,307,440,000</td>
</tr>
<tr>
<td>Russia</td>
<td>143,533,000</td>
<td>18,133,520,000</td>
</tr>
<tr>
<td>Uzbekistan</td>
<td>29,341,250</td>
<td>9,564,340,000</td>
</tr>
<tr>
<td>Ukraine</td>
<td>45,706,100</td>
<td>8,901,580,000</td>
</tr>
<tr>
<td>Belarus</td>
<td>9,464,000</td>
<td>8,523,250,000</td>
</tr>
<tr>
<td>Kazakhstan</td>
<td>16,797,459</td>
<td>7,702,610,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>4,511,800</td>
<td>6,851,600,000</td>
</tr>
<tr>
<td>Lithuania</td>
<td>2,985,509</td>
<td>6,075,030,000</td>
</tr>
<tr>
<td>Kyrgyzstan</td>
<td>5,582,100</td>
<td>5,024,810,000</td>
</tr>
<tr>
<td>Armenia</td>
<td>2,969,081</td>
<td>4,899,750,000</td>
</tr>
<tr>
<td>Azerbaijan</td>
<td>9,297,507</td>
<td>3,623,500,000</td>
</tr>
</tbody>
</table>

\textsuperscript{84} The size of ODA does not exceed the regional average, considering the population size: with the fourth largest population in the post-Soviet region, Kazakhstan has received the sixth largest share of ODA.
Moldova 3,559,541 3,173,920,000
Latvia 2,025,473 1,050,220,000
Estonia 1,339,396 851,010,000
Turkmenistan 5,106,668 662,760,000


The size of ODA provided to Kazakhstan varied: small in the early 1990s, ODA to Kazakhstan was steadily growing from 1996 till 2005; in the 2000s, ODA fluctuated, falling to US$157.00 million in 2001 and jumping to US$335.41 million in 2008. Nevertheless, from 2001 to 2011, ODA exceeded US$200 million seven years out of eleven, while shrinking dramatically as percentage of GNI and of central government expense (See Table 12).

Table 12 Official Development Assistance [ODA] received by Kazakhstan, 1991-2011

<table>
<thead>
<tr>
<th>Year</th>
<th>Net ODA (million current US$)</th>
<th>Net ODA (% of GNI)</th>
<th>Net ODA per capita (current US$)</th>
<th>Net ODA (% of central government expense)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1991</td>
<td>111.5</td>
<td>6.78</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1992</td>
<td>12.07</td>
<td>0.73</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1993</td>
<td>15.35</td>
<td>0.066</td>
<td>0.939</td>
<td></td>
</tr>
<tr>
<td>1994</td>
<td>53.27</td>
<td>0.252</td>
<td>3.31</td>
<td></td>
</tr>
<tr>
<td>1995</td>
<td>64.83</td>
<td>0.320</td>
<td>4.09</td>
<td></td>
</tr>
<tr>
<td>1996</td>
<td>124.45</td>
<td>0.598</td>
<td>7.98</td>
<td></td>
</tr>
<tr>
<td>1997</td>
<td>141.15</td>
<td>0.646</td>
<td>9.20</td>
<td>3.39</td>
</tr>
<tr>
<td>1998</td>
<td>223.26</td>
<td>1.023</td>
<td>14.81</td>
<td>6.06</td>
</tr>
<tr>
<td>1999</td>
<td>174.98</td>
<td>1.073</td>
<td>11.72</td>
<td>7.31</td>
</tr>
<tr>
<td>2000</td>
<td>189.19</td>
<td>1.11</td>
<td>12.71</td>
<td>7.54</td>
</tr>
<tr>
<td>2001</td>
<td>157.00</td>
<td>0.750</td>
<td>10.57</td>
<td>5.22</td>
</tr>
<tr>
<td>2002</td>
<td>187.42</td>
<td>0.797</td>
<td>12.61</td>
<td>5.99</td>
</tr>
<tr>
<td>2003</td>
<td>293.86</td>
<td>1.010</td>
<td>19.71</td>
<td>6.86</td>
</tr>
<tr>
<td>2004</td>
<td>267.76</td>
<td>0.665</td>
<td>17.83</td>
<td>4.41</td>
</tr>
<tr>
<td>2005</td>
<td>228.88</td>
<td>0.442</td>
<td>15.11</td>
<td>2.19</td>
</tr>
<tr>
<td>2006</td>
<td>174.30</td>
<td>0.244</td>
<td>11.38</td>
<td>1.47</td>
</tr>
<tr>
<td>2007</td>
<td>210.82</td>
<td>0.229</td>
<td>13.61</td>
<td>1.42</td>
</tr>
<tr>
<td>2008</td>
<td>335.41</td>
<td>0.294</td>
<td>21.39</td>
<td>1.72</td>
</tr>
</tbody>
</table>
**Shifting donor composition of ODA**

Whereas the size of ODA was maintained throughout the 2000s-early 2010s, the composition of aid size by donor in Kazakhstan changed significantly over time. If in 2000, most ODA funds received by Kazakhstan were provided by DAC countries, by the late 2000s, more funds were provided by multilateral organizations and non-DAC countries than by DAC countries (Table 13). In 2009-2010, the largest aid donors to Kazakhstan were Turkey, the U.S., and the United Arab Emirates (Table 14). Thus, the donor landscape has recently shifted toward non-Western donors, which has had an inevitable effect on the aid environment.

**Table 13 ODA disbursements to Kazakhstan by donor category, 1995-2010, US$ million**

<table>
<thead>
<tr>
<th>Year</th>
<th>All donors</th>
<th>DAC countries</th>
<th>Multilateral donors</th>
<th>Non-DAC countries</th>
</tr>
</thead>
<tbody>
<tr>
<td>1995</td>
<td>64.83</td>
<td>30.69</td>
<td>27.04</td>
<td>7.10</td>
</tr>
<tr>
<td>2000</td>
<td>189.19</td>
<td>160.60</td>
<td>14.41</td>
<td>14.18</td>
</tr>
<tr>
<td>2005</td>
<td>228.88</td>
<td>149.89</td>
<td>25.39</td>
<td>53.60</td>
</tr>
<tr>
<td>2010</td>
<td>223.93</td>
<td>95.30</td>
<td>61.19</td>
<td>67.44</td>
</tr>
</tbody>
</table>


**Table 14 ODA provided to Kazakhstan by donor state/multilateral agency, 2009-2010 average**

<table>
<thead>
<tr>
<th>Donor country</th>
<th>ODA, million USD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Turkey</td>
<td>54</td>
</tr>
<tr>
<td>US</td>
<td>52</td>
</tr>
<tr>
<td>United Arab Emirates</td>
<td>45</td>
</tr>
<tr>
<td>Japan</td>
<td>25</td>
</tr>
<tr>
<td>Global Fund</td>
<td>19</td>
</tr>
</tbody>
</table>
Another important change was observed in the composition of U.S. aid to Kazakhstan. While U.S. assistance to former Soviet republics is provided through several accounts: the Freedom Support Act (FSA) account, a strategic funding account created in 1992 to support ‘transitions’ and various agencies’ accounts\(^\text{85}\), had a particular importance for policy reforms in post-Soviet states, including economic, political, health care and education reforms, and the FSA funding for democracy support was the main source of NGO capacity building funding. Over time, the FSA funding to former Soviet states was steadily decreasing, whereas FSA democracy funding reduced from US$254 million in 2003 to US $152 million in 2006 and to US$128 in 2008 (Tarnoff, 2007). A similar trend has been observed in the U.S. aid to Kazakhstan. Although total U.S. Government assistance to Kazakhstan increased in 2008-2009, the FSA funding to Kazakhstan was declining in the 2000s, dropping from 50.52 million in 2002 to 15.02 in 2008 (Table 15). As a result, the reduction in FSA funding to Kazakhstan led to the reduction in the funding provided to NGOs, as experienced by child-welfare NGOs in Kazakhstan after 2005.

### Table 15 The U.S. assistance to Kazakhstan from 1992-2008

<table>
<thead>
<tr>
<th>Fiscal Year (FY)</th>
<th>Freedom Support Act, in million US$</th>
<th>Total U.S. government assistance, in million US$</th>
</tr>
</thead>
<tbody>
<tr>
<td>1992</td>
<td>6.85</td>
<td>20.33</td>
</tr>
<tr>
<td>1993</td>
<td>28.97</td>
<td>51.51</td>
</tr>
<tr>
<td>1994</td>
<td>145.03</td>
<td>203.20</td>
</tr>
</tbody>
</table>

\(^{85}\text{E.g., Department of Defense (DOD), Department of Energy (DOE), Foreign Military Financing, and State Department NADR [Nonproliferation, Anti-terrorism, Demining] accounts.}\)
<table>
<thead>
<tr>
<th>Year</th>
<th>Assist</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1995</td>
<td>54.85</td>
<td>139.00</td>
</tr>
<tr>
<td>1996</td>
<td>33.98</td>
<td>79.34</td>
</tr>
<tr>
<td>1997</td>
<td>35.29</td>
<td>53.53</td>
</tr>
<tr>
<td>1998</td>
<td>41.83</td>
<td>75.89</td>
</tr>
<tr>
<td>1999</td>
<td>45.57</td>
<td>72.68</td>
</tr>
<tr>
<td>2000</td>
<td>46.27</td>
<td>77.97</td>
</tr>
<tr>
<td>2001</td>
<td>48.60</td>
<td>80.01</td>
</tr>
<tr>
<td>2002</td>
<td>50.52</td>
<td>97.65</td>
</tr>
<tr>
<td>2003</td>
<td>43.91</td>
<td>97.88</td>
</tr>
<tr>
<td>2004</td>
<td>34.09</td>
<td>111.40</td>
</tr>
<tr>
<td>2005</td>
<td>26.69</td>
<td>84.91</td>
</tr>
<tr>
<td>2006</td>
<td>24.43</td>
<td>80.16</td>
</tr>
<tr>
<td>2007</td>
<td>20.00</td>
<td>165.59</td>
</tr>
<tr>
<td>2008</td>
<td>15.02</td>
<td>176.01</td>
</tr>
</tbody>
</table>


Thus, Kazakhstan received considerable amount of foreign aid as part of the commitment of developed states to supporting “transition” reforms in the post-Soviet region. An examination of the flow of foreign aid to post-Soviet Kazakhstan points to several characteristics. First, the size of aid was fluctuating in some years but on average, it has been maintained. Second, the FSA portion of the U.S. aid to Kazakhstan shrank significantly. Third, there was a significant increase in assistance the country received from non-Western, non-DAC donors. These shifts in the composition of foreign aid to Kazakhstan in the 2000s have important implications for the institutional environment surrounding TOs and NGOs in Kazakhstan.

**Transnational Organizations in Kazakhstan: Shifting Priorities**

TOs involved in reforming social policies in Kazakhstan represent a heterogeneous group which encompasses supranational organizations (e.g., World Bank, IMF, UN agencies), foreign governments’ agencies (the USAID, UK DFID, GIZ, JICA), and international philanthropic foundations and NGOs (e.g., OSI and Soros Foundation-Kazakhstan, Eurasia Foundation, Counterpart International, ICNL).

TOs that influenced child welfare policy in Kazakhstan can be divided into three categories. The first category includes organizations whose primary target populations are children and youth (e.g., UNICEF, ILO-IPEC, the Bota Foundation). The second category is made up by TOs for
whom children constitute a sub-population within the primary target population (migrants for IOM, refugees for UNHCR, child health for WHO, etc.). The third category comprises TOs that influenced child welfare reform indirectly, by engaging in political reform or supporting civil society (e.g., USAID, the U.S. Embassy, ICNL, Counterpart International, the Eurasia Foundation). With regards to child welfare reform, this analysis points to two periods in the involvement of TOs in the policy process. During the first decade, most prominent TOs in post-Soviet Kazakhstan were organizations whose primary focus was NGO capacity building as part of support to civil society and democratization. The second decade was marked by an increase in engagement of transnational agencies specialized in child welfare.

Focus on NGOs’ capacity building in the 1990s

In the 1990s, a substantial share of Western foreign aid was directed to support the development of NGOs as part of assistance to civil society and democratization in Kazakhstan. However, the actual size of funding allocated to support NGOs is impossible to estimate due to the fragmentary nature of development aid provided through multiple aid organizations. Experts point to several TOs that have been the most prominent actors on the NGO development scene (Abdusalyamova & Warren, 2007; ADB, 2010; interviews with TOs and NGOs): U.S. government agencies (USAID, the U.S. Embassy) and international NGOs (Counterpart International, the Eurasia Foundation, the Soros Foundation Kazakhstan, INTRAC, ICNL).

Below is a brief overview of these organizations’ histories and their activities in the region in the area of NGO support; these accounts are based on the information provided on their websites. The purpose of this section is to show the scope of their work, their priorities in the region and approaches they used in their work with national NGOs.

USAID has been the key funder of NGOs’ capacity building activities through its contractors/grantees, predominantly, U.S. NGOs (e.g., Counterpart International, Eurasia Foundation, and ICNL. See below an overview of activities of each NGO). In the 1990s, the focus of USAID-funded activities was on building organizational capacities through training and legal consultations on organizational management, such as registering an NGO, legal regulations concerning NGOs, strategic planning, fundraising and financial sustainability, developing organizational policies and procedures, human resource management USAID. A greater emphasis was placed on political, democracy NGOs that engaged in elections, debates, youth
organizations, while social service NGOs concerned with specific populations were not the priority. In the 2000s, the focus of USAID shifted toward promoting linkages and dialogue between NGOs and the state and other stakeholders, including national legislation concerning NGOs, NGOs participation in the policy process, state funding of NGOs (interviews with TOs; USAID CAR Assistance Strategy, 2000). Until recently, most USAID funds to national NGOs have been channeled through the U.S. NGOs (only 9% of USAID funds were allocated directly to national organizations). In 2010, the Obama Administration and the Secretary of State Hillary Clinton initiated a comprehensive reform of USAID, entitled USAID Forward, aimed at reinventing USAID approaches to international development and foreign aid. An important element of that reform was a shift toward direct funding of national institutions. However, contracts with USAID require sophisticated organizational processes and human resource capacity to prepare an application, to implement activities, and to report to USAID. While U.S. NGOs, supranational agencies, other Western NGOs have the experience and resources to meet these requirements, few national NGOs have the organizational capacity to be direct USAID contractors. In 2012, only one national Kazakhstani NGO, Civil Society Development Organization “ARGO”, a capacity building NGO previously supported by Counterpart International, was awarded a direct contract with USAID.

Counterpart International is an American nonprofit organization founded in 1965 as the Foundation for the South Pacific to provide assistance to people of South Pacific Islands. After the collapse of the Soviet Union, the organization expanded its activities to the former Soviet region. With headquarters in Washington D.C., Counterpart International has worked in 65 countries worldwide in the areas of food security, economic development, and civil society development. The priority of the organization in Kazakhstan was support to civil society/NGOs. With USAID funding, Counterpart International implemented intensive capacity building activities (including small grants) for NGOs all over Kazakhstan since 1994. In the 2000s,


87 This is how the organization’s website describes the birth of Counterpart International: “In 1992, after the fall of the Soviet Union, USAID challenged FSP to “go global,” suggesting the newly independent states could benefit from FSP’s expertise and track record in the Pacific. From there the organization embarked on a whole new chapter, and with it came a new name: Counterpart International.”
Counterpart International supported a network of Civil Society Support Centers across Central Asia—local NGOs that served as regional resources centers for local NGOs. In the later 2000s, the organization stopped working in Kazakhstan, until it resumed its activities with a small-size project in 2011. The latest project is focusing on twelve established advocacy NGOs aiming at building their organizational capacity and to enable them to compete for direct contracts with USAID (USAID, usaid.gov).

ICNL (the International Center for Non-Profit Law) is a U.S. nonprofit organization with headquarters in Washington, D.C. Since 1997, ICNL has been working in Kazakhstan, funded by USAID and serves as a resource center for NGOs and the government (primarily, the MoCi) on legal frameworks concerning NGOs. ICNL conducts legal analyses across countries and regions, informs about international practices, and facilitates cross-border exchange (ICNL, http://www.icnl.org/programs/eurasia/index.html).

INTRAC (the International Training and Research Centre) is a ‘Company Limited by Guarantee and charity registered in the U.K. with an office in Bishkek, Kyrgyzstan. INTRAC has been working in Central Asia since 1995. It serves as an influential resource centre on NGOs and conducts a range of NGOs-related activities, such as training, consultancy, policy analysis, research and evaluation (INTRAC, http://www.intrac.org/).

The Eurasia Foundation is a U.S. nonprofit organization with headquarters in Washington D.C., founded in 1992 with the support from USAID to assist the U.S. government in the former Soviet republics. In Central Asia, Eurasia Foundation was funded primarily by USAID and provided grants to national organizations in three main areas: private enterprise development, civil society and education, and public administration. In 2006, several Eurasia Foundation branches transformed into national spin-off NGOs. The Eurasia Foundation of Central Asia (EFCA) was registered as a national Kazakhstani NGO with an office in Almaty, Kazakhstan. EFCA has been funded by USAID as well as other public and private donors (the Eurasia Foundation, www.eurasia.org).

Open Society Foundations (also known as Soros Foundations) is an international network of nonprofit organizations established and funded (mostly) by the U.S. financier and philanthropist George Soros (unlike other international nonprofit organizations listed here and funded mostly by the U.S. government). After the collapse of the Soviet Union and Eastern Bloc, national
foundations were founded across former Soviet and socialist states to assist transition reforms to democratic, open societies. The Open Society Institute (NY, USA) founded the Soros Foundation Kazakhstan, a national NGO, in 1995. A large part of the organization’s portfolio was giving grants to organizations, primarily, NGOs, and individuals. For over 16 years of presence in Kazakhstan, the organization gave more than US$60 million in grants in various areas, such as HIV/AIDS prevention, promoting debates, critical thinking, art and culture, scholarships, legal reform and others. The Soros Foundation Kazakhstan has played a prominent role in supporting NGOs’ development in Kazakhstan and, while its priorities shifted in the 2000s from support to grass-roots initiative toward policy reform, Soros Foundation continues to play an important role in the NGO area (Open Society International, www.soros.kz).

A critical feature of most international NGOs discussed here is their close relationships with the U.S. government. They are U.S. NGOs (with the exception of INTRAC and Soros Foundations), which were founded or expanded their activities to the post-Soviet region with the support/encouragement from the U.S. government. Their headquarters are based in Washington D.C., in close proximity to the U.S. political scene and decision makers. Their main/major source of funding over many years was U.S. foreign aid. Their activities were aligned with the U.S. foreign aid agenda. Thus, they seem to have operated as subsidiary infrastructures of U.S. foreign aid in the region.

Apart from big players on the NGO/civil society capacity-building arena, there was a number of supranational and international organizations that also supported NGOs but on a smaller scale. Multilateral agencies such as the World Bank and UN agencies have traditionally seen governments as their primary stakeholders at the national level. NGOs, as a rule, have played a role of secondary stakeholders. Other agencies used NGOs to achieve their programmatic objectives. For instance, UNDP partnered with NGOs within its governance and participatory development objective and environmental management and human security objective. The World Bank had a Small Grants Program from 1998 to 2010 and provided small (approximately, US$5,000) grants to a dozen of national NGOs annually on a competitive basis. The U.S. Embassy in Kazakhstan gave grants to national NGOs under its Small Grants Democracy

88 With the exception of the Soros Foundation Kazakhstan which is mostly funded by George Soros.
Commission Program. UNHCR contracted NGOs to provide services to refugees. IOM supports a network of NGOs to conduct anti-trafficking awareness raising campaigns and provide support services to migrants.

Overall, in the 1990s support to NGOs in Kazakhstan was dominated by the U.S. government-funded international NGOs that conducted mass-scale activities aimed primarily at increasing the number of domestic NGOs and building their organizational capacity. These activities did not prioritize a particular population or issue. Although the target of democracy assistance were advocacy-oriented NGOs as opposed to social service-oriented NGOs (Carothers, 1997), in practice, aid was provided to a greater variety of NGOs for several reasons. First, it was difficult to draw a clear line between two types of NGOs, as an NGO may have been involved in both areas. Second, socially oriented NGOs in the region often employed human rights and advocacy frameworks. Third, NGOs regardless of their priority areas were viewed as political actors emerging on the post-totalitarian scene. Thus, capacity-building activities or grants for advocacy work were provided to most NGOs that were concerned with child welfare.

**Focus on child welfare in the early 2000s-2012**

The second phase in the provision of foreign aid to Kazakhstan, which began in the early 2000s, was marked by the reduction in generic support to national NGOs due to a combination of unrelated external factors. First, the foreign aid discourse shifted from market liberalization and democratization/civil society toward “structural measures” and “good governance” (Ebrahim, 2005). This shift required greater cooperation with the state and engagement with public policy, although NGOs remained important partners within the “good governance” framework. Second, as discussed earlier in this chapter, there was a reduction in the U.S. FSA portion of aid funding and, consequently, in foreign support for national NGOs. Third, the economic recession caused the decrease in ODA provided by OECD countries (OECD, 2012), whereas increased funding

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89 IOM’s activities in Central Asia were funded by USAID as well as other supranational organizations and foreign states. To illustrate the scope of work, a US$4.2 million three-year regional project “Combating Trafficking in Persons in Central Asia” launched in 2010 was funded by USAID and implemented by IOM. The project has several components, including an NGO component.

90 [http://www.oecd.org/newsroom/developmentaidtodevelopingcountriesfallsbecauseofglobalrecession.htm](http://www.oecd.org/newsroom/developmentaidtodevelopingcountriesfallsbecauseofglobalrecession.htm)
provided by non-OECD countries was provided to the state, not to NGOs. Fourth, in 2007 Kazakhstan joined the upper-middle income category of countries, according to the World Bank’s classification\(^91\), and was no longer viewed as a country in need for aid funding. Finally, in the 2000s, the U.S. NGOs involved in national NGO capacity-building (the Eurasia Foundation, Counterpart International) underwent major restructuring and downsizing in Kazakhstan and the post-Soviet region in general, most likely, because of the reduction in the U.S. democracy funding.

Meanwhile, the 2000s were marked by an increase in the operations of powerful TOs, such as UNICEF, ILO-IPEC, and the Bota Foundation, on the national child welfare arena. For these TOs, national NGOs were no longer the ends, they became the means for reaching TOs’ child welfare policy objectives. These transnational actors focused specifically on child-welfare NGOs, providing them not only with funding but also with technical assistance, such as training on child welfare issues, international conventions, and international policies and programmatic interventions. The summary of major TOs specialized in child welfare and their engagement with national/local NGOs in Kazakhstan follows.

UNICEF started working in Kazakhstan in 1992 and signed an agreement with the Government of Kazakhstan in 1994. This agreement was ratified only in 2001\(^92\). UNICEF work is structured in five-year programs with a budget of approximately US$5 million (UNICEF Annual reports 1999, 2005, 2010). UNICEF has been a major actor in child welfare policy reform in a number of priority areas, including de-institutionalization of children, inclusive education and mainstreaming children with special needs in the society, health and social services for youth and children. UNICEF key partners in Kazakhstan are national government agencies (the MoESc, the MoH, the MoLSP, the MIA, and other agencies) and territorial-level government authorities. UNICEF has also worked with NGOs. In particular, in the mid-2000s, UNICEF with its leadership undertook measures that increase the visibility of children-oriented NGOs. UNICEF initiated the network of NGOs working in the area of child welfare by organizing conferences,

\(^91\) GNI per capita for middle-income countries falls within $3,976-$12,275 (World Bank, 2007).

\(^92\) By the Law #176 of 10 April 2001.
meetings, online communities. UNICEF also contracted NGOs to conduct research and training, run coordination and communication activities, and provide services to children and families.

Since 2005, International Labour Organization’s International Programme on the Elimination of Child Labour (ILO-IPEC) has implemented a Central Asia-based project on the elimination of the worst forms of child labour, funded by the U.S. Department of Labor and the German Government (the project budget). While traditional ILO constituents are employers, unions, and the government, IPEC also relies on NGOs as important partners. In Kazakhstan ILO-IPEC supported several child-protecting NGOs to design and run projects addressing child labour.

The third key player in the area of child welfare in Kazakhstan was the Bota Foundation established in 2008. The Bota Foundation is a unique (and accidental) development aid enterprise designed as an institutional mechanism for repatriating US$84 million, disputed and frozen in Swiss bank accounts. The government of three concerned states—Kazakhstan, the US and Switzerland--signed an MOU; the World Bank oversaw the creation of the organization, and two U.S. NGOs—IRED and Save the Children—partnered to oversee the design and administration of the Bota Foundation (IREX, 2010). Following a special Decree of the Prime Minister of Kazakhstan in 2009, the foundation was registered as a Kazakhstani NGO and was included in the official list of international grant-giving organizations.

The mission of the Bota Foundation is “to improve the lives of children, youth and their families suffering from poverty in Kazakhstan through investment in their health, education and social welfare” (Bota Foundation, 2013). The Foundation runs three program components: conditional cash assistance to poor families; educational scholarships to poor gifted students, and grants to domestic and international NGOs to provide social services to children and youth. The social service component supports NGOs in four areas: pre-school education for children from poor families and children with special needs; supports to youth development and risk prevention; services for children with special needs; and support for children and youth in difficult living situations (orphans, unattended and neglected children, homeless children, children suffering from abuse and violence, etc.).

Grant-making policies and practices of the Bota Foundation need to be discussed as they differ from policies of TOs and the state. The grant competition is announced annually; the selection criteria are clear and do not change; both established and new organizations are eligible for these
grants; and the Foundation supports ongoing activities and expansion of services. The Bota Foundation combines the organizational features of NGOs and TOs, but serves as an ‘ideal’ funding agency, seemingly free of the deficiencies of TOs’ and state mechanisms of funding NGOs. Unlike state bureaucrats, the Bota Foundation’s procedures are transparent and reliable, with clear goals and priorities. Unlike TOs, the Bota Foundation’s grant program fosters uninterrupted, continuous social service provision. Therefore, the Bota Foundation serves as a quasi-government agency, which supplements public programs by providing direct assistance. The distancing from the state and the emphasis on direct assistance at the expense of policy/advocacy work in its portfolio limited the organization’s capacity to influence government policies and existing institutions. Another intrinsic problem built in this organization since its inception is that it is bound to expire as soon as the money that started the foundation has been spent. The expected year of termination is 2014.

To sum up, in the 2000s there was a decline in foreign assistance to generic capacity-building of NGOs as political/civil society actors. At the same time, several key transnational organizational actors that were focusing on child welfare emerged on the national scene. To reach their child welfare policy goals, these TOs provided financial and technical assistance to child-welfare NGOs, thus, shaping them as child-welfare policy actors and providers of social services.

3.4 Summary

This chapter has depicted the highly complex, fragmentary, and historically contingent (trans)national policy space, focusing on its three components: the transnational institutional environment, the national institutional context, and transnational organizational actors. I argue that the (trans)national policy space was characterized by multiple institutional logics that were sources of tensions and contradictions between national and transnational actors but also of interaction and change.

The review of the history of the relationships between the Soviet Union and the West points to a paradigmatic divide as expressed in the debate on the meaning and significance of human rights. Whereas the capitalist camp prioritized political and civil rights, such as the right to association freedom of speech, the right to vote and participate in the political process, the socialist camp emphasized social and economic rights, such as the right to employment, health care, housing, and social welfare. While political rights prioritize individual freedoms, social and economic
rights are based on the notion of collective responsibility. These two paradigms provide a frame of reference for the analysis of relationships between national and transnational actors in post-Soviet Kazakhstan.

The collapse of the Soviet Union in 1990-1991 marked the beginning of transnational relations between newly independent Kazakhstan and the world. Tracing the evolution of the (trans)national institutional environment in/out the post-Soviet Kazakhstan, this study identified two distinct periods (Table 16). The first period (1991-the early 2000s) was characterized by intensive interactions between Kazakhstan and foreign states. In line with its multi-vector foreign policy, Kazakhstan joined the UN, multiple global and regional multilateral organizations, and many international conventions. Further, the newly adopted national legislation allowed TOs to register a representative office in Kazakhstan or operate in the country without registration. Moreover, the flow of resources from TOs to national institutions, including NGOs, government agencies, and individuals was institutionalized as a grant. Thus, national legislation adopted in the 1990s opened the doors to TOs, which entered Kazakhstan’s national policy space.

The wider transnational institutional environment was also conducive toward transnational engagement in the policy process in Kazakhstan. The collapse of the Soviet Union also led to the revision of foreign aid frameworks, which for decades were shaped by the competition of the West with the Soviet Union. Foreign aid frameworks employed in post-Soviet/post-socialist states were drawn from the foreign aid doctrines dominant at the time (e.g., economic liberalization, good governance, democratization, and civil society) and adapted to the post-Soviet/post-socialist context. Former socialist and Soviet states were incorporated into the development framework as states that “transition” from the state-controlled economy and one-party political system to the market and to democracy. The Cold War era’s restrictions were removed, allowing for the resources to flow from developed states to post-Soviet/post-socialist states. As a result, beginning in the 1990s, many multilateral and bilateral agencies and international NGOs opened representative offices in Kazakhstan and/or the Central Asian region and began operations. In the 1990s-early 2000s, a considerable proportion of aid was provided to support national NGOs as part of the U.S. democracy assistance to the emerging civil society. However, aid was provided not only to advocacy-oriented NGOs but also to social service-oriented NGOs, which often worked in both areas, employing human rights and advocacy frameworks.
The second phase in the development of the (trans)national institutional environment in Kazakhstan (the early 2000s-2012) was marked by significant shifts on different levels. First, there was a decline in foreign assistance to national NGOs due to the decrease in foreign aid provided by the OECD countries, the reduction in the U.S. democracy assistance to post-Soviet states, and the shift in foreign aid frameworks from non-state actors toward the state. While by the mid-2000s the foreign support to NGOs’ generic capacity-building dropped, there was an increase in technical and financial resources provided to child-welfare NGOs by several influential TOs, such as UNICEF (technical assistance), ILO-IPEC (technical assistance and to a lesser extent financial resources), and the Bota Foundation (financial resources).

In the 2000s, changes also occurred in the national level institutional environment. After a decade of openness to transnational influences as a strategy toward gaining national legitimacy, the national policies shifted toward greater control over TOs’ activities and TOs’ influence on national NGOs. Amongst government concerns about outside threats to the country’s stability and cohesion, several regulations/amendments to existing laws were introduced to put some restrictions on TOs and NGOs. However, the scale of restrictions was limited, as the recognition by the global community continued to be important for sustaining government legitimacy. Also, as a result of the policy of openness of the 1990s, a vocal group of TOs and national advocacy NGOs prevented the adoption of more restrictive policies in the 2000s.

This analysis of the (trans)national institutional environment has produced several findings concerning the transnational social policy process. First, the study indicates that the transnational post-Soviet institutional environment cannot be understood as simply a disjuncture from the Soviet-era policy. In the Soviet era the paradigmatic disagreement on what is superior—the social or the political—was at the centre of the ideological clash between the Soviet Union and the West. In the post-Soviet period, the question of what comes first—the social or the political—continued to shape Kazakhstan’s (trans)national institutional context. In the 1990s, the priorities of the government of Kazakhstan were aligned with those of transnational actors and focused on economic and political liberalization. In the 2000s, as the national economy began to recover, the state’s priorities shifted toward political consolidation and social welfare, while the state’s relations with TOs shifted from openness and non-interference toward setting boundaries and (more) control.
Further, this analysis indicates that the policy/institutional environment cannot be clearly separated into the “national and “international/global” levels. Instead, policy actors operated and interacted in a “transnational” space, in which the “national” and “international/global” were related and interdependent. Even in the Soviet period of the Iron Curtain between the Soviet Union and the Western world, the internal policy space was transnational. While explicit international engagement in the domestic social policy was minimal, there was implicit influence on the Soviet policy driven by the idea of the competition between the socialist and capitalism systems. In the post-Soviet period, the boundaries between the national and transnational actors were constantly shifting and (re)negotiated.

Another finding is that the transnational policy field can be understood as a complex and shifting network of transnational and national institutions driven by diverse, sometimes overlapping, sometimes conflicting institutional logics. Foreign aid has been inherently ambiguous since its inception as an instrument of foreign policy of wealthy states and as a humanitarian act of helping countries in need. Similarly, TOs due to their existence in a (trans)national policy space were driven by contradictory logics: the divide between national and transnational actors on the significance of political rights versus social rights; the obligation to satisfy stakeholders in the donor state and the need to fulfill organizational goals in the receiving state; the objective of democratization and civil society/NGO building and the managerial logic underlying TOs’ policies concerning national NGOs.

Similarly, behaviours of national policy actors were shaped by contradictory (trans)national logics. Interestingly, the divide between freedom (political rights) and security (social rights) continued to be re-defined and re-negotiated as a relationship between the nation-state and transnational actors. Another contradiction can be found between the policy of openness to transnational influences and the policy of protecting/controlling one’s policy space. While the goal of Kazakhstan as a newly independent state was to achieve legitimacy by opening up to the global community, the creation of vocal stakeholders consisting of TOs and advocacy NGOs was most likely an unintended consequence of the earlier adopted policies, which influenced the policy process at the later period.
Table 16 Shifts in the (trans)national institutional space

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<tr>
<td>Relations between states</td>
<td>Confrontation between the Soviet Union and the West, Cold War, and competition between the Soviet Union and the Eastern Bloc and the West</td>
<td>Kazakhstan introduced multi-vector foreign policy; Western and non-Western states have interests in the region</td>
<td>Kazakhstan’ foreign policy shifted toward national and regional security</td>
</tr>
<tr>
<td>Relations with TOs</td>
<td>TOs divided into two camps</td>
<td>Kazakhstan joined the UN, many international and regional organizations, alliances, conventions National legislation provides TOs with access to the policy arena; financing of national NGOs was institutionalized as grants.</td>
<td>Greater emphasis on regional alliances and partnerships with non-Western states</td>
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<tr>
<td>Political vs social paradigms</td>
<td>Clash over political/civil rights and social/economic rights</td>
<td>The dominant paradigm for national and transnational actors was political rights</td>
<td>The state priorities shifted toward the social rights paradigm, while TOs worked with political rights and social policy (child welfare) frameworks</td>
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<td>TOs’ engagement in the policy process</td>
<td>Access to the policy process restricted</td>
<td>TOs provided mass-scale generic capacity building of national NGOs as civil society actors</td>
<td>TOs concerned with child welfare provided technical and financial resources to child-welfare NGOs</td>
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Chapter 4
The State and NGOs: Political Rivals or Social Partners?

This chapter traces the evolution of relationships between the state and non-state actors in the Soviet Union and in post-Soviet Kazakhstan. Specifically, the focus of this section is on the changes over time of the national institutional (legal and regulatory) environment concerning NGOs within the larger socioeconomic and political environment. The argument I am putting forward is that at the core of the ambivalence in the state relationship with non-state actors is the question of what kind of actors NGOs are--political or social, and that this question has been dealt with in the national institutional environment throughout the history of the Soviet Union and post-Soviet Kazakhstan. The chapter is organized in three sections. The first section provides an account of Soviet non-state organizations in the Soviet Union (1917-1991). The second part depicts the evolution of the legal and regulatory environment concerning NGOs in post-Soviet Kazakhstan (1991-2012). The post-Soviet period of state-NGO relations is divided into two distinct phases: the phase of state distancing from NGOs, when NGOs were defined as political organizations (1991-2000), and the phase of increasing integration of the state and NGOs, when NGOs were defined as social organizations (2001-2012). The chapter will conclude with a summary of the main findings and analytical points.

The Use of Terms in this Chapter

The use of terms in reference to non-state organizations needs to be discussed here. Notably, the terms “non-state” or “nongovernmental” organizations were not used in pre-revolutionary Russia, Soviet Russia or the Soviet Union. Reflecting the diversity of voluntary organizations, a variety of names was used for non-state organizations, such as “circle”, “league”, “union”, “association”, “gathering/assembly” (Dobrova, 2011). A charitable organization was defined as a category of voluntary organizations whose goal is to help those in need (Dobrova, 2011). Another term applied to Russian voluntary organizations (also used later in the Soviet Union) was samodeyatelnyaya organizatsiya, which means a self-driven, autonomous organization\(^9\). Thus, these terms point to three themes or characteristics applied to pre-revolutionary non-state

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associations in Russia: charity (helping others), association (group), and autonomy from the state (self-governance, voluntarism).

In the Soviet scholarly or non-academic discourse, the umbrella term for non-state organizations was “societal” organization (obschestvennaya organizatsiya, an adjective derived from the Russian obschestvo—society). The term “societal” in Tsarist Russia referred to “non-bureaucratic” (associations), while in the Soviet discourse “societal organization” in a broader sense was applied to all kinds of Soviet associations, including trade unions, Komsomol (the Communist Union of Youth), women’s councils, children’s organizations, professional associations, etc. (Mersiyanova, 2000). The term ‘nongovernmental organization’ [negosudarstvennaya organizatsiya] emerged in the public discourse in the 1990s and was a literal (and awkward) translation of an English “NGO” into Russian (Aksartova, 2005). In this chapter, I will use three terms: an umbrella term “non-state organization” to refer to any voluntary, nongovernmental association; the term “societal organization” in relation to Soviet non-state organizations; and the term “nongovernmental organization” (NGO) in relation to voluntary nonprofit associations created after 1990.

Another note should be made on the use of the adjective “national” in relation to NGOs in this chapter. In the literature on NGOs, the word “national” in some cases refers to organizations that have country-wide activities and in other cases to organizations that work within the borders of a given country as opposed to international organizations (Willetts, 2013). In this paper, I use the term “national NGO” or simply “an NGO” to refer to an NGO that was founded by the citizens of Kazakhstan, was registered in Kazakhstan, and works in any region(s) of the country. The term “international NGO” (INGO) refers to an NGO that was founded by foreign citizens in a country outside of Kazakhstan, has or has not a representative office in Kazakhstan, and works in this country. INGOs belong to the larger category of transnational organizations (TOs) along with supranational (multilateral) organizations and foreign governmental (bi-lateral) agencies.

94 Such use of terms is in agreement with the language currently used by the UN (Willetts, 2013).
4.1 Non-State Organizations in Tsarist Russia (1861-1917)\textsuperscript{95}

The history of Soviet non-state organizations begins in pre-revolutionary Russia (Ilyina, 2000). In Tsarist Russia before 1860, charitable activities and voluntary associations were the privilege of the state and aristocracy. Therefore, the number of voluntary associations was limited (not more than a hundred before 1860)\textsuperscript{96}. The abolition of the serfdom in 1861 opened the way to the development of capitalism in Russia accompanied by a dramatic growth of non-state organizations. No longer restricted to privileged classes, thousands of charitable organizations and voluntary associations based on common interests were formed\textsuperscript{97}. By 1902, Russia had 4,762 charitable societies and 6,278 charitable institutions (Mersiyanova, 2000).

The draft of the Act on Societies (\textit{Proekt Grazhdanskogo Ulozheniya}, 1899) provided the first legal definition of a non-state organization in Russia (‘a society’) as a voluntary association of people for various purposes with the exception of profit making (Dobrova, 2011). Further, the Temporary Rules for Societies and Unions (1906) distinguished ‘societies’ as organizations with individual members from ‘unions’—associations of societies. The rules for registering a voluntary organization imposed few restrictions on associations\textsuperscript{98} (Mersiyanova, 2000). Many voluntary and charitable organizations created before the Russian Revolution (1917) continued their activities in Soviet Russia.

\textsuperscript{95} Two sections--the section on non-state organizations in Russia and the section of Soviet societal organizations--draw heavily upon contemporary Russian-language scholarly sources, such as the work on non-state organizations in Russia and the Soviet Union by Russian scholars Ilyina (2000) and Mersiyanova (2000).

\textsuperscript{96} E.g., the oldest non-state organizations include the Moscow Society of the scholars of nature (1805), the Society of history and Russian antiquities (1805), the Russian geographic society (1845), and the Russian entomological society (1859) (Ilyina, 2000).

\textsuperscript{97} E.g., the Russian society of children’s doctors, the Society of admirers of Russian literature, the Russian history society, the Comradeship of moving exhibitions (1863), the Art world (1899), the Union of Russian artists (1901), the Russian Red Cross Society (1879), etc. (Ilyina, 2000).

\textsuperscript{98} Individuals were required to submit an application to the local state authority, and the application was considered approved, unless it was formally rejected within two weeks (Mersiyanova, 2000).
4.2 Soviet Societal Organizations (1917-1990)

4.2.1 Non-State Organizations and the Class Struggle Framework

The relations between the Soviet state and non-state organizations were not fixed but historically contingent and embedded in the country’s turbulent sociopolitical environment. The changes in the logic underlying these relations as well as the role and place of Soviet societal organizations in the Soviet society were linked to the shifting interpretation of the Marxist concept of class struggle. The *Communist Manifesto* (Marx & Engels, 1848) declared that class struggle is the driving force of human history and inevitably leads to the dictatorship of the proletariat, a transition state to the classless (and stateless) society. Lenin in his work *The State and the Revolution* (1917) theorized that class struggle continues *after* the socialist revolution, as the bourgeoisie will attempt to reverse the power balance. In 1918, Stalin put forward an argument that the class struggle not only persists but also intensifies with the progression of socialism; therefore, the socialist state has to implement measures to suppress the resistance of the remnants of capitalism.\(^9\)

In the 1960s, the Communist Party under Khrushchev’s leadership changed its position on class struggle. Stalin’s thesis about the aggravation of class struggle in a socialist state was called a mistake. Instead, it was postulated, with the advancement of socialism in socialist countries, class struggle had turned into a peaceful competition between socialist and capitalist systems on the world stage, not on the domestic stage. In 1959, ‘the full and final victory of socialism’ was announced in the USSR, which meant the elimination of class tensions in the society. Therefore, in the years of ‘mature socialism’ (1964-1986) the official discourse emphasized homogeneity and unity of the Soviet society.\(^10\) These distinct interpretations of the thesis of class struggle

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\(^9\) In his speech at the Plenum of the Central Committee of the Communist Party in 1928, Stalin postulated that “as we move forward, the resistance of capitalist elements will grow, class struggle with aggravate, and the Soviet rule [...] will implement the policy of isolation of these elements, the policy of destruction of the enemies of the working class, and finally, the policy of repression of the resistance of exploiters [...]”

\(^10\) This is how the *Big Soviet Encyclopedia* (1969-1978) describes the Soviet people: “The material and spiritual unity of Soviet people has been fully developed under the conditions of mature socialism. The increasing homogeneity of the Soviet society, of its socio-political unity, the transformation of the state of the dictatorship of the proletariat into an all-people state have led to even greater strengthening of the union and friendship of all classes and social groups, nations and ethnicities of the USSR.”
offer an entry point to understanding the logic of the shifting institutional environment that shaped Soviet societal organizations.

4.2.2 The Formation of Soviet Societal Organizations (1917-1932)

The first Soviet legal acts viewed non-state organizations as an expression of the working class’ liberation from capitalist oppression. The first Constitution (1918) declared that the Soviet Republic, “having eliminated all obstacles existing in the bourgeois society for workers and peasants to exercise the freedom of organization and action, provides support, material or any other kind, to workers and poorest peasants for their uniting in organizations” (cited in Ilyina, 2000). To recognize pre-revolution organizations and to respond to the explosion of new associations, the Soviet government issued a number of regulations that set the rules for creating and registering a non-state organization. Early regulations were drawn upon similar pre-revolution acts and allowed for creating any non-state organization or union, unless activities of these organizations contradicted the Constitution (except for religious organizations that were regulated by a separate act [Ilyina, 2000]). At the same time, the newly established Narkomat [People’s Commissariat] for State Care Soviet and the Narkomat of Social Provision became responsible for social care/protection and issued regulations that closed most Russian charitable organizations (Mersiyanova, 2000); thus, charitable activities were moved from the non-state to the state sphere.

Non-state organizations established after the Russian revolution and during the Russian civil war (1917-1922) reflected the “we will build our own, new world” spirit of the time when inspired individuals and groups created a variety of scientific, artistic, educational/awareness-raising, and socially-oriented associations. Already in the 1920s, the state of “working masses” and organizations of “working masses” began to move closer to one another. Many societal organizations were created with the aim of supporting the young Soviet state with its economic,

101 E.g., the government Decree (1922) “On the rules for the establishment and registration of not-for-profit societies and unions and on the rules of controlling them”.

102 A line from the lyrics of L’Internationale in Russian, the song used as a national anthem of the Soviet Russia and the Soviet Union from 1917 to 1943.

103 E.g., the Communist Union of Youth [Komsomol], the Russian Association of engineers, the Russian Association of proletarian writers, Proletkult [proletarian culture], etc. (Ilyina, 2000).
political, and ideological goals, such as combating illiteracy, overcoming religious beliefs, conveying government messages to villagers, international political organizations, eliminating the problem of street children, addressing the needs of the disabled, ethnic minorities, migrants, etc.\textsuperscript{104} Also, if earlier associations were created from below, organizations formed in the 1920s were often initiated from above as tools for implementing state policies (Ilyina, 2000).

In the 1920s, state regulations shifted toward greater control over non-state organizations. If in the earlier days of the Soviet state, voluntary associations could register at different state authorities or even work without registration, beginning in 1922, all associations were required to register at the People’s Commissariat of Internal Affairs (NKVD). Another new requirement was that charters of societal organizations had to be reviewed by the State Political Administration (GPU)\textsuperscript{105} (Ilyina, 2000). Further, the government Decree on the Approval of the Regulations for Not-for-profit Societies and Unions (1928) increased the number of government agencies responsible for controlling voluntary organizations and gave them the authority to reject/assign individual members of organizations. With the introduction of new rules in 1928, non-state organizations were obliged to re-register. The NKVD-led re-registration was de-facto the process of cleansing of societal organizations framed as the class struggle with enemies of the working class (Ilyina, 2000). Societal organizations were decimated as a result of closure or a forced merger of organizations with similar objectives; moreover, their missions were edited and aligned with the state and party agenda (ibid.).

Beginning in the mid-1920s, the state not only increased control over formation and registration of non-state organizations but also began to run societal organizations. A leadership role in a societal organization was officially recognized as party work by the Decree of the Communist Party (Ilyina, 2000). Party members became members or leaders of societal organizations, provided guidance and control, issued directives for selected societal organizations and

\textsuperscript{104} E.g., the ‘Stop illiteracy’ society, the Union of godless warriors, workers’ coaching societies [for peasants], the International Organization for Support for Revolutionary Fighters [MOPR], ‘The Friend of children’ society, the Society of friends of the Soviet cinema, etc. (Ilyina, 2000).

\textsuperscript{105} The State Political Administration was a national security agency responsible for fighting anti-Soviet activities, counterrevolution, espionage, etc.
categories of societal organizations, approved dates for organizations’ meetings, made decisions regarding the representation in the meetings, etc. (ibid.).

The process of recasting of non-state organizations was completed with the adoption of the Decree “On voluntary societies and unions (alliances, clubs, association, federations)” in 1930 (Ilyina, 2000). This act declared the goal of restructuring societal organizations based on the mass engagement in the socialist construction under the leadership of the Communist party. The act provided a new, class-based, definition of voluntary associations as urban and rural workers’ organizations whose aim is to assist the socialist building and to defend the country (trade unions were excluded from the definition of voluntary associations). Societal organizations were obliged to align their activities with national state economic plans and to contribute to achieving national goals. In addition, the act had a specific provision restricting societal organizations from protecting economic and legal interests of their members. Thus, the overarching institutional logic of non-state organizations had been reversed: from being instruments communicating interests/concerns of working masses to the state, non-state organizations were turned into the tools for conveying the state agenda to the masses. This act had formalized the construction of a Soviet societal organization as an integral element of the Soviet political, economic, and social system and, with some adjustments made in 1932, served as a legal framework for Soviet societal associations until 1991 (Dobrova, 2011; Ilyina, 2000; UNDP, 2001).

The years of the warming political climate under Khrushchev’s leadership (1953-1964) were marked by some invigoration of societal organizations and the emergence of the idea to delegate some government functions to societal organizations under the guidance of the Communist party (Mersiyanova, 2000). The Article 7 of the Constitution of the Soviet Union (1977) declared that “trade unions, the All-Union [nation-wide] Lenin’s Communist Union of Youth [Komsomol], cooperative and other societal organizations, in accordance with their charters’ objectives, participate in the governing of state and societal matters, in the solving of political, economic, and social-cultural issues.” At the same time, the raison d’être of societal organizations was
maintained: to assist the Communist party with its objectives\textsuperscript{106}. Thus, the merger of the state and societal organizations was completed.

4.2.3 Soviet Societal Organizations in the late 1980s

In the late 1980s, there was a variety of societal organizations in the Soviet Union, named associations, unions, societies, and organizations. Late Soviet scholars defined a societal organization as a voluntary association of individuals who have formal membership in this organization (Yampolskaya, 1972, cited in Dobrova, 2011). As noted earlier in this chapter, the term ‘societal organization’ was often applied to almost all types of associations that existed in the Soviet Union. For instance, the Big Soviet Encyclopedia’s article on societal organizations includes trade unions, cooperatives, youth organizations, sport and public defense associations, professional associations, culture, technical and science societies, parents committees, etc. Despite their differences, societal organizations were an “intrinsic element of the political system” united by the goal of building communism and led by the Communist Party (Big Soviet Encyclopedia, 1969-1978).

As an important element of Soviet self-governance and a visual representation of mass support to the state agenda, societal organizations were signatories of government’s political manifestos, petitions, and the addresses of the Soviet government and the Communist party. Representatives of societal organizations participated in government meetings, organized mass events, and conducted awareness raising campaigns to educate the public about new government policies. Some mass societal organizations (e.g., trade unions, Komsomol) were members of government bodies and, in fact, became inseparable from the state. Typically, the heads of mass societal organizations were members of the Communist party. Soviet societal organizations were financed by the state and owned and managed state assets (UNDP, 2002)\textsuperscript{107}.

\textsuperscript{106} For instance, this is how the Big Soviet Encyclopedia describes Komsomol: “Komsomol [is] an active assistant and reserve of the Communist Party of the Soviet Union […] [Komsomol] works under the leadership of the Communist party, is an active conductor of the party’s directives in all areas of the communist building.”

\textsuperscript{107} For instance, Soviet trade unions owned hotels and resorts where deserving employees were given access to free vacation and health care.
The appropriation of societal organizations by the state led to the alienation of members. Moreover, joining certain mass organizations, such as Komsomol and/or a trade union, was enforced because membership was a pre-condition for entering a university or being promoted at the workplace. In the years of late socialism, activities of societal organizations became increasingly symbolic and actual members’ participation was replaced by formalized and ritualized organizational practices, such as meetings, voting, reporting, paying member fees, etc. (Cushman, 1988; Yurchak, 2003). With thousands or millions of members who existed ‘on the paper’ only, mass societal organizations became increasingly irrelevant bureaucracies overrun by formalism and demagogy.

However, it would be an oversimplification to view Soviet societal organizations as homogenous, coherent, unidimensional institutions whose only purpose was social control. As Hering and her colleagues argue (2007), mass organizations in socialist states were a disciplining tool as well as places that provided social support and ensured social stability. Ritualized, formalistic practices within societal organizations coexisted with meaningful activities, which gave a sense of meaning to members and/or had a social impact (Yurchak, 2003). While social services or social work as a professional practice and an institution had no place in the Soviet welfare system, a variety of substitute care practices (called ‘surrogate structures’ by Hering, 2007) were provided by other occupations and organizations, including societal organizations.

Large, mass societal organizations had a centralized structure mimicking one of the Soviet state bodies, with a head office in Moscow, representative bodies in member republics, and local branches at the provincial and district level. Similarly to other member republics of the Soviet Union, the Kazakh Soviet Socialist Republic had various societal organizations, many of them were Republican branches of country-wide Soviet organizations. The UNDP Report on NGOs in Kazakhstan (2002) offers a typology of societal organizations in Soviet Kazakhstan (trade unions and Komsomol are not included; Table 17).

108 For instance, Soviet trade unions played a major role in the Soviet employment-based welfare system by distributing financial and in-kind assistance to families in need, referring workers to sanatoriums and resorts. Members of Komsomol helped other students with studies and homework, tutored and coached younger school students, and helped the elderly, war veterans, and orphan children (Yurchak, 2003).
Table 17 Societal associations in the Kazakh Soviet Socialist Republic before 1985

<table>
<thead>
<tr>
<th>Type of organization</th>
<th>Example</th>
</tr>
</thead>
<tbody>
<tr>
<td>Technical and scientific engineering societies</td>
<td>Association of Inventors and Innovators;</td>
</tr>
<tr>
<td></td>
<td>Association of Ham Radio Operators;</td>
</tr>
<tr>
<td></td>
<td>Republican Society ‘Knowledge’</td>
</tr>
<tr>
<td>Fitness and sports organizations</td>
<td>Sport Society “Dinamo”;</td>
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<tr>
<td></td>
<td>Sport Society “Spartak”</td>
</tr>
<tr>
<td>Associations of people with disabilities</td>
<td>Kazakhstan Society of the blind;</td>
</tr>
<tr>
<td></td>
<td>Kazakhstan Society of the deaf</td>
</tr>
<tr>
<td>Interest groups</td>
<td>Union of hunter and fishermen societies;</td>
</tr>
<tr>
<td></td>
<td>Society of chess players</td>
</tr>
<tr>
<td>Professional societies</td>
<td>Kazakhstan union of writers;</td>
</tr>
<tr>
<td></td>
<td>Kazakhstan union of architects</td>
</tr>
<tr>
<td>Societies for propaganda of foreign policy</td>
<td>Committee for Peace;</td>
</tr>
<tr>
<td></td>
<td>Committee of solidarity with Asian and African countries</td>
</tr>
<tr>
<td>Youth societies</td>
<td>Volunteer Society to Assist the Army;</td>
</tr>
<tr>
<td></td>
<td>Air Force and Navy Society of young firemen</td>
</tr>
<tr>
<td>Child protection organizations</td>
<td>Lenin’s Fund for Children</td>
</tr>
<tr>
<td>Culture and history</td>
<td>Kazakhstan society for protection of historic and culture objects</td>
</tr>
<tr>
<td>Humanitarian organizations</td>
<td>Kazakhstan society of Red Cross and Red Crescent;</td>
</tr>
<tr>
<td></td>
<td>Water Rescue society</td>
</tr>
</tbody>
</table>


4.2.4 Summary

In sum, Soviet societal organizations, once created as grass-root, voluntary, and autonomous of the state associations of various individuals and groups, over time were molded as instruments for achieving the state objectives. They became integral elements of the Soviet political, economic, and social system controlled and guided by the Soviet state and the Communist party. The relations between the state and non-state organizations were historically contingent, shaped by the political environment and the concurrent idea of the class struggle. Following the Russian revolution, non-state organizations were viewed as an expression of the liberation of masses and the freedom of association. In the early years of the Soviet state (1917-1920), as the Soviet state was battling the economic crisis and the Civil war, which was theorized as a form of class struggle, non-state organizations became the tools for the mobilization of workers and peasants
to assist the state’s political, economic, and social objectives. During Stalin’s rule (mid-1920s-1953), his thesis about the aggravation of class struggle under socialism provided a frame and a justification for the weeding and trimming of non-state organizations that lost their (relative) autonomy and diversity and became the instruments of state control over masses. From the 1960s and until mid-1980s, the further integration of the Soviet state and societal organizations was framed by the official ideology of a mature, conflict-free, and increasingly homogeneous socialist society and the transformation of class struggle inside the country into a competition of the socialist system with the capitalist system on the world stage. In the country of “the full and final victory of socialism”, the political conflict was pronounced over. As class struggle was supposedly taking place outside national borders, Soviet societal organizations were instrumental for advancing the state political agenda on the international stage: they were used to demonstrate mass participation and mass support. On the national arena, however, societal organizations were constructed as essentially apolitical organizations that played social functions assigned to them by the state.

4.3 The State-NGO Relationships in Post-Soviet Kazakhstan

The development of NGOs in the post-Soviet period was integral to the transformation of the country’s political landscape. Since 1991, the state-NGO relationships have gone through two phases: the withdrawal of the state from control and support of newborn NGOs during the first decade and the growing integration of the state and NGOs during the second decade. An important element of this shift in the state-NGO relationships was the question of whether NGOs are political or social actors. During the first phase of the dismantling of the Soviet political system, NGOs were viewed as political actors, along with political parties, religious associations, and trade unions. During the second phase of political consolidation, NGOs were re-framed as social actors whose function is to assist the state with addressing social issues and maintaining social order as a condition for successful economic development. Drawing upon secondary data and interviews with key informants, I will trace the evolution of the legal/regulatory institutional environment concerning NGOs in post-Soviet Kazakhstan and the implications for the development of NGOs.
4.3.1 Withdrawal of the State from Newborn NGOs in 1991-2000

*Legal frameworks concerning NGOs*

The new phase of the development of non-state associations in the late Soviet Union began during perestroika--economic and political restructuring under the leadership of Mikhail Gorbachev (1985-1991). In line with the new state policy of glasnost (i.e., openness to debating formerly tabooed themes, freedom of information), the new government Resolution on Amateur Associations and Interest Clubs (1985) led to the emergence of thousands of discussion clubs/semi-formal associations country-wide (UNDP, 2002). In 1990, amendments to the Constitution of the USSR allowed for forming multiple parties, ending the hegemony of the Communist party, and adopted in the same year the Law of the USSR on Societal Associations\(^{109}\), which had not a single reference to the Communist party, and declared that ‘the state shall not interfere with societal organizations’. Thus, this Law indicates the end of the Soviet-era amalgamation of the state, the Communist party, and non-state associations. The new principle guiding relationships between the state and non-state actors was the separation between them.

The Law on Societal Associations of the Kazakh Soviet Socialist Republic (1991), a replica of the respective law of the USSR, framed the development of non-state organizations in Kazakhstan throughout the post-Soviet period (with amendments made in the revised 1996 version of the Law). Four characteristics of the Law that have particular implications for NGOs need to be outlined. First, the Law provides a definition of societal associations that places all non-state organizations into a political domain as an expression of a citizen’s right to association:

> A societal association is a voluntary association emerged as a result of a free expression of the will of citizens, united on the basis of shared interests. Societal associations are considered to be political parties, mass movements, trade unions, women’s, veteran’s organizations, organizations of the disabled, youth and children’s organizations, scientific, technical, culture and education [organizations], culture and sport and other voluntary societies, creative unions, associations, and other associations of citizens (Law on Societal associations, 1991, Article 1).

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\(^{109}\) The term ‘public associations’ is the most commonly used term in the respective English-language legal and international development aid literature. The corresponding term in Russian is *obshchestvennye obyedineniya*, that is, ‘societal associations’, or the same term that was used to refer to Soviet societal organizations.
Second, while the Law merges various non-state organizations into a single category of ‘societal associations’, these organizations were not viewed as equal\textsuperscript{110}. The Law has an article concerning political parties, mass movements, and trade unions, but no article on NGOs. Organizations of women, youth, children, the disabled, veterans, and other groups are not viewed as a special category, and the term ‘nongovernmental organization’ does not appear in the text. It suggests that NGOs were not viewed as a distinct type of societal associations. The 1996 version of the Law on Societal Associations provides a noticeably reduced definition of societal associations that puts a greater emphasis on political parties and trade unions, while voluntary nonprofit organizations (i.e., NGOs) are referred to as ‘other associations’\textsuperscript{111}, therefore implying their lesser importance.

Third, the Law outlines the goals of non-state associations that are no longer subordinate to the state and party agenda. Societal associations are expected to represent group interests and concerns and include a wide range of objectives and/or areas of focus.

Societal associations are established with the aim of realization and protection of political, economic, social and cultural rights and freedoms; development of activism and independence of citizens, their participation in governance and societal matters; satisfaction of professional and amateur interests; development of scientific, technical and artistic creativity, protection of people’s life and health, environmental safety of the population; participation in charitable activity, culture and education, sport and healthy activities; protection of nature, historical and cultural landmarks; patriotic and humanist education; expanding international connections; supporting peace and friendship among peoples; and any other activity that is not prohibited by law (the Law on Societal Associations, Article 4, 1991).

Fourth, the Law separates the state from non-state organizations, restricting not only any kind of state intervention in the affairs of public associations but also the intervention of non-state organizations in the state affairs.

\textsuperscript{110} Arguably, the most important non-state actor for the post-Soviet political reform were political parties, and the Law on Societal Associations (1991; 1996) appears to have been written with political parties in mind.

\textsuperscript{111} “Public associations are considered to be political parties, trade unions and other associations of citizens created on a voluntary basis for achieving common goals, which are not in disagreement with the law. Societal associations are non-commercial organizations” [the Law on Societal Associations, 1996, my emphasis].
The state ensures compliance with the rights and lawful interests of societal associations. [...] Activities of societal associations are financed from resources of these organizations. [...] Interference of the state authorities and officials into the activities of societal associations as well as interference of societal associations into the activities of state authorities and officials is not allowed, with the exception of cases provided by law [...] (The Law on Societal Associations, Article 5, 1991).

In agreement with the principle of separation of the state from non-state organizations, state financing of societal associations was prohibited by the Constitution of the Republic of Kazakhstan adopted in 1993 (it only lived for two years) and the current Constitution adopted in 1995

Throughout the 1990s, the policy environment concerning NGOs was framed by the discourse on the civil society as a key element of the post-Soviet democratic reform. In the 1990s, “civil society” within the U.S. discourse came to signify “citizens empowered vis-à-vis the state” (Aksartova, 2006); in other words, the main feature of the civil society was its “non-state-ness”, or even “anti-state-ness”. Therefore, civil society was operationalized in the foreign aid practice as non-state, non-governmental organizations. As an essential part of foreign aid to post-Soviet/post-socialist states, the civil society discourse was transmitted to the national policy discourse by TOs. In policy documents and official speeches, the government declared support for NGOs as part of civil society building. The legislation concerning non-state associations

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112 Interestingly, the 1990 Law on Societal Associations of the U.S.S.R. did envision state support for some organizations, specifically, youth and children’s organizations. The Article 5 states that ‘the state provides material and financial support to youth and children’s organizations, applies a preferential taxation policy, gives them the right to use school facilities, after-school facilities, clubs, palaces and houses of culture, sports and other facilities for free or on beneficial conditions.” This provision was dropped in the 1991 and 1996 version of the Kazakhstan’s Law on Societal Associations.

113 It is worth noting that the 1996 Law on Societal Associations (Article 4) had a provision that allowed for state contracting of societal associations to perform certain tasks: “Societal associations may collaborate and cooperate with state agencies and conclude agreements with them, and they may do certain work, anticipated by legislation, under contract with state agencies.” However, this provision was in contradiction with the Constitution of the RK, and therefore, could not be implemented.

114 As stated in the USAID working paper (1996), “By strengthening civic advocacy groups—nongovernmental organizations that champion governmental reform—donors can make a difference in countries moving toward democracy. Support for civil society is a core component of USAID’s democracy and governance agenda” (USAID, 1996).

115 In his 1998 Address to the people of Kazakhstan ‘On democratization and economic and political reforms’, the President of RK stated that “strengthening NGOs’ role in the civil society building” is an intrinsic element of democratic society and called the Ministry of Justice to “simplify the registration and control procedures for national
adopted in the 1990s shows the government’s intention to allow for the development of non-state political actors with minimal engagement in this process. The operationalization of the separation of the state from non-state actors in the national legislation can be broken into three elements: (a) the state does not interfere in the affairs of societal associations; (b) the state does not finance activities of societal associations; (c) societal associations do not interfere in the affairs of the state. These principles have fundamentally shaped the development of NGOs over the two last decades, particularly, their access to resources and to the policy process.

The declaration of support for NGOs did not mean that they received carte blanche from the state. Along with laws that directly address the state-NGO relationships, there is a variety of less visible provisions, regulations, rules, and procedures governing day-to-day activities NGOs. For instance, the Article 5 of the Law on Societal Associations (1996) requires societal associations to be a legal entity and prohibits activities of non-registered associations; thus, under this Law, informal activist or community groups may be claimed illegal. Further, to register an NGO, an application must be filed by a group of no less than ten citizens. NGOs are required to be registered at the Ministry of Justice, and registration is contingent upon permission. The registration fee equivalent of US$130 for a local NGO and over US$1,000 for a country-wide NGO can also be an obstacle. Next, there are also territorial restrictions for NGOs’ activities, depending on the type of NGO.

The application of the principle of non-interference of the state in the affairs of non-state organizations, declared in the Constitution and the Law on Societal Associations, has been limited because the law does not clearly define the conditions under which the state can(not) intervene. While there are no special procedures or special bodies authorized to inspect NGOs,

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116 The average monthly salary in 1995 was 4,786 KZT, equivalent of US$79. In 2006, the registration fee for NGOs was reduced from 20,000 KZT (US $160) to 7,600 KZT (US $60).

117 National legislation distinguishes three types of NGOs: local organizations, working within one province [oblast]; regional organizations, working in two to seven provinces; and republican/nation-wide organizations, working in eight or more oblasts.
state power can be exercised through approximately 40 various specialized government authorities that control all legal entities, including NGOs (ICNL, 2009). As a legal entity, an NGO can be subjected to inspection by the General Prosecutor’s Office, tax committees, fire control departments, sanitary-epidemiologic stations under the MoH, labour inspectors of the MoLSP, departments of internal affairs, the Ministry of Environment, finance police, and other government authorities depending on the issue of concern. In sum, the national law had no provisions that explicitly imposed state control over NGOs, but neither did it set specific boundaries to limit the power of the state to intervene.

Thus, administrative tools for controlling NGOs did exist but they were rarely applied in the 1990s. There were few, if any, reported cases of rejecting an application to register an NGO as well as of inspecting and restricting their activities (interviews with NGOs; USAID NGO SI, 1997-2011). The main concern of NGOs in the 1990s was not excessive control but the lack of tangible support from the government. The report on NGOs by Zlotnikov (1998) described a situation when ‘the interaction between the authorities and public associations is minimal and the government authorities support only a few selected NGOs’ (Zlotnikov, 1998, cited in Senturk, 2003, p. 131).

Key Government Agencies Responsible for NGOs

Since independence, the Ministry of Culture and Information (MoCI) has been the key government agency for media and civil society affairs, including NGOs. This Ministry has gone through eight administrative restructurings and name-changings that illustrate the political dynamics in the country and the turbulent context for NGOs development.

118 With the exception of few selected NGOs that were perceived as “political or oppositional” (USAID NGO SI, 2000).

119 This is how the USAID NGO SI Report (1998) describes the state-NGO relationships: “The current legal framework sustains a long standing feeling that NGOs engaged in political activity and/or an activity that is critical of government will be liquidated or pressured to cease such activity. In reality, this is rarely done, as NGOs themselves are aware of the unstated lines which they should not cross in challenging government. There have yet to be any specific examples of government entities harassing specific NGOs for their activities” (p.49).
Established on 29 Dec 1991 as the Ministry of Print [publishing, media] and Information, it was downgraded to the National Agency on Publishing and Information Affairs in 1995. Two years later, on 31 Oct 1997, it re-emerged as the Ministry of Information and Social Accord and the key agency responsible for “the formation of the shared informational space, political stability [and] ideological consolidation of the society” (the Government Decree N 1474 of 31 October 1997). On 29 Apr 1999, the Ministry was reorganized into the Ministry of Culture, Information and Social Accord, but on 13 Sep 2003 it was divided into two separate Ministries: the Ministry of Culture and Ministry of Information. Only one year later, on the 24 October 2004, the two Ministries were merged again to form the Ministry of Culture, Information and Sport, responsible for the ‘formation of state policy on culture, information, political stability, inter-ethnic accord, languages development, archiving and documentation, book publishing, printing, and physical culture and sport’. On the 27 of March 2006, the Ministry was reformed into the Ministry of Culture and Information (sport affairs were assigned to a different agency). On the March 12, 2011, the Ministry was split again into the Ministry of Culture and Ministry of Information, but nine months later, on January 20, 2012, the two ministries were merged again. In this paper, the current title, the Ministry of Culture and Information (MoCI), is used to refer to this agency.

The MoCI is currently responsible for “state regulation and [...] inter-sectoral coordination in the spheres of culture, information, internal political stability, inter-ethnic agreement, development of languages, archiving, state symbols, [and] state social contracting” (MoCI, 2013). The MoCI has been the lead agency in charge of the development of government policies on NGOs, conducting analyses on NGOs, drafting laws concerning NGOs, managing/coordinating the state social contracting mechanism, and communication with NGOs. Apart from the MoCI, several government agencies (e.g., the MoLSP, MEP, and the National Commission on Women’s and Family Affairs) were particularly open to engaging NGOs in the policy process and consultations even before cooperation with NGOs became the official government policy (Nee, 2003).

**NGO Statistics**

Statistical data on NGOs in Kazakhstan have a number of limitations that are linked to the legal regulatory environment. The primary government source of data on NGOs is the MoJ that reports the number of non-commercial organizations registered in a given year, disaggregated by
the type of legal entity (e.g., public associations, foundations, and unions of legal entities). Since these three categories include NGOs but not only NGOs, the exact number of registered NGOs is difficult to estimate. NGOs are merged with other public associations, including political parties and religious associations, or with other non-commercial organizations, including cooperatives and non-commercial joint stock associations. Nevertheless, these data are used as proxy numbers in reports on NGOs in Kazakhstan (e.g., USAID yearly NGO/Civil Society Sustainability Reports, the Civic Alliance’s report on NGOs, 2011).

Another feature of the NGO statistics is that not all registered organizations actually operate on a regular basis (USAID NGO SI, 1997-2011). NGOs depend on resources they secured at a given time, and few of them have steady, continuous activities (Interviews with NGOs, TOs; Civic Alliance, 2009). Some NGOs may have been dormant but not officially closed as closing procedures are more complicated than registration (Interviews with TOs, NGOs). Some NGOs were registered to implement a certain project and have no continuous activities. There have also been reports about pseudo-NGOs or NGOs organized by relatives/affiliates of government officials, organizations that were created to side channel government funding (USAID NGO SI, 1997-2011; interviews with NGO representatives). Several approaches have been used to identify operating NGOs. For instance, the national Agency of Statistics counts organizations that have been regularly reporting to tax authorities, but these data include organizations other than NGOs (UNDP, 2002). Criteria used by UNDP (2002) for compiling its NGO database involved the verification of NGOs’ contact information and their activities in the area of specialization. Similarly, ARGO, an NGO-supporting NGO (ARGO, personal communication, 2012) relies on such criteria as an organization’s responsiveness to the request for information, the quality of the feedback, and the verification (word of mouth) provided by partner organizations working in the region.

Another issue with counting NGOs relates to their issue of concern/area of work. First, many NGOs have broadly defined missions and target groups. Second, themes do not represent mutually exclusive categories and may overlap (e.g., children and migrant families, children and health, vulnerable children, violence against children and violence against women). Third, grouping NGOs by area of work is difficult due to the dynamic nature of the NGO field, as over time or at a given moment organizations can engage with a range of issues. Also, NGOs or groups of NGOs can organize other NGOs, such as spin-off NGOs or unions of NGOs.
Therefore, attempts to classify NGOs by the theme, area and/or target category are usually based on rough approximations.

The Formation of NGOs in the 1990s

The formation of NGOs slowly began in the late 1980—early 1990s; after new regulations on societal associations were adopted in the 1990s, the number of NGOs started to grow (Table 18). According to UNDP’s estimates (2002), from the late 1980s through the early 1990s, approximately 400 NGOs were formed in Kazakhstan. During 1994-1997, the approximate number of NGOs reached 1,600 (UNDP, 2002). However, as discussed earlier, there was a discrepancy between the number of registered NGOs and the number of actively working NGOs. At the beginning of 2000, there were 854 NGOs actually working in Kazakhstan, 1,244 NGOs at the end of 2000, and 1,197 in 2001 (these numbers were drawn from the UNDP’s NGO database; UNDP, 2002).

Table 18 The number of NGOs registered annually in Kazakhstan, 1990-2001

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<tbody>
<tr>
<td>10</td>
<td>8</td>
<td>21</td>
<td>71</td>
<td>47</td>
<td>57</td>
<td>101</td>
<td>232</td>
<td>231</td>
<td>303</td>
<td>295</td>
<td>291</td>
<td>100</td>
<td>1,767</td>
</tr>
</tbody>
</table>

Source: UNDP (2002): Data from Agency of Statistics of RK, revised by Institute for Development Cooperation

The emergence of NGOs in the 1990s occurred in conditions of the severe economic crisis and mass unemployment. NGOs established in the 1990s were ‘a niche for disenfranchised intellectuals, under’ or unemployed specialists and ethnic minorities’ (USAID NGO SI, 2002, p.88). The main organizational form of NGOs has been ‘professional’ NGOs, ‘an organizational and cultural form’ transferred to post-Soviet states by foreign aid agencies (Aksartova, 2005). Aksartova (2005) identifies the following characteristics of Western-style professional NGOs: ‘(i) they are nonprofit organizations and are legally recognized as such; (ii) they are staffed by salaried employees; (iii) fundraising is an integral part of professional NGOs’ operations; (iv)

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120 UNDP estimates were drawn upon the Agency of Statistics data revised by the Institute of Development Cooperation to include NGOs only, that is, to exclude political parties, trade unions, commercial associations, etc.
NGOs define their purpose in terms of representing public interest” (pp.37-38). Therefore, professional NGOs are formal workplaces and an occupation, as opposed to Soviet-era membership-based societal organizations.

Most NGOs were organized by educated, Russian-speaking, middle-aged individuals of different ethnicities (including ethnic Kazakhs) living in urban areas. 75-80% of NGOs, according to various estimates, were led by women, and women made up the majority of NGO staff (USAID NGOSI, 2000). As for the geographic distribution of NGOs in Kazakhstan, since the 1990s, NGOs tended to concentrate in urban areas, and only 8% of all NGOs in Kazakhstan operated in rural areas (the Concept of the state support for non-profit organizations, 2002). According to some estimates, two thirds of strong, active NGOs in Kazakhstan in 1999 were located in Almaty, the largest city and the capital of the country until 1997 (USAID NGO SI, 1999).

NGOs created in the early 1990s were focusing on environmental issues and democratic or political issues, such as elections, freedom of speech, and human rights (ADB, 2012). Starting in the mid-1990s, the scope of NGOs’ interests was expanding to include a variety of social issues and groups. NGOs were entering territories which had been previously occupied by the Soviet state (e.g., child protection, education, health promotion) as well as creating new fields of welfare provision (e.g., addressing the problem of domestic violence, services for drug users and sex workers) (UNDP, 2002; USAID NGO SI, 1999). NGOs engaged with diverse populations, such as children, youth, women, especially women with many children and single parents, drug users, the disabled, the unemployed, migrants, and other groups (UNDP, 2002). While any attempts to count NGOs based on the issue/area should be taken with caution, it appears that by the late 1990s, more NGOs were concerned with social issues than NGOs concerned with strictly political issues.\(^\text{121}\)

\(^{121}\) Out of 1,767 NGOs registered in the UNDP’s NGO database in 2001, 66% were socially oriented (including 24% NGOs involved in working with vulnerable populations and 42% NGOs involved in provision educational social and cultural services), 6% were concerned with environmental issues and 3% were working in human rights areas (UNDP, 2002). Another analysis (Dumbayev & Frants, 2001) showed a different breakdown of NGOs by the area of work, with a high share of environmental NGOs (36%), women’s (24%), youth organizations (22%), and NGOs involved in the protection of vulnerable populations (21%); however, the share of NGOs concerned with political issues (e.g. human rights) was relatively small (under 5%).
NGOs’ role in government policies

One implication of the legal separation between the state and societal associations was a barrier for NGOs to influence government policies. According to the Constitution of the Republic of Kazakhstan (Section 1, Article 61, 1995), only members of the Parliament and the central government agencies can initiate new laws. Next, the 1991 Law on Societal Associations allowed national-level NGOs to initiate new laws (Article 18), but this provision was omitted in the 1996 Law\(^\text{122}\). Further, the Law on Normative Legal Acts (1998), which set standards for legal acts and procedures for drafting legislation, allows state bodies and non-state organizations to initiate and draft new legal acts and/or contribute their proposals for legal acts. However, it is the responsible state bodies that make decisions on whether a proposal submitted by NGOs/citizens can be considered and used for drafting new laws (Article 13). Thus, within the existing legal frameworks, in order to influence government policy, NGOs have to build partnerships with government agencies.

In spite of these legal barriers, most NGOs’ activities were hardly free of interaction with the state. For instance, NGOs needed government approval to work with certain populations (e.g., street children) or to access government organizations (e.g., schools, children’s residential institutions, centers for children’s temporary isolation, hospitals, etc.). Such interactions between the state and NGOs were driven by NGOs and dependent on individuals’ ability to connect with government officials and build informal personal relationships (USAID NGO SI, 1998). NGOs reached out to the government authorities, invited government officials to NGO organized events, organized round tables with participants from the government bodies, provided training and awareness raising activities involving state agencies and government organizations, etc. (NGOs’ documents; interviews with NGOs). NGOs succeeded in creating and maintaining informal or semi-formal partnerships with state authorities at the local/regional level/national level. Once government bureaucrats began to recognize the benefits of collaboration with NGOs, in some regions state authorities started to consider possibilities of funding some NGOs’ activities (Nee, 2003; USAID NGO SI, 2000).

\(^{122}\) The shifting in the law provisions reflects the debate and various positions.
The idea of state-NGO cooperation was introduced by TOs in the mid-1990s. Nee (2003) describes several projects promoting the recognition of the NGO sector, the need for state support, and legal mechanisms for the state-NGO cooperation. The first project was the regional conference entitled ‘The recognition of the third Sector’ held in 1994123. Next, a regional conference ‘NGOs and law in Central Asia’ took place in 1995124. Further, a project of the ICNL and of the UNDP aimed at improving legal basis for NGOs culminated with a high-profile conference ‘Cooperation of the state and NGOs: Civil society development and legal basis for NGOs’ in 1998125. Another influential event was public hearings on health care for people with diabetes organized in 2000 by two NGOs, the Confederation of NGOs and the Diabetic Association. The format of public hearings has become a regular form of a dialogue with the state (interviews with NGOs, TOs). Thus, aside from the dominant discourse on state-NGO separation, a discourse on state-NGO cooperation was circulating among the policy actors. While fledgling NGOs promoted the idea, it was yet to be adopted by the state.

**Funding of NGOs**

The legal provisions that prohibited the state financing of public associations (the Constitution of the RK and the Law on Public Associations) had a profound impact on the development of NGOs in Kazakhstan. Newly established NGOs had no resources for their activities at the time of socio-economic and political restructuring and the major economic crisis. Legal mechanisms of channeling private resources to support NGOs (e.g., tax exemptions for NGOs and tax deductions for charitable donations of private companies and citizens) were not yet developed. As newborn businesses were struggling to establish themselves, they also lacked experience and incentives for engaging in charitable activities, although NGOs succeeded in reaching out to individuals and businesses and bringing in-kind and cash donations. However, resources were in

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123 The conference was organized by Interlegal, the Kazakhstan’s branch of the Russia-based NGO, and funded by the Soros Foundation Kazakhstan and the USAID (Interlegal, 2013, at http://www.greensalvation.org/old/Russian/Cooperation/interligal.htm; Nee, 2003)

124 The conference was organized by two U.S. NGOs: the American Legal Consortium and the Counterpart Consortium.

125 The conference held in Astana, Kazakhstan was attended by UN representatives, members of the Parliament, the Chair of the Constitutional Court, and the representatives of ministries, of the President’s office, national NGOs and TOs (Nee, 2003).
most cases limited to one-time gifts to support events or individuals in need (interviews with NGOs; USAID NGO SI, 2000). Providing services for a fee was not possible for many NGOs whose constituencies were vulnerable, low-income groups (USAID NGO SI, 2000). The problem of limited access to funding for NGOs was aggravated by the lack of awareness of NGOs and their public activities (USAID NGO SI, 1999; UNDP, 2002). At the same time, regulations adopted in the 1990s opened the way to transfer resources from TOs to NGOs (see the detailed discussion on the national regulatory environment concerning TOs in Chapter 3). Therefore, TOs became virtually the only available source of funding for newborn national NGOs in the 1990s.

Summary

To summarize, in the 1990s, legal acts that marked post-Soviet political restructuring opened the way to the formation of NGOs among other non-state associations. However, NGOs seem to have been of lesser importance to the state agenda. NGOs were not fully recognized as a distinct type of non-state organizations within the umbrella category of various societal associations, which included political parties, trade unions, professional and other associations. Apart from rules that were applicable to any legal entity in Kazakhstan, there were no specific regulations for NGOs’ activities. National policies towards NGOs in the 1990s were guided by the principle of non-interference of the state in the affairs of societal associations, and vice versa. As a result, there were few restrictions on creating an NGO and choosing an area of work but also there was a lack of tangible institutional support for newborn NGOs. While the national legislation prohibited state funding of NGOs and offered little incentives for private donations to NGOs, it facilitated the flow of foreign funding to NGOs, thus, making TOs the primary providers of resources for national NGOs.

4.3.2 The State and NGOs in 2000-2012: Moving Closer Together

New frameworks for state-NGO relationships

A shift in the government’s political agenda became apparent in 2000, marking the end of the policy of the state’s withdrawal NGOs’ affairs and the beginning of the phase of engagement with NGOs within the wider state agenda of streamlining and consolidating political institutions. The 2000 Address of the President to the people of Kazakhstan entitled “To the free, effective
and secure society” summarized the key achievements of the first decade of independence and set up a priority agenda for nearest future, specifically, the political reform toward building a democratic society but based on the country’s and region’s specifics. Within this framework, NGOs were positioned as important actors who “already play a major role in the protection of rights, realization of special interests of groups of the population, and in the social stabilization of society”. Therefore, “there is a need for state support, specifically, through the system of grants for the realization of socially significant projects”. Thus, the two major themes that defined the development of the institutional framework concerning NGOs in the 2000s were identified: the NGOs’ role as representatives of special interests of social groups in maintaining social order and a promise of government funding of some NGOs’ activities.

The Concept of State Support for Nongovernmental Organizations (2002), developed by the government with the involvement of several NGOs, offered a new policy framework for state relationships with NGOs. It was stated that the new model of social policy in Kazakhstan involves cooperation between the state and “socially oriented” NGOs, and the state should support NGOs’ engagement in ‘solving socially significant issues’ by providing “informational, methodological, organization and technical support, as well as [financial] support through social contracting.” Thus, the new policy placed an emphasis on the ‘social orientation’ of NGOs and the ‘social significance’ of their activities.

Drawing upon the Concept of State Support for NGOs, a national Program of State Support for Nongovernmental Organizations for 2003-2005 was developed by the MoCI with the active


127 The following statement in the President’s address concerns trade unions but is indicative of the larger government agenda that framed the state-NGO relations: “Today it is vitally important to create a mechanism for resolving social contradictions with legal means, [in order] to prevent the turning of social tensions into a political field”.

128 The government agenda concerning NGOs was a long-term strategy. In his 2003 Address to the nation, the President confirmed his new vision of the place of NGOs in the political system and provided a specific plan for institutional reform: “There is a need to build a different relationship with nongovernmental organizations. I believe that the practice of economic support to NGOs through the system of state order on a competitive basis. For that purpose, there is need to speed up the development and adoption of draft laws on nongovernmental organizations in the Republic of Kazakhstan and on state social contracting. […] The large-scale cooperation should start with a civic forum – a country-wide conference of NGOs.” Retrieved from http://www.akorda.kz/ru/allNews?category_id=26.
involvement of several prominent NGOs. The program was aimed at ‘creating conditions for sustainable development of NGOs in Kazakhstan as a part of civil society and strengthening their role in solving socially significant problems based on the interaction and support from government authorities’. To reach this goal, the Program envisioned country-wide activities, such as (a) creating consultation and coordination councils under the regional and territorial governments with the inclusion of NGOs; (b) providing NGOs with information about laws, legal procedures, rules and regulations; (c) state support for NGOs’ activities and events (round tables, conferences, training); (d) media engagement to cover NGOs’ activities; (e) training of state officials on how to cooperate with NGOs; and (f) the drafting of a law on social contracting as a legal mechanism of the state funding of NGOs’ activities on the competitive basis. Regional and territorial governments were obliged to develop similar plans for cooperation with NGOs.

The development of the framework for state relations with non-state actors (including NGOs) continued with the adoption of the Concept of the Development of the Civil Society for 2006-2011. At the centre of this document is ‘civil society’ conceptualized as an interdependent system of various institutions. The relationships between the state and the civil society are based on a “public agreement and their interaction is aimed at reaching a compromise.” Thus, civil society, a Western concept introduced in the 1990s to represent the separation from the state and opposition to the state, was used as a framework for consolidating and aligning various political and social actors in the country. Within civil society, NGOs were assigned an important place as providers of services and implementers of social programs, therefore, becoming an arm of the state by helping the government to lower costs for and increase ‘the state’s effectiveness in the social sphere’.

Following the official recognition of NGOs as important socio-political actors, there was a drastic increase in the government legal and regulatory work concerning NGOs. As an attempt to develop a regulatory document that addresses issues important for NGOs, the Law on Non-commercial Organizations (2001) was developed by a working group comprised of the state and NGO representatives. The Law provides a more detailed (though not fully clarified in legal terms) legal framework for non-commercial organizations in Kazakhstan, including start up, registration procedures, governance and management, restructuring and closure/liquidation. A non-commercial organization is defined as ‘a legal entity for which profit is not its main
objective and which does not distribute net profit among its participants’ (Article 2). Non-commercial organizations is an umbrella term that includes governmental organizations (funded solely by the state and governed by the state) and various non-state organizations as well as international nonprofit organizations (branches and representative offices) operating in Kazakhstan. Thus, the scope of the Law is not limited to NGOs but it does signify a shift in framing NGOs: while the Law on Societal Associations defined them in political terms as an expression of the right to voluntary association, the Law on Non-commercial Organizations defines NGOs in non-political terms as market (non)actors. Another important distinction from earlier legal frameworks is the departure from the principle of ‘non-interference’, as indicated by the following provision:

The state supports/promotes the formation and activity of non-commercial organizations. Non-commercial organizations may be given tax, custom and other benefits in accordance with law of the Republic of Kazakhstan [...] Non-commercial organizations [...] may cooperate with government authorities, make agreements with them and perform for them certain work (the Law on Non-commercial Organizations, Article 40).

However, these provisions represented an intention, not actual change to existing laws and regulations. Therefore, legal instruments that would allow for the state funding of NGOs had yet to be developed.

**NGOs’ engagement in the government policy**

In the 2000s, NGOs became increasingly involved in the policy debate and policy development through a number of newly created institutional mechanisms. The heads of several prominent NGOs became members of the National Council, an advisory body under the President of the

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129 Non-state non-commercial organizations include religious associations, cooperatives, foundations, [nonprofit] stock corporation [акционерное общество], associations (unions) of legal entities, institutions (organizations established by other organizations), societal associations, and other entities. Therefore, an NGO can be one of the three types of non-commercial organizations: (a) societal associations, which were defined by the Law on Societal Associations (1996); unions, or associations of legal entities; and foundation refers to a non-commercial organization which was created by individuals and/or legal entities that made a material contribution toward a socially significant objective (Article 12).

130 These NGOs included the Confederation of NGOs of the Republic of Kazakhstan, the National league of consumers, the Association of women “Moldir”, and the Diabetic association.
Republic of Kazakhstan established in 2002\textsuperscript{131}. The Council includes representatives of the central government and regional/territorial governments, key government officials (e.g., the Prime Minister and Chairs of both Chambers of the Parliament), national businesses, NGOs, religious associations, ethnic associations, scientists, writers, and journalists. Notably, the Council had a major symbolic function, creating a model of a cohesive society in which the state and non-state actors work together under the strong leadership of the President\textsuperscript{132}. Even though the Council had limited authority within the existing institutional system, its serves as a communication channel that provided NGOs with opportunities to convey the issues of concern at the highest levels of power.

NGOs also became members of various consultation bodies, such as councils for cooperation with NGOs created in the mid- and late 2000s at the provincial/local and national level state bodies\textsuperscript{133}. These councils provide NGOs with opportunities to access information on government policies and to participate in policy discussions. However, government regulations for such councils are lacking, therefore, NGOs’ involvement in the policy process is limited. In some social councils, NGOs are actively involved in policy development and influence decisions (Nee, 2003; interviews with NGOs, TOs). In other councils, NGOs are less engaged because councils meet irregularly, or NGO representatives make too small a proportion of the council members (interviews with NGOs, TOs). Also, due to the lack of regulations for NGO participation in the policy process, NGOs’ contribution to policy depends on a government official’s willingness to listen (Chebotarev, 2012; Civic Alliance, 2009). Therefore, in the 2000s, the level of NGOs

\textsuperscript{131} The Council’s functions include “developing proposals and recommendations on the most important issues of the state life” and to “assist the Head of the state in ensuring cohesive functioning of all branches of power and in increasing responsibility of state bodies to people, [and] in determining the main directions of national and foreign policy” (the official website of the President of the Republic of Kazakhstan, www.akorda.kz).

\textsuperscript{132} To illustrate, this is how the country is described on the President’s website: “The Republic of Kazakhstan is a unitary state with a presidential form of governance. The country is located at the centre of the Eurasian continent. Kazakhstan confirms itself as a democratic, secular, lawful (legal) and social state.” (www.akorda.kz)

\textsuperscript{133} E.g., the Coordination council on cooperation with NGOs under the Government of the Republic of Kazakhstan; the Social council for control over police activities under the Ministry of Internal Affairs; the Social Council on the protection of patients’ rights under the Ministry of Health; the Social Council for anti-corruption under the Agency for fighting economic crimes and corruption; and social council on cooperation with NGOs under territorial state authorities [akimats] (Chebotarev, 2012).
engagement in the policy process drastically increased, but the level of their influence was still limited\textsuperscript{134}.

Furthermore, the practice of inviting NGOs to participate in law-drafting working groups became common in the 2000s, in part as a demonstration that the process was participatory but also as recognition of prominent NGO representatives as experts. NGOs were active participants of various working groups created for drafting new laws, such as the Law on Non-commercial organizations (2001), the Law on State Social Contracting (2005), the Law on Social Protection of the Disabled (2005), and the Law on Special Social Services (2009). In 2009, this practice was institutionalized by adding a provision in the Regulations of the Legal Drafting Work that it is recommended (although not required) that law drafting working groups include NGOs, societal associations, members of the Parliament, and experts/scientists\textsuperscript{135}.

\textbf{State control over NGOs}

The development of the state-NGO relationships in the 2000s were influenced by ‘colour’ revolutions (an overturn of political elites as a result of popular movements) which occurred in several post-Soviet states (i.e., Ukraine, Georgia, and Kyrgyzstan) in the 2000s\textsuperscript{136}. Whereas in Uzbekistan many international organizations and domestic NGOs were simply shut or severely restricted, in Kazakhstan the government employed a more complex and fluid strategy toward NGOs involving measures of control/restriction and support/cooperation. On one hand, there were (realized or aborted) attempts of more restrictive regulations in the 2000s. On the other hand, the government moved toward greater cooperation with NGOs, including financing them and including them in policy consultations and policy development. In this process, NGOs were enabled (or allowed) to advocate, negotiate, and influence government policy.

\begin{itemize}
\item [\textsuperscript{134}]The survey conducted in 2009 found that about 40\% of NGO representatives said that NGOs had significant influence in general or in a certain area, while 44\% believed that the influence of NGOs was minimal or absent (Civic Alliance, 2009).
\item [\textsuperscript{135}]The Government Decree #2206 of 25 December 2009.
\item [\textsuperscript{136}]There is no agreement among scholars on whether the activities of international organizations and foreign governments aimed at fostering democracy in the post-Soviet region have played a defining role in ‘color revolutions’. However, it was a common perception expressed by some state leaders in the region that international support to political opposition was the driving force of changing political elites in these countries (Ó Beacháin & Abel Polese, 2009).
\end{itemize}
The first wave of restrictions began in 2003, when the MoCI hastily drafted a new law regulating national and international NGOs\textsuperscript{137}. If previously adopted pieces of legislation concerning NGOs treated them as a subcategory within other categories, such as societal associations or non-commercial organizations, this draft law focused on NGOs as a specific category of organizations. NGOs were defined as ‘non-commercial organizations (with the exception of political parties, trade unions, and religious associations), which are formed by individuals on a voluntary basis and whose principal goal is to carry out socially useful activities’\textsuperscript{138}. NGOs were prohibited from using their funding for political activities and were obliged to publish annual reports on their activities in the national media. The same rules were applied to national and international NGOs operating in Kazakhstan.

The draft law on NGOs generated harsh critique from national NGOs, national and international legal experts and international NGOs (e.g., Counterpart Consortium, INTRAC, and ICNL). Critics found as the most concerning part of the draft law its emphasis on ‘social usefulness’ of NGOs\textsuperscript{139}, restrictions on political involvement, and expanded reporting requirements for NGOs. National and international NGOs argued that the draft law offered nothing to improve the legal framework for NGOs and was viewed as an attempt at tightening state control over NGOs’ activities\textsuperscript{140}. National and international NGOs started an intensive advocacy campaign (e.g., round tables, an open letter to the President, and press conferences) to stop the draft law from being adopted. In October 2003, the President of the RK canceled the draft law on NGOs.

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\textsuperscript{137} NGO, who were not involved in the drafting process, were given a draft for feedback in March 2003, aiming for the Parliament’s approval before summer (USAID NGO SI Report, 2003).

\textsuperscript{138} The list of ‘socially useful activities’ included eleven categories, such as provision of support to children and youth, addressing gender issues, public health protection, environmental protection, education and research activities, provision of support to the needy and vulnerable, employment assistance, protection of cultural heritage, support to social consensus, and other lawful activities.

\textsuperscript{139} As the critics of the draft law argued, selecting ‘socially useful’ NGOs presumes that other organizations are “useless”; moreover, such a provision gives government bureaucrats power over determining the level of “usefulness” (Aytmagambetov et al., 2003, Open letter to the President of RK).

\textsuperscript{140} Ibid.
In 2005, another attempt of a more restrictive legislation concerning NGOs was made. Several members of the Parliament proposed two draft laws, namely, the draft Law on Activity of Branches and Representations of International or Foreign Nonprofit Organizations in the territory of the Republic of Kazakhstan, and the draft Law on Amendments to several legislative acts of the Republic of Kazakhstan concerning nonprofit organizations. The two draft laws were targeting international NGOs operating in Kazakhstan as well as national NGOs funded by INGOs. Among others, these drafts had provisions requiring re-registration of international NGOs and registration of branches/representative offices of international NGOs that provided assistance in Kazakhstan but had not established offices on the country’s territory. National NGOs were required to get prior state approval of the funding from international organizations as well as of planned activities/events. The two drafts were harshly criticized by national and international NGOs and legal experts and generated another advocacy campaign (Larrabee, 2005; International Federation for Human Rights, 2006). After consulting with the Constitutional Council, the draft laws were declined as unconstitutional (USAID NGO SI, 2005). Nevertheless, several amendments were made to existing laws that introduced more restrictive provisions on public associations (including NGOs) and international NGOs. International organizations were obliged to publish annual reports in the national media regarding their activities, funding partners, and sources of funding. National NGOs were required to submit annual detailed itemized reports on foreign funding to tax authorities (ICNL, 2011).

Centralization and consolidation of NGOs

Beginning in 2000, multiple associations of NGOs have been formed at national, regional, local levels, with various degree of influence. The Confederation of NGOs formed in 2000 played an

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141 A week after the Law on State Social Contracting was adopted.

142 E.g., the National Security Law, Amendments to the Code on Administrative Legal Violations and in the Law on Non-Commercial Organizations (2005).

143 In 2008, this requirement was softened: NGOs were required to report only a general amount of foreign resources.
important role in the early 2000s and became a national voice of NGOs\textsuperscript{144}. In 2003, 200 NGOs formed a coalition (the Platform) to successfully counteract the adoption of repressive laws concerning NGOs. However, the NGO coalition-building slowed down after 2005. Following up to the second Civic Forum in 2005, the Civic Alliance of Kazakhstan had been formed, which united all major pro-government non-state players, including business, trade unions, ethnic monitory organizations, and NGOs\textsuperscript{145}. The President of the Civic Alliance is a member of the Parliament, which indicates an integration of this body with the state. With 500 member organizations and territorial branches in all oblasts and two cities of the country, the Civic Alliance had been playing the role of a national voice of NGOs, but the voice that has been tuned in a certain way. Other NGO alliances are smaller and weaker; many of them do not have real activities, except for sharing information online (interviews with NGOs, TOs). NGO coalition building has been contradictory: on one hand, there have been numerous attempts to organize and unite; on the other hand, there is a sense of the lack of solidarity among NGOs divided into camps (interviews with NGOs\textsuperscript{146}).

The first Civic Forum that brought together NGOs, government officials, and international agencies took place in October 2003 in the President’s Palace in the City of Astana, chaired by the State Secretary. The President’s opening speech outlined the place of NGOs in the government agenda: as Kazakhstan entered a new phase of economic development, stability and social cohesion became a key condition for the development of a prosperous, democratic society; NGOs are viewed as a partner of the state in achieving shared goals. NGOs have a role to play in engaging in government projects, such as the development of rural areas, and in solving social issues, such as environmental protection, improvement of health care and education, housing management, alleviation of poverty, drug abuse and trafficking in humans. The Civic Forum became a regular bi-annual event, and NGOs have used it as a tool to communicate their

\textsuperscript{144} The Confederation of NGOs conducted first public hearing, become a member of the National Council under the President, played a lead role in lobbying for the state social contracting, and initiated the first Civic Forum in 2003 (interviews with NGOs; website of the Confederation of NGOs).

\textsuperscript{145} E.g., the Confederation of NGOs of the RK, the Forum of businessmen, the Assembly of peoples of Kazakhstan, the Youth Congress and others.

\textsuperscript{146} For instance, the survey conducted by the Civic Alliance (2009) found that two most often named problems of NGOs were the lack of competent employees and the fragmentation of NGOs [razobshennost] (Civic Alliance, 2009).
concerns and proposals to the state and to monitor the state’s fulfillment of its promises to NGOs.

**Funding of NGOs**

Despite the apparent political will to fund NGOs, it took considerable time to develop a legal mechanism for the state funding of NGOs within the existing legal framework\(^{147}\). A major institutional obstacle was the provision of the Constitution prohibiting state financing of societal associations (it was removed in 2007). The existing Law on State Procurement (2002) had no provision for the procurement of social services, and the responsible agency (i.e., the Agency on State Procurement) was not willing to make any changes to this law (Ovcharenko, 2006). The state and NGOs lacked experience on state-non-state cooperation in the new economic and political environment and sought international experience and expert advice\(^{148}\). The Law on State Social Contracting adopted in 2005 was a compromise. A short document with multiple references to the Law on State Procurement, it can be seen as a supplement provision for the government funding of NGOs activities. The Law on State Social Contracting (Article 1) defines NGOs as nonprofit voluntary organizations established for achieving certain objectives (with the exception of political parties and religious associations)\(^{149}\). The Law on State Social Contracting also outlines the types of NGOs’ programs, projects, and activities that can be funded under this mechanism\(^{150}\).

The Law on State Social Contracting gave NGOs access to government funding, and over several years the size of public resources transmitted to NGOs has significantly increased (Table 19).

\(^{147}\) The state funding of NGOs as a government strategy outlined in the President’s Address in 2000, but the Law on State Social Contracting was adopted only five years later, in 2005.

\(^{148}\) ICNL, a USAID-funded US NGO, played a major role in consulting government and NGOs on the legal issues of state-NGO cooperation.

\(^{149}\) This definition has no reference to socially useful activities.

\(^{150}\) E.g., education, science, information, sport, health care, environmental protection, support to youth policy and children’s initiatives, demographic issues, gender issues, support to vulnerable populations, support of children without parents, children in single-parent and big families, employment assistance, art and culture, history and heritage, protection of rights and lawful interests, social accord, and others (Article 5).
Table 19 Funding allocated to NGOs under the State Social Contracting in Kazakhstan in 2006-2011 (in million KZT, 150 KZT=$US1)

<table>
<thead>
<tr>
<th></th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>Funds</td>
<td>59.7</td>
<td>317.7</td>
<td>453</td>
<td>891</td>
<td>1,231</td>
<td>2,500</td>
<td>3,000</td>
<td>4,700</td>
</tr>
</tbody>
</table>


State social contracts have been awarded at the national level by central government agencies and at the regional level by territorial (oblast [province] and city) administrations [akimats]. At the national level, state social contracts are distributed by five ministries—MoCI, MoESc, MoH, MoLSP, MoJ, Ministry of Agriculture, and two agencies--Agency on Sport and Physical Culture and Agency on Religious Affairs. Because of the MoCI’s lead role and its responsibility for the national policy on NGOs, the themes for state bids were heavily influenced by the agency’s jurisdiction, which includes media, information, culture, languages, inter-ethnic relations. Therefore, a substantial share of topics for state social contracting has been dedicated to awareness raising and propaganda, as opposed to social services. However, as the engagement of other ministries in managing state social contracting grows, the structure of state funding of NGOs’ activities changes as well.

The Law on State Social Contracting was a major breakthrough in state-NGO relationships. However, the use of the social contracting mechanism for financing NGOs’ activities has been marked by multiple hindrances with the implementation of this Law. In his analysis of the first

151 From 2003-through 2010, the MoCI played the lead role in funding of NGOs, and in 2010 the Ministry allocated 81% of all national-level funding. Of all national-level funding from 2003 through 2011, the share of funds allocated by the MoCI made up 50%, followed by the MoESc (25%), MoH (13%), MoLSP (10%), while other ministries and agencies allocated the rest (MoCI, 2012).

152 According to the annual report of the MoCI for 2012, “Through the state social contracting [the following organizations] are funded: all republican creative unions, the Fund of the Assembly of the peoples of Kazakhstan, the World Association of Kazakhs, the Association of the President’s Scholarship Program “Bolashak” Graduates, Association of Business Women, the Congress of Kazakhstan, and other women’s and youth NGOs. In 2012, 50 NGOs realized 55 projects on 345 million KZT. The absolute majority of them were directed to the broad awareness raising and mobilization of all society for the realization of the Strategy of the country’s development until 2020, annual Addresses of the Head of the state [the President of RK], [and] the priorities [declared in] the article by the President “Social modernization of Kazakhstan: twenty steps toward the Society of labour for all”.

153 In 2012, the share of the MoCI decreased and made up 19%, as the shares of other Ministries increased to 31% for the MoESc, 27% for the MoH, and 20% for the MoLSP (MoCI, 2012).
two years of the implementation of this Law, Ovcharenko (2006) divided obstacles to accessing funds into two categories: (a) flaws in the design of the Law and (b) flawed or corrupted practices of the implementation of the Law. The design flaws stem from the fact that rules developed for social procurement were a poor fit for contracting NGOs’ social services. For instance, state procurement relies on the open tender procedure. The administration of the tender is associated with significant costs, which are disproportionate, considering that funds allocated to NGOs are relatively small. Second, the state procurement procedure requires multiple competing providers, but the number of NGOs in certain areas of specialization in a given region is limited. Third, decisions to award state contracts are made based on the lowest price, neglecting applicants’ experience and expertise in service provision (interviews with NGOs, TOs). Further, state funds are given in two parts: advance payment and reimbursement upon the submission of the report. Therefore, NGOs that receive state contracts are expected to invest their own resources, a condition that puts financial pressure on nonprofit organizations that live ‘from project to project’. Next, similarly to state procurement contracts, funding received through state social contracting was initially treated as taxable commercial income, leading to tensions with tax authorities for NGOs. Another issue was the timing: a short-term funding impedes NGOs’ capacity to provide social services. Also, similarly to foreign funding policies, state social contract impose restrictions on certain types of expenses (e.g., limits of the share of the budget that can be spent on salaries, purchase of equipment, office rent, equipment, utilities, and staff development). Furthermore, requests for bids were developed by state authorities with little consultation with NGOs and communities or any kind of assessment of needs of communities (interviews with NGOs, TOs).

The second category of obstacles to accessing state funds for NGOs is linked to the lack of transparency and corruption practices in the process of the implementation of the Law on state funds.

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154 According to the MoCI, in 2012, 50 NGOs realized 55 projects on 345 million KZT. The estimated average funding per project is 6.27 million KZT (equivalent of USD$41,800).

155 This requirement was changed in 2007, and according to the Tax Code, state social contracting funding is exempted from the VAT and the Corporate Income Tax (USAID NGO SI, 2007).

156 The average budget for a single state social contract with an NGO is 2-4 million KZT (US$12,000-25,000), and the duration of the contract in one year (in reality, the duration of a contract is several months, depending on the time the contract is issued and the time the NGO report is due.)
social contracting (Civic Alliance, 2009; Ovcharenko, 2006; USAID NGO SI, 1997-2011). For instance, some NGOs claim that they encountered requests for kickbacks from state officials or were asked to subcontract a certain government-controlled company. A common (informal) complaint was a lack of transparency and unclear criteria in awarding state social contracts, when a contract was given to an unknown NGO, a government-organized NGO, or a fake NGO created to channel government funds (Civic Alliance, 2009; interviews with NGOs, TOs). NGOs also experienced situations when rules were changed overnight and their application was rejected based on a technicality or a vague reason. These obstacles have impeded NGOs’ access to public funding and become a source of NGOs’ distrust toward the state. Some NGOs refuse to even consider applying; others have been discouraged after they have experienced what they perceive as flawed or corrupt practices interviews with NGOs, TOs).

As a result, the state social contracting has not produced the results that were expected: NGOs have not received reliable source of funding for the provision of social services, while the state has not been able to end NGOs’ reliance on foreign funding and build genuine state-NGO partnership. Since the introduction of the Law on State social contracting, NGOs and INGOs have been advocating for amending state social contracting procedures. They call for transparency and public involvement in the process of developing requests for bids, for the use of funds to support social services rather than events or propaganda, and for the public involvement in the monitoring of NGOs’ activities under state social contracts (Civic Alliance, 2009). Recognizing the limitations of the state social contracting, NGOs advocate for the development of different state funding channels not based on competitive tendering, such as grants as less restrictive forms of support and subsidies for institutional development (rent, equipment, staff training, NGOs networking) (interviews with TOs, NGOs; Nee, 2003).

**Tax privileges and alternative funding for NGOs**

Tax privileges for NGOs as recognition of their role and contribution to the society have been an issue for advocacy and negotiation for two decades of the country’s independence. An intersecting area of the national legislative work included the promotion of legal mechanisms to support charitable donations of individuals and organizations, such as tax preferences and deductions for charitable donations from businesses and individuals. The development of the regulatory framework in this area has been tumultuous: NGOs were given some privileges one
year, the following year these or other privileges would be withdrawn\textsuperscript{157}. Nevertheless, over time, NGOs in Kazakhstan have succeeded in getting substantial tax benefits from the state. According to the current Kazakhstan’s Tax Code, NGOs are exempted from corporate income tax on income that came from the state social contract, grants (funding/assets transferred by an international organizations), charity and sponsorship (funding/assets provided by national for-profit and nonprofit organizations and individuals), and assets given for free (the Tax Code of the RK, Article 124&125). NGOs are also exempted from the Value Added Tax (VAT), including VAT on imported goods, of social tax and also enjoy lower (one tenth of the basic fee) fees on assets and land ownership. Support for NGOs (sponsorship and charity) has also been recognised in the national legislation. For-profit organizations and individuals are eligible for up to 3\% of their income given to sponsorship and charity deducted from their taxable income (Article 133 of the Tax Code, 2008; ICNL, 2009). These developments resulted from the advocacy work of NGOs and TOs but also indicate the state’s efforts to facilitate funding of NGOs from private sources.

\textit{Development of NGOs in the 2000s}

The development of the NGO sector in the 2000s was influenced by the economic recovery. Educated and skilled individuals were leaving NGOs for for-profit firms or state agencies. Also, several NGOs that acquired expertise in generic areas of organizational management and research turned into business enterprises that provide training and consultancy services to Kazakhstani firms (interviews with TOs, NGOs). The short life-span of NGOs and the flow of people from the NGO sector reduced their ability to retain knowledge and expertise. There have been NGOs that accumulated expertise in certain policy areas and have become experts whose contribution has been sought by international experts and state authorities, but such NGOs are not numerous.

The number of registered NGOs registered with the MoJ showed a steady growth in the 2000s (Table 20). However, the estimated number of active NGOs from 2000 to 2012 was stagnant: according to experts’ rough estimates, approximately 1,000 NGOs were actually operating in a given year (USAID NGO SI, 2000-2012). Moreover, other experts give even smaller numbers

\textsuperscript{157} The USAID annual NGO sustainability reports, which track changes in the respective legislation, depict these somewhat chaotic developments.
of working NGOs: around 20-30 NGOs in each sector and not more than 200 of NGOs that have permanent staff, ongoing projects, and different sources of funding (USAID NGO SI, 2009, 2010; Interviews with NGOs and TOs). These figures point out the short span lives of NGOs and the volatility of the sector in general.¹⁵⁸

Table 20 Number of non-state non-commercial organizations registered in Kazakhstan

<table>
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<tr>
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<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Societal associations</td>
<td>4,763</td>
<td>5,233</td>
<td>5,820</td>
<td>6,697</td>
<td>7,204</td>
<td>8,034</td>
<td>8,134</td>
</tr>
<tr>
<td>Foundations</td>
<td>2,690</td>
<td>3,035</td>
<td>3,340</td>
<td>3,841</td>
<td>4,204</td>
<td>4,751</td>
<td>4,831</td>
</tr>
<tr>
<td>Unions (associations of legal entities)</td>
<td>949</td>
<td>1,005</td>
<td>1,072</td>
<td>1,161</td>
<td>1,210</td>
<td>1,324</td>
<td>1,288</td>
</tr>
</tbody>
</table>


In the 2000s, NGOs continued to engage in a variety of social and political areas (Table 21). While it is difficult to draw any conclusion about a change in NGOs’ focus over time for reasons discussed earlier in this chapter, some NGO experts noted that NGO involvement with political issues such as elections, freedom of speech and human rights has decreased in the late 2000s because foreign aid has reduced, while state funding was made available only for socially-oriented NGOs (Interviews with TOs). The forms of NGOs’ work include conferences, round tables, discussions, training workshops and seminars, public events, sociological surveys, and social service provision (Civic Alliance, 2009).

Table 21 Breakdown of NGOs by the central theme/area of work in 2009 (N=271).

<table>
<thead>
<tr>
<th>Theme/target group/area</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>youth</td>
<td>43.9</td>
</tr>
<tr>
<td>children</td>
<td>24.5</td>
</tr>
<tr>
<td>health and healthy life style</td>
<td>21.2</td>
</tr>
</tbody>
</table>

¹⁵⁸ The survey on NGOs conducted in 2009 by the Civic Alliance found that, approximately, half of NGOs that participated in the study have been working for less than five years, one fourth of NGOs were 6 to 9 year old, and about one fifth was established in the late 1990s (Civic Alliance, 2009).
family and women  
education  
people with special needs  
right protection, legal assistance  
low-income, the homeless  
gender issues  
environmental protection  
the elderly  
art and culture  
Other  

<table>
<thead>
<tr>
<th>Topic</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>family and women</td>
<td>20.4</td>
</tr>
<tr>
<td>education</td>
<td>16</td>
</tr>
<tr>
<td>people with special needs</td>
<td>16</td>
</tr>
<tr>
<td>right protection, legal assistance</td>
<td>11.9</td>
</tr>
<tr>
<td>low-income, the homeless</td>
<td>10.4</td>
</tr>
<tr>
<td>gender issues</td>
<td>10.4</td>
</tr>
<tr>
<td>environmental protection</td>
<td>9.7</td>
</tr>
<tr>
<td>the elderly</td>
<td>6.7</td>
</tr>
<tr>
<td>art and culture</td>
<td>6.3</td>
</tr>
<tr>
<td>Other</td>
<td>19.0</td>
</tr>
</tbody>
</table>

Source: Civic Alliance (2009).

NGOs in Kazakhstan tend to be smaller in size with predominantly female staff. Most NGO are dominated by a strong leader, typically, a woman. While the law requires that NGOs have a board of directors/trustees, few NGOs have viable, working boards of directors, with the exception of NGOs established by TOs (Interviews with NGOs, TOs). NGO experts pointed to the lack of knowledge about NGOs among the general public and weak ties between NGOs and communities (Civic Alliance, 2009). Geographically, NGOs have been distributed unevenly, concentrating in cities and selected provinces. Throughout the 2000s, struggling to secure resources necessary for their activities, NGOs were able to reach out to diverse constituencies and diversify their resources (Table 22). However, such diversity did not translate into a secure, reliable flow of resources. One of the biggest challenges for NGOs was keeping their offices and facilities necessary for service provision in the conditions of rising real estate prices because neither TOs, nor the state provided funding to cover these costs (interviews with TOs, NGOs).

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159 Of 271 NGOs participating in the Civic Alliance’s NGO survey in 2009, 38% of NGOs had only 1-3 permanent staff, and 37% of NGOs reported having 4-10 employees. Only 5.5% of NGOs had more than 10 workers (Civic Alliance, 2009).

160 In 2009, the city of Almaty had 32% of all NGOs, South Kazakhstan and Karaganda oblast - 8% of NGOs, Eastern-Kazakhstan oblast - 7%, Astana - 5%, and other provinces from 2 to 5% (Civic Alliance, 2011).
Table 22 Sources of funding for NGOs, 2009 (N=271)

<table>
<thead>
<tr>
<th>Source of funding</th>
<th>Percentage of respondents who selected this option*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Government bodies</td>
<td>35%</td>
</tr>
<tr>
<td>International organizations</td>
<td>34%</td>
</tr>
<tr>
<td>Provincial (oblast) state authorities</td>
<td>34%</td>
</tr>
<tr>
<td>Municipal/district (rayon) state authorities</td>
<td>21%</td>
</tr>
<tr>
<td>Private enterprises, individuals</td>
<td>19%</td>
</tr>
<tr>
<td>National state authorities</td>
<td>13%</td>
</tr>
<tr>
<td>Other national NGOs</td>
<td>12%</td>
</tr>
<tr>
<td>International firms</td>
<td>9%</td>
</tr>
</tbody>
</table>

*Respondents were asked to check as many options as apply to their NGOs.

Source: Civic Alliance (2009).

The USAID’s annual NGO Sustainability Reports provide a series of snapshots of the development of the NGO sector in post-socialist/post-Soviet states from 1998 till present (since 2011, named as Civil Society Sustainability reports). Developed by the USAID, the NGO/Civil Society sustainability index (NGO SI/CSSI) is a multidimensional instrument used to measure the strength of the NGO sector in seven areas: legal environment (i.e., enabling or restrictive NGO regulations); organizational capacity (organizational management, human resource, adherence to one’s mission); financial viability (i.e., access to resources); advocacy (i.e., NGOs’ capacity to influence public policy); service provision (i.e., provision of social services to target populations); infrastructure (i.e., access to NGO support services); and public image (general public attitudes toward NGOs and media coverage)\(^{161}\). The assessment is done by national and international NGO experts based in the country. The CSSI/NGOSI scores range from 1 (the highest) to 7 (the lowest), including the Sustainability Enhanced (1-3); Sustainability Evolving

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\(^{161}\) The NGO sector is assessed for each dimension on a scale from 1 to 7 (1=advanced NGO sector, 2=strong NGO sector; 3=NGO sector starting to mature; 4=uneven progress; 5=NGO progress hampered; 6=little progress; and 7=no reform as compared to the Soviet era).
(4-6), and Sustainability Impeded (7-9). As shown in the Table 23, the CS SI/NGO SI for Kazakhstan slightly improved by the early 2000s and has been stagnant since.

Table 23 The dynamic of the Civil Society/NGO Sustainability Index (CSSI/NGO SI) and its dimensions in Kazakhstan, 1998-2011

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</tr>
</thead>
<tbody>
<tr>
<td>CSSI/NGOSI</td>
<td>4.4</td>
<td>4.8</td>
<td>4.7</td>
<td>4.3</td>
<td>4.1</td>
<td>3.9</td>
<td>4.1</td>
<td>4.1</td>
<td>4.0</td>
<td>4.0</td>
<td>4.0</td>
<td>4.0</td>
<td>4.0</td>
<td>4.1</td>
</tr>
<tr>
<td>Legal environment</td>
<td>4.9</td>
<td>5.0</td>
<td>4.5</td>
<td>4.5</td>
<td>4.2</td>
<td>4.0</td>
<td>4.2</td>
<td>4.2</td>
<td>3.9</td>
<td>3.9</td>
<td>3.8</td>
<td>3.8</td>
<td>3.9</td>
<td></td>
</tr>
<tr>
<td>Organization capacity</td>
<td>4.0</td>
<td>4.5</td>
<td>5.0</td>
<td>4.2</td>
<td>4.0</td>
<td>3.8</td>
<td>3.8</td>
<td>4.1</td>
<td>4.1</td>
<td>4.1</td>
<td>4.1</td>
<td>4.1</td>
<td>4.2</td>
<td></td>
</tr>
<tr>
<td>Financial viability</td>
<td>4.4</td>
<td>5.5</td>
<td>5.5</td>
<td>5.0</td>
<td>4.8</td>
<td>4.7</td>
<td>5.0</td>
<td>4.9</td>
<td>4.8</td>
<td>4.6</td>
<td>4.6</td>
<td>4.6</td>
<td>4.6</td>
<td>4.6</td>
</tr>
<tr>
<td>Advocacy</td>
<td>4.5</td>
<td>4.5</td>
<td>4.5</td>
<td>4.3</td>
<td>4.0</td>
<td>3.6</td>
<td>3.6</td>
<td>3.8</td>
<td>3.8</td>
<td>3.7</td>
<td>3.8</td>
<td>3.9</td>
<td>3.9</td>
<td>3.9</td>
</tr>
<tr>
<td>Service provision</td>
<td>n/a</td>
<td>4.5</td>
<td>4.7</td>
<td>4.0</td>
<td>4.0</td>
<td>3.9</td>
<td>4.1</td>
<td>4.0</td>
<td>4.0</td>
<td>4.0</td>
<td>4.0</td>
<td>4.0</td>
<td>4.0</td>
<td>4.0</td>
</tr>
<tr>
<td>Infrastructure</td>
<td>n/a</td>
<td>5.0</td>
<td>4.5</td>
<td>4.1</td>
<td>3.9</td>
<td>3.6</td>
<td>3.6</td>
<td>3.5</td>
<td>3.6</td>
<td>3.7</td>
<td>3.7</td>
<td>3.7</td>
<td>3.7</td>
<td>3.7</td>
</tr>
<tr>
<td>Public image</td>
<td>4.0</td>
<td>4.5</td>
<td>4.5</td>
<td>4.1</td>
<td>3.9</td>
<td>3.9</td>
<td>4.2</td>
<td>4.2</td>
<td>4.2</td>
<td>4.1</td>
<td>4.1</td>
<td>4.1</td>
<td>4.1</td>
<td>4.1</td>
</tr>
</tbody>
</table>

Source: USAID NGO SI, 1998-2011

4.4 Summary

In this chapter, I have traced the evolution of the relationships between the state and non-state organizations in the Soviet Union and post-Soviet Kazakhstan focusing on the shifting legal/regulatory environment concerning non-state organizations as well as policy implications for non-state organizations. This historical analysis identified several shifts in the state relations with non-state organizations within the wider economic and sociopolitical environment. The main argument this chapter has developed is that at the core of the ambivalence in the state relationship with non-state actors has been the question of what kind of actors NGOs are--political or social, and that this question has been dealt with in the national institutional environment throughout the history of the Soviet Union and post-Soviet Kazakhstan. The social-political paradigms were used to constantly re-negotiate state-NGOs relationships marked by historically contingent social and political agendas.
The chapter began with the overview of historical accounts of non-state organizations in the Soviet Union, drawn upon Russian-language scholarly sources. The historical analysis showed how incremental changes in the institutional environment had shaped the Soviet societal organization as a distinct type of a non-state organization that over time had become deeply integrated in the Soviet political and social system. During late socialism, Soviet societal organizations were dual in nature: they played a political role as a proof of mass political support to the Soviet state’s international agenda, while on the domestic stage Soviet societal organizations were apolitical organizations that performed various social functions assigned by the state. Soviet societal organizations were so embedded in the Soviet sociopolitical system that many of them did not survive the collapse of the Soviet Union\textsuperscript{162}. However, the historical analysis of Soviet societal organizations provides a frame of reference for the analysis of state relations with NGOs in post-Soviet Kazakhstan. Specifically, two features of state-NGOs’ relationships were used as guiding threads: the shifting boundaries between the state and NGOs and the interplay between the social and the political dimension of NGOs.

The post-Soviet period of the state-NGOs’ relationships can be divided into two distinct phases: the phase of the state’s distancing from newborn NGOs (1991-2000) when NGOs had few restrictions imposed on them but also little support from the state, and the phase of the state and NGOs’ integration (2001-2012), when the state introduced measures leading to greater control over NGOs’ activities but also access to public resources and to the policy process. The shift in the state-NGOs relationships was accompanied by another attempt to re-define NGOs and their role in the society (Table 24).

During the first post-Soviet decade of the dismantling of the Soviet political system, the legal and institutional environment opened the way to the formation of NGOs among other voluntary associations independent of the state. The state approach toward NGOs in the 1990s can be illustrated by the legal provision declaring that “the state does not interfere with societal associations’ affairs and societal associations do not interfere with the state’s affairs” (the Law on Public Associations, 1991). Framed as an expression of citizens’ right to voluntary

\textsuperscript{162} Without the enforcement of the state, societal organizations that claimed thousands and millions of members simply disappeared.
NGOs were included in the umbrella category of societal associations along with political parties, trade unions, and other non-commercial associations. Therefore, NGOs were defined as political actors among others on the country’s changing political landscape.

The withdrawal of the state from engagement with NGOs had three major implications for the development of NGOs in the 1990s: few restrictions on forming an association and choosing an area of work; the shortage of tangible institutional support for newborn NGOs; and the lack of institutional mechanisms for NGOs to influence government policies. The separation of the state from non-state associations had a profound effect on NGOs’ access to resources, as the early post-Soviet national legislation prohibited the state funding of NGOs and offered no incentives to national actors to engage in charitable activities. However, regulations were put in place to facilitate the flow of foreign funding to NGOs, effectively making TOs the primary providers of resources for national NGOs. The idea of the state-NGO partnership was introduced in the mid-1990s by TOs, who advocated for the recognition of NGOs by the state and the public funding of NGOs, and fledging NGOs promoted the idea; however, the state did not adopt this approach in the 1990s.

During the second decade of the country’s independence (2000-2012), the state political agenda shifted toward the consolidation of various political and social actors. The new official discourse placed an emphasis on social accord, conflict-prevention, and addressing social issues as the means of alleviating social tensions. Within this framework, NGOs gained recognition as important actors who represent interests of various social groups, address social issues, and can be partners of the state in building a stable, cohesive society. Therefore, NGOs were re-framed as social actors whose role in the society is to alleviate social issues, provide social services, and assist in maintaining social order.

Adopted in the 2000s laws and regulations represent an attempt to re-frame NGOs as social actors and began to blur the boundaries between the state and NGOs. Specifically, the state began to finance NGOs’ activities through state social contracting; additional control measures over NGOs’ funding and activities were introduced; and the dialogue between NGOs and the state intensified through various mechanisms (e.g., councils, forums, alliances, consultation, working groups, and public hearings). Each of these measures appears to be a paradoxical amalgam of state control and support for NGOs, both enabling and restricting NGOs as policy
actors. For instance, while NGOs were given access to the state funding and to the policy process, this access has been largely controlled by government authorities. At the same time, as soon as institutional mechanisms have been introduced that recognize non-state actors as legitimate policy actors, NGOs have acquired an opportunity to influence the policy process and outcomes.

Several features of the shifting institutional environment and of the related policy process can be identified. First, the Soviet-era political system played an important role as a reference point for policy-making in the post-Soviet period of Kazakhstan. The drastic distancing of the state from non-state actors in the early 1990s was a reaction to the close integration between the Soviet state and societal organizations. This policy, however, ignored the political and socioeconomic reality and the needs of newborn NGOs (as well as other non-state associations) and had led to the NGOs’ reliance on foreign aid and TOs as one of unintended consequences.

Second, changes in the national institutional environment toward NGOs have been influenced and constrained by existing institutions, including those recently created. To illustrate, the adopted 1990s legislation, which separated the state from societal associations, was a reaction to the Soviet political system, but these laws became a major obstacle to the legal reform concerning NGOs in the 2000s. Another example, the state policies of the 1990s that emphasized the freedom of associations and openness to transnational involvement had brought new policy actors to the national policy stage, such as TOs and national NGOs. These organizations became the force of resistance when the state attempted to introduce more restrictive laws and regulations in the mid-2000s.

Third, state policies toward NGOs have been filtered through a complex web of government institutions that implement these policies and in this process, modify their outcomes. The analysis of the implementation of the Law on State Social Contracting has shown how multiple institutions—the MoCI, other central-level and territorial-level governments, their policies, and their practices influence the allocation of public funds to NGOs. Similarly, there has been a great variation in the NGOs’ engagement in the work of law drafting groups, councils, or other consultation groups. It appears that when formal institutions are underdeveloped or missing (e.g., the lack of regulations for NGOs’ involvement in policy consultation), the role of agency in the
policy process increases, as policy outcomes depend on informal/interpersonal relationships and individual actors’ capacity to navigate the system, build partnerships, and seize an opportunity.

Thus, the multiplicity of (trans)national policy actors with competing interests and agendas, the complexity of existing institutions with different jurisdictions, the coexisting multiple contradictory logics, as well as often invisible informal or corrupt practices together constituted institutional resistance that had a moderating effect on any change to the institutional environment introduced by policy actors. As a result, not only this policy process produced unintended policy outcomes but policy outcomes never seemed to be as intended.
Table 24 The national legal/regulatory environment and non-state organizations

<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>Relations between the state and non-state organizations</td>
<td>Societal organizations deeply integrated within the political system</td>
<td>Separation from the state: few restrictions; little institutional support; limited engagement in the policy process</td>
<td>Cooperation with the state: more restrictions; access to state funding; increased engagement in the policy process</td>
</tr>
<tr>
<td>How non-state organizations are defined: Political vs social actors</td>
<td>Political actors on the international scene, social actors on the domestic scene</td>
<td>Political actors as an expression of the right to associations</td>
<td>Social actors that represent social groups, solve social issues and contribute to social cohesion and stability</td>
</tr>
<tr>
<td>Goals of non-state organizations</td>
<td>Realigned with the objectives of the state</td>
<td>More NGOs had social orientation, but often framed in political terms to meet the requirements of donors (TOs)</td>
<td>More NGOs had social orientation</td>
</tr>
<tr>
<td>Organizational forms</td>
<td>Membership organizations</td>
<td>Professional organizations</td>
<td>Professional organizations</td>
</tr>
<tr>
<td>Main influence for non-state organizations</td>
<td>The Soviet state</td>
<td>TOs</td>
<td>The state and TOs</td>
</tr>
<tr>
<td>Funding of non-state organizations</td>
<td>The state and membership fees</td>
<td>TOs</td>
<td>The state, TOs, private donations</td>
</tr>
</tbody>
</table>
Chapter 5

National Child-Welfare NGOs: Becoming Policy Actors and Service Providers

This chapter focuses on the development of child-welfare NGOs in post-Soviet Kazakhstan. Child-welfare NGOs are conceptualized as a diverse group of organizational actors constrained and enabled by the (trans)national institutional environment, which comprises the national legal and regulatory context as well as policies and practices of transnational agencies working in Kazakhstan. This analysis looks into the common patterns as well as individual variation in organizational strategies developed by child-welfare NGOs in relation to their capacity to provide social services and play a role in the policy process. The chapter is organized in two parts, reflecting two distinct phases in the development of child-welfare NGOs in post-Soviet Kazakhstan. I will begin by depicting the emergence of the child-welfare NGOs during the first decade of the country’s independence (1991-the early 2000s), focusing on the main characteristics of child-welfare NGOs. During this period, child welfare was not the priority of the state or TOs; nevertheless, child-welfare NGOs formed as an emergency response to children’s needs were able to mobilise resources for their activities and provide support to their beneficiaries. The second section examines the development of child-welfare NGOs during the second decade of independence (the early 2000s-2012). This phase was characterized by the growing importance of child welfare policy both for the state agenda and TOs working in Kazakhstan, accompanied by the rise of NGOs as policy actors and service providers. However, in this overall favourable institutional environment, child-welfare NGOs faced barriers that affected their ability to play a prominent role in social service provision and policy reform. I will conclude this chapter with a summary of key findings and analytical points regarding child-welfare NGOs as social service providers and policy actors.

Defining child-welfare NGOs in Kazakhstan

In this study, child welfare is used as an umbrella term that includes various dimensions of children’s well-being, such as access to public resources, health, education, social services, care and supervision, protection from abuse and neglect, prevention, etc. Child-welfare NGOs is a heterogeneous category of non-state nonprofit organizations concerned with a range of social
issues (e.g., children deprived of family care, street children, children in poor neighborhoods, violence against children and women, migrants and refugees, etc.), targeting diverse groups of children and adults, working at different levels (i.e., community, region, and country), and employing various approaches (e.g., social services, research, advocacy, education, awareness raising).

Child-welfare NGOs as a category were not defined by formal membership/affiliation or a formal attribute (e.g., licensing, accreditation). The sample of child-welfare NGOs included national NGOs, founded and run by the residents of Kazakhstan, who recognize children as their primary population or one of their target populations. Several categories of NGOs were identified: NGOs whose primary target population were children (e.g., street children, children’s community centers, children in children’s institutions); NGOs whose target populations were children and women (e.g., crisis centres for women and children victims of domestic violence); and NGOs whose target populations included children as a subcategory (e.g., NGOs working with migrants, refugees, people with disabilities).

5.1 Child-Welfare NGOs as an Emergency Response in 1991-early 2000s

5.1.1 The Context

The formation of child-welfare NGOs in the early 1990 was linked to the early ‘transition’ reforms and the two concurrent and convergent developments. First, the political reforms allowed for forming voluntary societal associations with no or little state involvement (the Law on Societal Associations, 1991; 1996). Second, the economic restructuring and the ‘transition’ crisis affected all sectors of economy and all Soviet enterprises, while cuts in public expenditures hit publicly funded sectors such as education, child care, health care and the arts. These structural factors eroded the welfare of the majority of people and forced many educated individuals to look for new occupations and areas of work. Child-welfare NGOs founded in the early 1990s-early 2000s were a grass-root response to an increased vulnerability of families and children due

\[\text{There was also a temporary dimension in NGOs’ engagement with children’s welfare: for example, some NGOs began to work with a different population, often women, and later included children in their scope of interests because they found that women’s and children’s issues often intersect.}\]
to economic hardships and the withdrawal of state support, complemented by educated persons seeking new forms of occupation.

5.1.2 People

Similarly to all other NGOs in Kazakhstan, child-welfare NGOs were often started by urban, middle-age, educated and Russian-speaking women\textsuperscript{164} of diverse ethnic backgrounds (e.g., Kazakhs, Russians, other ethnicities). They were professionals who had years of work experience (e.g., teachers, journalists, artists, doctors, psychologists) whose concerns for children grew from their professional or personal/parental experiences.

This is how the story of the formation of the Association of Parents of Children with Disabilities (ARDI) is told by its founder and leader, Assiya Akhtanova.

What pushed me [to form an NGO] was that my second son […] was born […] and before he reached one year, [he was] diagnosed with [medical condition]. Then [we went through] hospitals, [went to] Moscow [health care facilities], wherever possible, [and] I met parents like myself and understood that this problem was widespread and that we ourselves have to search, access some information. There was the Lenin’s Children’s Fund then, and they brought together a group of parents, and then we realized that we could do little within the Children’s Fund. And then a group of parents, ten people, we united and in December 1991 we opened [an NGO]. It was the first organization for children with disabilities in Kazakhstan (Interview with Ms. Akhtanova, August 28, 2012).

Most of these individuals in the 1990s found themselves either unemployed or underemployed and open to new opportunities; they saw NGO work as an opportunity to support others and themselves. This is a story of the early years of the Women’s League of Creative Initiative (WLCI), an organization which began as a women’s support organization and in 2000 became engaged in child welfare issues:

We, our organization [began] in 1994. We gathered women-artists, musicians, journalists, at the time when the [Soviet] Union collapsed, and clearly all [people] lost their jobs, and we [who worked in] culture [creative fields] which no one needed [at that time]. People had to eat something, [so] we tried to support women, to support culture, in order not to get lost. We organized exhibits, worked with women, conducted events [in the area of]

\textsuperscript{164} Higher education in the Soviet Union was provided predominantly in Russian, and advanced education was associated with fluency in Russian for all ethnic groups.
ecology, culture, visited various places, explained some simple things to women. Why women? Because we thought that it was the most vulnerable category at that time, so we invented ways to protect [them] from poverty, for example, [by promoting] craftsmanship, [we organized] Central Asian [craft] fairs […], taught English, conducted various trainings.” (Interview with Ms. Khayrullina, Head of WLCI, July 2, 2012).

Most NGO leaders were not professionals securely employed within the children welfare system at the time when they started an NGO. Their being outsiders in relation to the child welfare system may explain to some degree their thinking of the system and the positions they were taking in the policy reform. One notable exception provides a good illustration to this point.

The Kenes Centre was registered in […] 1992. It was created from the start to protect the rights of children with severe psycho-neurological disorders. Because at that moment no social services, especially, comprehensive services, were provided, with the exception of state [residential] institutions—at the time they were closed-type institutions, and for children with less severe mental retardation [there were] assisting schools. Before the centre, I had worked in an assisting school for seven years. And the tendency of the administration and of the entire teaching collective was to expel unwanted children. For instance, a child has an attention disorder—expelled, personality issues—expelled […], and I was not satisfied with such a position […]. I organized an orchestra, and all teachers [would say], ‘Do you have nothing [else] to do? [If you work like this], they will force us to work like you, and what is the point in working with morons?’ And when I was forced to write characteristics for children to be expelled, then I founded this centre. I couldn’t, just couldn’t [do this] and I couldn’t say anything openly. I had this [sense of] resistance inside me, and I quit. (Interview with Mayra Suleeva, Head of the Kenes Centre, August 5, 2012).

Interestingly, some of NGO organizers in the 1990s had been also activists in the Soviet societal organizations, such as Komsomol (the Communist Union of Youth), the Communist party, and Soviet trade unions, and participated in social organizing (communities, groups, organizations). It seems that having experience in Soviet societal organizations made it easier to start an NGO in the post-Soviet period. As one of interviewees said, “Considering my past experience in Komsomol and in teaching, I said to myself, ‘Why not? Why not create an organization which will address some social problems and we will solve them through organizing out activities?’”

The national legislation prescribes that a group of no less than ten people get together to register an NGO; an NGO is also required to have a governing body set up. In reality, however, most NGOs, including child welfare NGOs are led and run by a strong leader who is supported by staff that has expertise in various technical/programmatic areas. In most NGOs, it is the leader, or the executive, who makes major management, political, financial, and staff decisions for the
organization (interviews with TOs; USAID NGO SI, 1998-2011). Typically, the leader is a permanent figure and the most visible person in the organization. NGOs have been known by the name of their leader, and NGOs are as known and respected as their leader is. Well-known and reputable children’s NGOs have leaders who can be described as charismatic, outgoing, open-minded, flexible, creative, and outside-the-box thinkers with outstanding communication and social skills.

5.1.3 Issues of Concern/Categories of Children

As in the 1990s, children were not at the centre of the agenda of the state or foreign aid agencies, child-welfare NGOs created in earlier years were grass-root initiatives, as opposed to NGOs influenced by donor or state agendas. Therefore, child-welfare NGOs were driven by the personal concerns for the well-being and needs of children.

There were different paths for incorporating children’s issues in NGOs’ agendas. Some NGOs were created out of concern for a certain category of children (e.g., ARDI, an association of parents of children with disabilities, or Childhood without Borders, an NGO concerned with street children). For other organizations, children were an integral part of a larger social group of concern (e.g., an NGO Namys worked on reforming policies concerning people with disabilities including children, or an NGO Rodnik worked as a shelter and service providers for migrants including children). An important feature of the NGO development in Kazakhstan was the link between women’s and children’s issues, and many NGOs combine the two categories of beneficiaries (e.g., women’s NGOs that include children’s issues are the Association of single mothers “Moldir”, the Union of families with many children, the Kazakhstan’s Association of women with disabilities with children, etc.). For instance, NGO-based crisis centers that

165 UNICEF, the major supranational agency in the area of child welfare, started working in Kazakhstan in 1992 but initially worked on a smaller scale. Also, similarly to other UN agencies, the primary partner for UNICEF was the government, not NGOs.

166 E.g., some categories of NGOs were formed or transformed under the direct influence of donors’ agendas, such as UNIFEM-supported crisis centres for women-victims of domestic violence. Another example, NGOs working in harm reduction/HIV/AIDS prevention (e.g., needles exchange) were driven by donors, such as OSI/Soros Foundation, UNAIDS.
provided support to women victims of domestic violence also viewed children as their natural target category because women who received support from these NGOs often had children\(^\text{167}\).

The issues of concern for NGOs can be divided into several categories in relation to the Soviet past. First, there were issues inherited from the Soviet past that include social problems that had been recognized as an issue and had been addressed by the Soviet welfare institutions but aggravated when the Soviet welfare provision was withdrawn or cut (e.g., issues of children with disabilities, children deprived of family care). Next, some children’s issues had existed in the Soviet Union but had not been acknowledged and addressed as part of the denial of social issues in the official discourse (e.g., violence against children, children’s suicide). NGOs started naming these issues and working with these groups. Next, certain conditions did exist but were not seen as an issue in the Soviet era and with the introduction of international norms were recognized as concerning problems (e.g., provision of care for children predominantly in children’s institutions). Finally, the economic restructuring and the crisis along with the cuts in public welfare led to increasing poverty and a spike in social problems, such as street children, children deprived of family care, migrant children and child refugees, child trafficking, and child labour.

5.1.4 Defining & Framing the Issue

The framing of children issues/concerns in the missions of child-welfare NGOs was a reflection of the work of NGOs as emerging organizations with fluid identities. First, NGO missions were defined in broad, general terms. For instance, the mission of an NGO that was concerned about street children was defined as “the psycho-social, correctional-rehabilitative adaptation of children and youth who have been experiencing a critical life situation [and] the creation of the system of survival and preparing to future life as an adult”. Another NGO mission was ‘to provide help to children with special needs.” The lack of specificity in NGO missions can be attributed to two factors (apart from mission statements being broad as a ‘genre’). First, NGOs were new organizations that at the early stage of development were in the process of exploring

\(^{167}\) E.g., the mission of a women’s crisis center reads, ‘the creation of conditions for the formation of non-violent practices in the society through the provision of help to women and children who suffered from violence, [including their] social and psychological rehabilitation and adaptation, the development of educational programs and the promotion of non-violence via media’.
areas/issues of interest (interviews with NGOs, TOs). Areas of work, problems, and populations were in the process of (re)defining, and the boundaries among them were (and continue to be) very fluid. Many NGOs would begin with one particular concern but in the process of addressing it, they would discover a related problem which had to be addressed (NGO organizational and project documents). Second, broadly defined missions of NGOs reflect the realization that certain issues/areas of NGO work are or should be interconnected. Therefore, broad missions of NGOs indicate the fluidity of their work underneath the goal statements. Third, NGOs in the 1990s operated in the institutional environment shaped by multiple and diverse TOs, the context that felt both unpredictable and full of opportunities, and having a broadly defined mission increased their chances to accommodate multiple donor requirements in order to access foreign funding (interviews with TOs). This feature of NGOs in Kazakhstan has been mentioned most often in the related literature (USAID NGO SI, 1998-2011) as their major weakness referred to as “donor-driven” NGOs or “donor-dependence” of NGOs.

In the early 2000s, the main source of funding for child-welfare NGOs continued to be TOs whose primary goal was to support civil society, democracy, and human rights as opposed to specialized TOs concerned with child welfare. In this environment, child-welfare NGOs accessed grants of TOs, often adopting human rights, civil society, gender equality frameworks to frame their activities and legitimate their claims. In other words, NGOs used the political language of protection of human (women’s and children’s) rights to design and implement social programs/projects addressing the needs of families and children. Several NGO mission statements illustrate the use of a political language for framing their issues of concern:

To create conditions for the promotion of democratic reforms and the development of a comprehensive system of protection of the rights of women and children in Kazakhstan by supporting the joint effort and cooperation between the state and the civil society.

To shape the culture of gender relations in society and support self-realization by undertaking women’s initiatives, strengthening marriage and family through the provision of psychological, social, legal and informational support.

The protection of civil rights and human interests of children and youth with [the name of a medical condition] (NGOs’ program documents).

The “new” language of rights was often intertwined with the “old” language of social protection, in the missions of child-welfare NGO. The mission of the NGO Namys is “the protection of rights and interests of the disabled in the Republic of Kazakhstan, creation of conditions to
ensure equal opportunities for the disabled and their full integration in the society, as well as assistance with accessing higher education and continuing education for the disabled”. The mission of the Kenes Centre is “to create positive climate in the society for special kids and to provide a comprehensive approach to their upbringing and education, as well as the comprehensive protection of their rights” (NGOs’ program documents).

The language used to frame the issue of concern as reflected in NGOs’ missions indicates the multiplicity of competing and discordant discourses in the institutional environment surrounding NGOs. On one hand, NGOs employed Soviet-era discourses of social protection provided by the benefactor welfare state rooted in the Soviet social protection paradigm (welfare provided by the benevolent state/society). On the other hand, NGOs’ missions referred to the newly adopted human rights discourse (welfare as a right of individuals/groups to be demanded). Thus, NGOs worked within and produced hybrids of the two different discourses: rights are protected rather than demanded.

Whereas the “social protection” (or welfare) discourse reflected the worldviews of NGO organizers shaped in the Soviet past, the rights discourse was one of new discourses that were associated with the influx of TOs in post-Soviet Kazakhstan. In the 1990s, TOs, which played a major role in shaping NGOs in Kazakhstan by transferring funds and ideas, emphasized the political reform and viewed NGOs as an expression of the civil society emerging on the remnants of the totalitarian state. Accordingly, the priority for foreign aid were narrowly defined ‘advocacy’ NGOs, such as NGOs advocating against the violation of human rights, NGOs working on electoral reform, environmental NGOs, NGOs working with independent media, etc. Not surprisingly, NGOs concerned with child welfare employed human rights frameworks to frame their activities and legitimize their claims, and the UN Convention on the Rights of the Child (CRC) was the primary legal document they used. Since the CRC is a comprehensive document which comprises a range of children’s issues, it enabled NGOs to apply it to any children population/concern/activity. Making a reference to the CRC enabled NGOs to make a legitimate claim by connecting it to the national government agenda of joining the global community and to the transnational agenda of reforming the political system in a post-totalitarian society.
5.1.5 Resources

The funding environment for NGOs in the 1990s was unpredictable and fragmented. Child-welfare NGOs were formed as voluntary groups that for some time (a year or more, a few months) ran on their own resources and voluntary work, until they obtained some external funding. NGOs’ external resources included charity provided by private companies (national and transnational firms, banks, and business associations) and foreign aid provided by TOs. In the early 1990s, a large share of resources was made up by humanitarian assistance from abroad. As one of NGO leaders tells, “[in the early 1990s], they sent us sacks and tons [of stuff] from abroad, all this second hand [stuff], food, medications, wheel chairs, at that time it was all needed, when there was nothing [available]. And we distributed, disseminated [the humanitarian aid] […]. But we thought that it was not sufficient, we always wanted to open our own centre [for children with disabilities]” (Interview with Ms. J., Head of an NGO community-based centre for children with special needs, August 28, 2012). NGOs reached out to newborn national firms and banks, which provided in-kind and cash assistance168. This support was not institutionalized and depended on the NGOs’ ability to connect and convince companies’ executives or business owners.

Much of foreign aid transferred by/through TOs was provided in the form of generic NGO capacity-building training on how to access foreign funds (e.g., donor mapping, understanding donor requirements, preparing a grant application, reporting to the donor) and how to run an NGO (management of human resources, governance, outreach, communication, financial management and accounting, etc.). Here is a quote of the NGO leader: “At the beginning there were specialists on the civil society development, [who] taught [us] how to run an NGO, how to work with parents, how to find resources, [they were consultants] from Sweden, London (the UK), Budapest (Hungary) – experts who work in the NGO sector. Professionally [i.e., in the area of services, interventions for children], we worked as blindfold” (Interview with Ms. K., Director of an NGO community-based centre for children with special needs, August 5, 2012). Through capacity-building activities, the managerial logic was transferred to newborn national NGOs as a 168Interestingly, even though newborn national/local firms had no experience in sponsorship and there were no/few institutional incentives for charity, such as tax exemptions, it appears that all interviewed NGOs were able to access private funding/in-kind resources from national firms. This funding/assistance was not consistent or large scale but not negligible.
subtle strategy that molded them as Western NGOs, de-linked NGOs from the state, and connected them to comparable TOs.

Apart from NGO capacity-building training, some child-welfare NGOs were able to access foreign aid in a form of a small grant provided by a TO for a short-term activity (an event, a round table, a small research project, a short-term awareness raising project, a public debate, needs assessment). The funding of NGOs activities in the 1990s appears to be random and opportunistic, but the multiplicity of resources compensated for the funding fragmentation. Thus, although in the 1990s-early 2000s funding targeting children was limited, NGOs were able to obtain civil society/democracy funding by framing their concerns within international human rights legal frameworks (rights of the child, rights of people with disabilities, gender equality and violence against women, rights of migrants, etc) as well as by reaching out to national and transnational business communities.

5.1.6 Types of Work

In the 1990s, child-welfare NGOs were involved in an array of activities with an overarching goal to mobilize and provide support for children and families by raising awareness of the issue/population among the general public, government officials, and specialists, raising funds, and conveying/disseminating humanitarian assistance. NGOs’ various activities included round table discussions, public awareness campaigns, training of specialists working with children, outreach to target populations via information sessions and public outreach materials (printed materials, souvenir-like materials), research/needs assessment, and direct support to children and/or groups concerned (e.g., parents, specialists). Much of this work was aiming at changing public perceptions of issues and needs. As one key informant recalls, “Then we were constantly fighting, searching for a facility [building/office space], [when] we would find one, [it was] taken away… We distributed humanitarian assistance, sent [children] to treatment facilities, organized events, celebrations, round tables, conferences…” (Interview with Ms. J., Head of an NGO community-based centre for children with special needs, August 28, 2012).

A summary of activities of the ARDI provides a vivid illustration of the activities of this NGO in the 1990s (ARDI, 2013, retrieved from ardi.kz):
March 1992: In partnership with the TV channel “Tan”, [ARDI] conducted a nation-wide charitable action “A child with disabilities and the society”

1992-1994: Organized the visit of leading experts in genetics and neural disorders from Russia. 212 children were consulted and 180 children were provided treatment.

1994: The International Corpus of Charity provided 120 wheel chairs to children. 10 families were given land slots (for gardening and growing food) and five families were provided with social housing. Provided humanitarian assistance with food, clothing and medications.

1997: ARDI began annual exhibitions of their children’s creative works.

1999: Ten children were provided with social [personal] caregivers within the project funded by the German centre of technical assistance, the crisis centre, and the [government] Fund of employment assistance.

2000: The German Economic Club in Kazakhstan became the permanent benefactor for ARDI. The poorest families were provided with monthly cash assistance.

Notably, NGOs’ social support to children and families was not viewed as ‘services’ or professional work. In fact, in the 1990s, the terms ‘social services’ and ‘social work’ were rarely used to describe the activities of NGOs in general or child-welfare NGOs, even in relation to NGOs that provided educational and social services.

5.1.7 NGOs’ Roles in the Policy Process

Work on the policy level and pushing toward change in existing institutions have been an integral element of NGO activities since their inception. NGOs in the 1990s pointed to the issue of concern, critiqued the government for deficiencies/gaps, and demanded the state act upon the issue, which often involved demanding the return of Soviet-era benefits that were withdrawn in the 1990s (interviews with NGOs). As an NGO leader described their early activities, “Initially, we would ask to increase the state cash assistance and talked about problems.” When NGOs called for reforms, they would put forward proposals articulated in general terms, such as “to improve the social protection of people with disabilities” or “to increase the competency of government officials in dealing with the issue” (Interviews with NGO representatives).

While NGOs lacked legitimacy as policy actors, they used international legal instruments in order to legitimize their claims and increase their influence on the government. Here is how one NGO representative described how they use international conventions:
[International conventions] are certainly very useful because they have recommendations for member states, [which] we use to develop proposals to improve [national] legislation. [If not international legal documents] we would have never been able to convince the [government] officials! [This is] the practice of the civilized application of the law. We say that in our country the international legislation is above [the national legislation], and what is also important is that our state strives to meet these [international] norms. This helps us (Interview with Ms. A., Head of a child-welfare policy and advocacy NGO, July 2, 2012).

According to the Constitution of the RK, international agreements ratified by Kazakhstan take precedence over national laws (Article 4). However, the application of international conventions was limited in the national context because they were not used as legal instruments in the legal practice in courts; rather they had a symbolic value in the policy discourse. Another NGO representative noted: “[International conventions are helpful but in courts they are rarely referred to [and] in prosecutors’ charges they are used rarely, too. In the practice of courts, they are not used, although we say that [international] conventions are above the national legislation] (Interview with Ms. F., Head of a women’s and children’s protection NGO, July 5, 2012).

Although at the early stages, NGOs were positioned mostly outside the policy process, this does not mean that they had no interaction with the state. In fact, engaging with government agencies, government officials, and employees of government organizations at various levels was integral to child-welfare NGO work. First, getting access to children in governmental organizations (e.g., schools, children’s residential institutions, children’s shelters, prisons) requires some kind of government approval. Second, NGOs invited government officials or employees of government organizations to round tables, training and awareness raising activities, and events. Such strategy facilitated NGOs access to target groups, added legitimacy to their activities, and helped NGOs to establish connections with government officials. While formal institutional mechanisms connecting the state and non-state actors were created later, informal relations between the government officials and civil servants and NGOs were invisible but crucial part of NGO activities.

5.1.8 Summary

To sum up, most child-welfare NGOs created in the 1990s-early 2000s were grass-root initiatives founded as a response to the increased vulnerability of certain groups of children and families, such as children deprived of family care, street children, children with disabilities, children of
single women, migrant children. Child-welfare NGOs, similarly to NGOs in Kazakhstan in general, were typically founded, run, and staffed by professional, educated, urban women, who had personal or professional concerns for children (e.g., parents and specialists) but not those who had secure employment in the child welfare system. While in the 1990s, child-welfare was not on the priority list of the state and TOs, child-welfare NGOs navigated the unpredictable and fragmented funding environment and succeeded in mobilizing resources for their work from national and transnational firms and transnational donor organizations. NGOs were involved in a range of activities, such as humanitarian assistance, awareness raising campaigns, and the provision of social supports; social services to children and families were not the primary activity of NGO. In relation to the policy process, NGOs were engaged outsiders: they identified issues, gaps and deficiencies and called for the state response but were not directly involved in the legal/institutional reform. As new policy actors who were lacking legitimacy, NGOs employed various strategies to reach their objectives: they used international legal documents adopted by Kazakhstan in order to frame and legitimize their claims and built partnerships with various and more powerful societal actors, such as the state, TOs, and business communities.

5.2 Child-Welfare NGOs as Emerging (Trans)National Policy Actors (2002-2012)

5.2.1 The Context

The development of the NGO sector was influenced by the shifts in the larger socioeconomic and political environment. The tangible reduction in the foreign aid to NGOs in Kazakhstan, especially after 2005, hit all (national) NGOs, particularly, advocacy, human rights, and generic NGO capacity building organizations. As the country’s economy began to recover, both the private sector and the state provided more stable and better-paid employment as compared to the NGO sector. As a result, some NGOs were closed or frozen, as NGO people moved to other cities, left the country, quit for jobs in the for-profit sector, or even became politicians (interviews with NGOs, TOs). At the same time, against the background of the continuous volatility of the NGO sector in the 2000s, there was an increase in the number of NGOs involved in child welfare (as perceived by study participants). These organizations include child-welfare NGOs established in the 1990s, NGOs founded earlier with a different or a broader agenda but shifted toward a greater focus on children, and newly formed organizations. An increase in the number of child-welfare NGOs can be attributed to the shifts in the (trans)national institutional
environment that occurred over the 2000s. First, social welfare in general and child welfare in particular moved from the periphery to the centre of the state agenda. Second, several TOs that had children as their main target population scaled up their work or began their work in Kazakhstan: UNICEF\textsuperscript{169}; the ILO-IPEC; and the Bota Foundation, the biggest donor agency in the area of child welfare in Kazakhstan since 2008.

5.2.2 People

For most child-welfare NGOs formed in the 1990s-early 2000s and still active in the 2012, at the time of data collection for this study (summer 2012) were run by the individuals who founded them. These NGO leaders have accumulated substantial expertise on child welfare, experience in the policy process, knowledge of institutional processes and politics, and a strong reputation among other policy actors. Alongside established NGOs, new child-welfare organizations were formed more recently. Similarly to older organizations, new NGOs in the mid- or late 2000s were organized and run by professional, educated, women living mostly in urban areas\textsuperscript{170} (see the Chapter on State and NGO relations for the outline of the NGO sector in general). Earlier established NGOs appeared to be the most reputable among policy actors, while the younger organizations struggled for accessing resources and legitimacy. In addition, according to key informants, the child-welfare sector also attracted short-term, quasi-governmental NGOs, and/or NGOs organized by relatives of government officials to channel government funding\textsuperscript{171} (interviews with TOs, NGOs).

Although the leadership of established and sustainable child-welfare NGOs was maintained over years, sustaining staff was a great challenge for struggling NGOs. Many NGOs have not been able to keep a constant number of employees on a full-time basis year-round. Some organizations had their head as a permanent full-time staff, a part-time or full-time accountant,

\textsuperscript{169} UNICEF has been present in Kazakhstan since early 1990s but opened a full-size country office and moved to Astana, the new capital of Kazakhstan, in 2000. Also the new UNICEF country team increased its outreach to NGOs in the early-mid 2000s.

\textsuperscript{170} Experts point to recent increase in the number of NGOs in rural areas and small towns in the recent years, which may change the demographic composition of NGOs in future.

\textsuperscript{171} It should be noted that the sample of NGOs that participated in the study included well-known and reputable NGOs.
and program staff on contractual basis when the funding is available. Several NGOs had a network of individuals who were not formally employees but were available for short-term projects or voluntary assignments. Trained and experienced employees were often lost during breaks between projects. To close the funding gap, NGOs used the state employment programs which paid salaries of specialists registered as unemployed. But since these programs had time restrictions, they could not solve the problem of staff turnover and the loss of expertise. This is an experience of an NGO with this program:

For the helpline, we need to have a person with at least some experience. […] we had no funding [for this service] since 2006 but we survived because there is a program of the [state] employment centre [who paid] for social workers. […] It was hard, too, because the employment centre paid salaried to the unemployed for six months only. We trained them, then they would leave, then another person [would come], we would train [her] again… (Interview with Ms. E., Head of a community-based centre for children and youth; June 20, 2012).

Clearly, these staffing strategies were a response to the interrupted and unpredictable flow of resources to NGOs and the lack of core funding (funding provided to support an organization as opposed to a project/program) as part of grant-making policies of TOs and of state social contracting. While NGOs were able to survive (although there may have been those that did not), this practice impeded NGOs’ ability to accumulate technical expertise and consequently, their capacity to provide social services.

5.2.3 Issues of Concern, Category of Children & Types of Work

If in the 1990s, the major issue of concern for NGOs was wide-spread poverty and the lack of necessities (e.g., food, clothing, medications, shelter) for certain groups of families and children, in the late 2000s, basic needs became a lesser concern. For instance, the number of street children that went through the governmental centres of temporary adaptation and rehabilitation of children drastically declined, and so has the need for humanitarian work with such children (interview with an NGO working with street children). However, other issues faced by selected groups of children (e.g., children with disabilities, children in residential institutions) became more pronounced such as access to education and special education, occupational and professional training, socialization and integration in the society, social housing, etc (interviews with NGOs, TOs). Intrinsic flexibility and openness to the outside environment explained NGOs sensitivity to new and emerging social issues due to the changes in the socioeconomic
conditions. In the late 2000s, NGOs continued to ‘discover’ new social issues concerning children, such as early and forced marriage of underage girls, child suicide, children with oncologic illnesses, poverty in rural families, needs of children living with guardians, and children in poor neighbourhoods (interviews with NGOs, TOs).

Whereas in the 1990s-early 2000s, child-welfare NGOs covered very broad areas or multiple related areas, by the late 2000s, their work became more specialized and focused both in terms of the issue of concern and approaches (interviews with NGOs, TOs). Expertise and experience in a certain area had become a major element of an NGO’s reputation and legitimacy among other NGOs, the state, and TOs. This is how one of NGO leaders describes their position:

The spectrum [of our work] was wide but we never betrayed our mission. We never ran after money. Many [NGOs] work this way: it’s not important what is [written] in my charter, it’s not important that I’ve never done this [work] in my life, if they give [me] money, I’ll do this. We’ve never done that, our target group stays the same […]. We never changed our charter (Interview with Ms. M., Head of an NGO working with street and vulnerable children, June 27, 2012).

The tendency toward specialization seems to be linked to the age of an NGO: “NGOs have been attempting to specialize. Beginners try everything, and mature [organizations] are more specialized. And these organizations are [more likely to be] supported by donors” (An interview with Mr. S., a representative of a nongovernmental TO, June 20, 2012). It should be noted, though, that the area of specialization in the context of NGO work in Kazakhstan was typically a broadly defined area of concern or population, such as ‘children’, ‘children with disabilities’, ‘children deprived of family care’. Therefore, the areas of work and knowledge among NGOs were still very broad, with fluid boundaries between them. This is how, for instance, one of child-welfare NGOs defined its target populations:

Children experiencing a difficult living situation: children deprived of parental care orphans, children from low-income families, troubled families, families that take care for children: guardians and caregivers, patronat [foster] parents, adoptive parents; specialists working in the child protection area (NGOs’ working documents).

If in the earlier years, child-welfare NGOs were engaged in a wide range of activities, such as awareness raising, event organizing, research, round tables for policy discussion and direct support, in the late 2000s, they became more selective/specialized in their use of approaches. Some NGOs became prominent actors in the policy process by participating in the consultation
bodies, law drafting working groups, public hearings, and other forms of state-NGO dialogue; for other NGOs, the main focus of their work was placed on the provision of direct services to their beneficiaries. This is how a representative of an NGO described the change observed among the community of NGOs working with children with disabilities:

There are […] organizations that are more involved in legal reform, [such as] the ratification of conventions, promotions of laws, round tables, etc. […] We work with people, [while] they [work] with papers. We have a division of labour […] in order not to duplicate each other. [For instance], we have [there is] an organization […] that is fully involved with deaf citizens. Some [NGOs] pay attention to the professional training of the disabled, some [focus on] medical rehabilitation… (Interview with Ms. J., Head of an NGO community-based centre for children with special needs, August 28, 2012).

The term ‘social services’ became an important word to describe NGOs’ direct work with beneficiaries, when UNICEF began to promote the idea of social work and social services for children and families. ‘Social services’ became a key word for child-welfare NGOs in the late 2000s, when the Law on Special Social Services was adopted (2009) and the Bota Foundation began funding NGOs’ social services (2008).

5.2.4 Resources

In the early 2000s, the funding environment was as fragmented and unpredictable as in the 1990s. Before 2005, the main sources of funding for NGOs were private firms and foreign aid. The idea of the state funding of NGOs was circulating but an institutional mechanism (the Law on State Social Contracting) was launched only in 2005.

Resources from private firms

With economic recovery in the 2000s, national/local firms began to engage in charitable activities. Some big enterprises and banks\(^\text{172}\) even established corporate social responsibility departments to fund nonprofit organizations, give money to charity, or design and implement their own social programs. NGOs creatively continued to reach out to private firms, engaging

\(^\text{172}\) E.g., national private banks (Kazkombank, the Bank Turan-Alem), transnational corporations (Philip Morris Kazakhstan, oil companies), etc.
them in the sponsorship of events and programs, often in the form of in-kind contributions. Some NGOs succeeded in establishing and maintaining long-term relationships with national and international private companies.

The list of accomplishments of the ARDI in the 2000s is an example of successful fundraising among private companies:

- 2002: Purchased equipment for physical therapy
- 2004: Opened a centre for creative and physical rehabilitation of children with special needs. The centre provides physical therapy, education, art classes, daily activities adaptation, English classes, etc.
- 2005: Opened a computer class, a children’s town on the territory surrounding the centre, with financing from the oil company Chevron-Texaco.
- 2006: Opened a video-studio for the youth with disabilities as a project of ARDI and the Abilis Fund (Finland).
- 2006: Provided medical consultations and medications as part of a charitable action ‘Help the children’, with participation of KazATiSO (a university), Aruzhan Sain (a TV personality engaged in charity), DOM Fund (Voluntary Society of Compassion)
- 2006-2007: Conducted three seminars on intensive physical rehabilitation for children with cerebral palsy, with support from CarolCraus (UK), VSO
- 2008: the German Economic Club purchased a minivan for children; an activist group of the residents of Almaty collected money for the New Year celebration and for the purchase of equipment for physical rehabilitation
- 2009: Completed the construction of the new wing of the centre with an elevator for children using wheelchairs, funded by the ATF Bank.
- 2009: Funded by the state social contract to provide social, educational, rehabilitative services to children with special needs.

However, for the majority of NGOs, funding from private companies was not consistent or reliable because of the absence of legal incentives and the lack of tradition of private charity. In addition, national firms that did give to charity were more likely to donate to children’s residential institutions legitimized in the Soviet culture, than to newborn and unknown NGOs (interviews with NGOs, TOs). Relations of NGOs with business are more of an ad-hoc resource mobilization that served as a quick-fix solution for filling in funding holes.

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173 Examples of in-kind support provided by private firms include wheelchairs, prizes for children’s competitions, bottled water from a beverage factory, free or discounted access to summer camps for children, a room for events, sewing machines and other equipment for vocational training, scholarships for students, access to internship and vocational training for children at participating firms, etc.

174 As an NGO leader said, “I am sick and tired of hearing that some firm has purchased computers and sent them to a children’s residential institution.”
Another strategy for NGOs to diversify their resource base was to engage in for-profit activities, an approach that was promoted by capacity-building TOs as a way for NGOs to become less dependent on the state and foreign aid. Although the national legislation does not prohibit NGOs from providing for-profit services and other business activities as long as they use their earnings for the development of their organization, few of interviewed child-welfare NGOs provided for-profit services. NGOs’ reluctance to combine nonprofit and for-profit activities resulted from two factors: first, their service users are often representatives of low-income, disadvantaged groups that cannot pay for social services; and second, NGOs were weary of potential difficulties with reporting to tax authorities and their susceptibility to power violations. Instead, some NGOs employed a different resource-mobilization strategy to sustain their organizations. For instance, an NGO, whose mission was to build the capacity of NGOs that work with disadvantaged children, registered a commercial organization [Ltd], which provided staff training and other human resource capacity building services to private companies.

In 2003, we created a training centre […] and began to earn on commercial trainings, that is, all that was developed for nonprofit sector, we did for commercial organizations. It was funny: we worked for the commercial centre for two days a week twice a month, and it was [the source of] our salaries. We worked for [the name of a nonprofit program] because it was great and interesting. We could pay travel expenses for [NGO partners] or buy cool stationeries. What we earned [working] with a wealthy bank, we would bring in here [to the nonprofit activity], and what we developed here, we would take there [to do for-profit work]. (Interview with Ms. G., Head of a capacity-building NGO, July 9, 2012).

Resources from TOs

The USAID democracy aid that was the main source of NGO funding in the 1990s was reduced in the mid-2000s, affecting NGOs with a ‘political orientation’ (i.e., NGOs concerned with elections, freedom of speech, human rights, and NGO capacity building). The foreign aid situation in the area of child welfare, however, started to improve. First, in 2003 UNICEF scaled up its activities in Kazakhstan. The UNICEF country team that was working from 2003 to 2008 viewed national NGOs as important partners in child welfare reform (interviews with NGOs). As part of the country program, UNICEF supported network activities for child-welfare NGOs, including meetings, a website and listservs, conferences, and trainings on children’s rights and UNICEF approaches to dealing with children’s issues. These activities created an organizational identity: diverse and disconnected organizations became a community of ‘children’s NGOs’.
UNICEF identified several priorities for the country child welfare reform program, such as children’s de-institutionalization, mainstreaming of children with special need in the society, violence against children, and social work/social services for children and families, and engaged NGOs (UNICEF working papers, 2004). As part of the UNICEF program, several active child-welfare NGOs were funded to conduct a number of projects, including policy analysis and recommendations, research into particular child-related issues, training for specialists working with children, training for journalists on children’s issues, awareness raising among children about their rights, prevention of violence against children, a national phone line for children in crisis situations, etc. Engagement in UNICEF activities boosted the expertise of child-welfare NGOs, their reputation, and enabled them to participate in the child welfare policy process along with government agencies.

Another TO that played a role in supporting child-welfare NGOs was ILO-IPEC, which launched a Central Asia regional project on child labour in 2004 to assist Kazakhstan and several other states in the region with the implementation of ILO Child Labour Conventions (ILO Conventions 138 and 182, ratified by Kazakhstan in 2001 and 2003, respectively). The ILO-IPEC funded small programs designed and implemented by NGOs aimed at addressing the issues of child labour. While none of the child-welfare NGOs employed ILO child labour Conventions in their work at the time the project started, a few NGOs used the child labour framework to develop programs for their categories of vulnerable or disadvantaged children and youth, such as children in residential institutions, street children, or children living in poor neighborhoods. In addition, under the auspices of the IPEC project, child labour committees were formed at the national, Ministerial, level in Astana and at the regional, municipal level in Almaty. Such interagency coordinating mechanisms brought together, at the institutional level, relevant government bodies, NGOs, employers, and trade unions. In 2008, ILO-IPEC project funding was reduced, and the ILO-IPEC support to NGO partners dropped, too.

The Bota Foundation is the third TO that played a major role for the development of child-welfare NGOs in Kazakhstan. Established in 2008, Bota Foundation had unprecedented level of

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175 Although the Bota Foundation was registered as a national NGO, it is a unique development enterprise designed and managed by international NGOs and overseen by the World Bank. (See more on the Bota Foundation in the
funding targeting children. Of particular importance for NGOs was that one of the three Bota Foundation’s program components was giving grants to national and international NGOs to provide social services to children and youth. The Bota Foundation supported NGOs’ social service provision in four areas: pre-school education for children from poor families and children with special needs; supports to youth development and risk prevention; services for children with special needs; and support for children and youth in a difficult living situation (orphans, unattended and neglected children, homeless children, children suffering from abuse and violence, etc.).

The Bota Foundation’s approaches to funding NGOs were similar to other TOs’ grant-making practices because they were built on grant-making practices of the TOs that oversaw, designed, and managed the foundation (i.e., IREX, Save the Children, and the World Bank): grants to NGOs were given on a competitive basis; the grant competition was announced annually; there was a transparent review process by external reviewers; the selection criteria were clearly communicated; grants were tied to monitoring and reporting requirements. What made the Bota Foundation’s policies different is its emphasis on social services, operationalized through several distinct policies. Unlike other TOs, the Bota foundation supports ongoing activities and expansion of services through grants for established NGOs as well as the creation of new services by funding start-up activities of new and small organizations. These funding policies create a different type of relations between the funder and NGOs:

With the Bota we have worked for three years. Year one [was] the first project, year two – we changed, developed the same project, [worked with] the same families, the same beneficiaries. […] With the BOTA Foundation, the funding is known, we can plan [things]: we know that there will be the fourth, the fifth round; we know that we have to complete the project in order to participate in the next round. Bota conducts monitoring, everything is under control. We have a curator on programmatic matters and a curator on finances, there are no cash payments, [as] we opened a special [bank] account for this

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176 Compare, for instance, Bota Foundation’s five-year funding of US$ 84 million with UNICEF annual country budget of US$ 5 million.
Foundation.” (Interview with Ms. M., Head of an NGO working with street and vulnerable children, June 27, 2012).

The fact that the Bota Foundation was conceived of as a time-bound institution with the pre-determined budget was part of the certainty about its funding activity but also was in conflict with the continuous, reliable service provision and the sustainability of services in the future.

The main problem funding provided by TOs was the short-term funding cycle and changing donor priorities determined by factors outside of NGOs’ reach. The following quote illustrates the volatility of the funding environment for child-welfare NGOs:

ILO-IPEC is no longer working in Almaty; all went to the South-Kazakhstan oblast [province]. They stopped inviting us. We used to work with the U.S. Embassy, [their] diplomatic commission, for three years. Recently, [we] no longer worked with them. New policy, [their] priorities have changed, new policy is to introduce as many new organizations, and the funding and the number of project they fund have reduced. They don’t support what already exist. With UNICEF, we worked for two years […] Then the funding ended, and they said their priorities shifted to a very different dimension […] and all just peacefully died (Interview with Ms. M., Head of an NGO working with street and vulnerable children, June 27, 2012).

As a result, many child-welfare NGOs realized that foreign aid was not a reliable source of funding, and some NGOs turned toward the government:

By the year 2003, we realized that no work can be sustained on [foreign] grants. Donors, of course, God bless them, have done a lot of good things, but they have their own agendas… Some senator from Oregon may all of the sudden become outraged that we work with commercial sex workers […] We once had to sit for six months [when funding was pending] and wait for them [US politicians] to ensure their electoral support. (Interview with Ms. G., Head of a capacity-building NGO, July 9, 2012).

NGOs have to access state financing in order to be sustainable, you cannot rely on foreign grants only. Social services are fragmentary and short-term, and there is no continuity and consistency among [international] organizations. To be fair, international organizations, perhaps, do have their priorities and coherence [logic], but they exist for them, not for us (Interview with Mr. I., Head of an advocacy/policy for people with disabilities NGO, July 3, 2012).
Resources from the state

Apart from resources provided by TOs, since 2005, NGOs were able to access state funding through the state social contracting mechanism and the Law on Special social services. The Law on State Social Contracting was intended to support ‘socially-oriented’ NGOs, and child-welfare NGOs received some funding for their activities but this mechanism was a poor fit for funding social services for a variety of reasons discussed in detail elsewhere (See the discussion of the Law on State Social Contracting in the Chapter on State-NGO relations). The Law on Special Social Services adopted in 2009 had a potential to rectify some of the obstacles built into the state social contracting mechanism. However, institutional divisions, institutional resistance, and the lack of political will hindered the development of supplemental legislation required for the provision of social services for specific categories of beneficiaries included in the Law on Special Social Services (See the analysis of the Law on Special Social Services in the Chapter on the State Child Welfare System). In 2012, supplementary legislation was developed for only one category of children: children with special needs aged 4 or older (along with adults with disabilities, the elderly in need of care, and the homeless); therefore, among all child-welfare NGOs, access to state funding was given only to NGOs that work with children with special needs:

The Law [on Special Social Services] was introduced in 2009. [We have been funded under this Law for] three years. When the mechanisms was turned on, it was unclear, it was difficult, but at any rate – very good! Because before we depended on sponsors, private sponsors, [...]. Now [we have] state funding, it goes through the state social contract, [the size] depends on how much you win [...]. The fact that we have state social contracting [for special social services] – I consider it a breakthrough [...]. I think this is real [help], state contracting [funding] goes directly to people [beneficiaries], they directly receive what was intended for them [...] It helped us to become a sustainable organization, to work indeed, to build our work on a higher level as an organization. And of course, our financial sustainability is very important. (Interview with Ms. J., Head of an NGO community-based centre for children with special needs, August 28, 2012).

There were conditionality and restrictions built into the funding provided by TOs and the state. TO grant-making policies typically excluded core funding and disallowed the use of grants to support organizational functions (e.g., office/facility rent and utilities, equipment, non-program staff). As a result, NGOs constantly struggled to keep operations, provide social services, and keep the staff:
For some reason, since 1995, international organizations when they announced a grant competition, never allowed any overheads, although we have always been saying that 10-15 per cent of the [budget] amount could have been given as part of sustainability... Often there were situations when a project is completed, another project may begin in 2-3 months but what should people do during these 2-3 months? [...] And this is why many organizations loose people during these critical situations. And even if a new project begins later, they have to find new people, new staff [...]. The international [nongovernmental] organizations, when they work with the U.S. government, always get overheads but for local organizations they do not practice this. This question has been raised [repeatedly], everybody agrees, but seemingly it is difficult to change the existing order. This is why many organizations [NGOs] today live from a project to a project (Interview with Mr.S., a nongovernmental TO, July 20, 2012).

State social contracting included similar restrictions, while the standards under the Law on Special Social Services had conditionality: NGOs were required to have a facility for the provision of social services, but few of them could meet this requirement without external support in the conditions of a dramatic growth of real estate prices/rental costs, especially in big cities. Most NGOs in Almaty changed several locations as office rental prices kept going up (interviews with NGOs). Such conditions were challenging for all NGOs but were particularly toxic for NGO service providers. As result, the number of NGOs that could access public funding to provide social services was limited:

There are many good NGOs that don’t have a base [space]. It has to be done, it is easy to get done, you just need to oblige [the state authority] to provide [a facility] on the conditions of low rent or no rent [...] The Minister [of Labour and Social Protection] raises this questions, sends letters everywhere, but akims [territorial governors] – in some places, oblast [provincial] akims understand [the need], or maybe they have a better situation with rental facilities... In other cities [...] it is more complicated, but if there is a political will, it [the place] can be found. (Interview with Ms. J., Head of an NGO community-based centre for children with special needs, August 28, 2012).

Along with child-welfare NGOs that wanted but could not access state funding via state social contracting, a number of NGOs were reluctant to be funded by the state, either because they did not want to part of the game with unclear rules, or because they did not like the rules.

There were few cases when NGOs were able to acquire a facility. One NGO was able to purchase a former government kindergarten facility in the early 1990s during privatization. An NGO that partners with IOM and runs a shelter for migrants occupies space that was purchased by the U.S. government. The third example is an NGO-run centre for children with special needs supported by the local government. These exceptions from the funding policy that
excludes core/institutional support demonstrate that, in the long run, substantial institutional support contributed to stronger, more sustainable NGOs and increased their capacity to provide services.

Thus, in the 2000s, the sources of funding for NGOs diversified, as state social contracting became available and more national/local private firms engaged in charity. Also, child-welfare TOs entered the donor scene and provided funding to NGOs. However, the funding environment can still be characterized as chaotic, unpredictable, and inconsistent; therefore, the shortage of reliable funding continued to be the main impediment affecting NGOs’ ability to operate and provide social services for children and families.

5.2.5 NGOs’ Roles in the Policy Process

As the state agenda shifted toward including NGOs as important social actors, NGO actors were given access to the policy process in various forms, such as law drafting groups, social councils, public hearings, advisory groups, and other forms of a policy dialogue. For child-welfare NGOs, the first important step in this process was their involvement in the writing of the first alternative report on the implementation of the CRC in 2002. A working group of national child-welfare NGOs formed in 2002 in Kazakhstan also prepared subsequent CRC reports. Thus, through their involvement in the transnational policy process, national NGOs were elevated as legitimate actors at the national policy arena.

Further, in 2003, UNICEF initiated a Task Force on the Rights of the Child as a national policy group, comprising heads of government agencies and child-welfare NGOs, to oversee the implementation of the CRC in Kazakhstan. Within this framework, NGOs and government agencies were brought together as policy partners united by shared goals, and over time they established close, respectful working relations. This model of collaborative relations was reproduced with the establishment of the government Committee on the Protection of Children’s Rights in 2007 with an advisory NGO council with the purpose of “consolidation and interaction between civil society and the government aimed at the formation of an effective system of

177 The CRC has a provision that includes non-state actors in the CRC implementation, and national and international NGOs prepare alternative CRC reports to supplement periodic CRC reports submitted by states to the UN Committee on the Rights of the Child.
protection of children’s rights in the Republic of Kazakhstan, based on the common principles and approaches, which create the best conditions for life and development of each child” (MoESc, 2007). Similar consultation groups were created under the territorial government bodies enabling NGOs to participate in the policy process. Thus, although NGOs did not have the same authority as state agencies to initiate policy/legal reforms, as members of multiple policy groups at the national and territorial levels, they had the opportunity to communicate their concerns and ideas and to influence government policy-making.

As NGOs moved inside the policy circle, their approaches to policy work became more specific and sophisticated. If at the earlier stages, NGO strategies were to critique the government and demand change, in the 2000s-2010s, NGOs came to realize that pointing to problematic areas was not enough to generate change. They had to identify a specific gap in existing institutions and develop a proposal of how to change translated into the language of these institutions. As the leader of an NGO advocating for people with disabilities put it, “Initially, we would ask to raise pensions [disability benefits] or talked about problems. Then we realized that we had to offer constructive solutions to the state, then there will be results” (Interview with Mr. I., Head of an NGO advocating for people with disabilities, July 3, 2012).

As participants of the policy process, NGOs moved in their relations with the state from criticizing the government to recognizing the deficiencies/needs to assisting the government. NGOs also became aware that they possessed knowledge and expertise that government employees did not have, including knowledge of communities and international approaches:

To us, it was clear that the government after all also needs support, support from the society/community, because there are few specialists, very few opportunities to interact directly with families, very few opportunities to understand the mentality of families and children at risk. (Interview with Ms. A., the Head of a child-welfare policy and advocacy NGO, July 2, 1012).

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178 In the 1990s-early 2000s, NGOs were exposed to intensive training activities provided by TOs. Prominent NGOs also had an opportunity to travel and visit international sites of practice. Government employees at that time were individuals who had worked in the Soviet time. They were underpaid and overworked and had limited opportunities for professional development. By 2012, the situation changed: many government officials were young professionals who were well educated, often overseas, multilingual, and versed in international approaches, whereas the generational change in the NGO sector was minimal (interviews with TOs).
Government employees are people just like NGOs. And they are ready to work but they don’t know how. And when you come to them and say, ‘You know, let’s try to push this’, they say ‘Exactly, this can be done, really.’ They [government employees] don’t know this problem because they don’t work with these people (Interview with Ms. D., Head of a women and child welfare advocacy NGO, June 25, 2012).

In order to change existing institutions, NGOs had to understand how they worked. NGOs conducted analyses of legislation and institutional processes, including analysis of organizational policies, inter-organizational relations, job descriptions of government officials at various levels, including their roles, responsibilities, and authority:

Initially, we worked to inform people how to adopt [a child] because we knew it was important to have this information, [people needed to know] what documents were required. This activity showed that the problem [of children deprived of family care] was much deeper and that the work needed to be systemic, it [the work] should include not only information for adopting parents but also [work] preventing children’s deprivation, work with society, with specialists who work with children in children’s houses, the issues of children graduating from children’s houses… [it was necessary to] look into the system of social support for these children and what needs to be done […]. In order to do this work, we began by looking into the state policies and legislation, we did the analysis of legislation concerning adoption, and as we worked on this analysis, we looked into all legislative acts, the governmental structure that works in this area, and most importantly, we established contacts with government authorities that work in this sphere (Interview with Ms. A., Head of a child-welfare policy and advocacy NGO, July 2, 2012).

The new type of policy work, based on an insider’s understanding of how the state child welfare system works, enabled NGO policy actors to identify gaps and obstacles to reaching policy goals set by NGOs. NGO proposals for policy change became more specific, detailed, and constructive.

Just critiquing something is not enough. You have to propose something concrete. If earlier, we would say ‘[there is a need] to increase the professional level’, now we don’t write like this anymore. [Now] we say specifically: ‘For this particular category, there is a need to do this and this, and to pay attention to skills for working, for instance, with migrants […]. The most important thing is from the practical point of view to show a concrete solution of the issue. Not just ‘to increase qualification’ but [to propose something] concrete! (Interview with Ms. D., Head of a women and child welfare advocacy NGO, June 25, 2012).
The fact that NGOs had to employ approaches focusing on incremental changes in the child welfare system is an indirect indication that the institutional resistance could not be attributed to the leadership or legislative framework. Institutional resistance was dispersed throughout the child welfare system, from legislation to the structure of government agencies to agencies’ jurisdictions to job descriptions of government employees. As insiders in the policy process, NGOs not only became experts in how child welfare institutions operate but also acquired expertise in the policy process (i.e., the sequence, key agencies, key people, best strategies) that helped them develop strategies in pushing legal change through existing institutions.

Some time ago I thought […], ‘If I had three thousand dollars, I’d do everything necessary, and the violence [against women and children] will stop. Later I thought—it was the second phase in my life—we will adopt the law [on domestic violence]—and that’s it, violence will be over. Now it’s been three years since the Law was adopted. Violence has not disappeared. […] Ad now I think this way: this [task] must be done by this ministry, that [task] must be done by that ministry, and so on. (Interview with Ms. D., Head of a women and child welfare advocacy NGO, June 25, 2012).

NGOs appeared to be the most effective in creating change when they were integrated in the policy process as experts. The biggest ‘success story’ of the child welfare reform, the adoption of the Law on Special Social Services (2009) was an outcome of the political will exercised by the leadership at the MoLSP at that time and the fact that an NGO expert (Mayra Suleeva) joined the MoLSP to work on this law. On the one hand, Mayra Suleeva was given the authority and access to necessary information required to initiate the legal reform and draft new legislation; on the other hand, she brought in an outsider’s perspective, an NGO drive to generate change, familiarity and fluency in international/transnational approaches, and years of experience in social and educational service provision for children with special needs.

In 2008, I was invited to the MoLSP [and] then I realized that this was an opportunity to do what I wanted: to spread my model [of working with children with special needs] country-wide, so that [to change] our closed-type children’s residential institutions. In 2006, I had a very good project: for half-year I was working […] in Astana and on the basis of the state internat [residential institution for children with special needs] I created a day-care department. First, it was the renovation [of the building], then hiring staff, then training of employees […]. We opened the first day-care department on the basis of a state internat. One person [a colleague working at the Soros Foundation Kazakhstan]

179 Institutional resistance is discussed in greater detail in the Chapter 6.
would say, ‘Mayra, what you are doing is a revolution but you’re doing it quietly, noise-
free.’ What was impossible to do, we had done. The Ministry gave us a green light: ‘Do
what you want to do.’ They [the Ministry people] went to the akimat [territorial
government authority] and told them what to do. The akimat agreed because it is the
Ministry. Akimat gave an approval […]. Today there are more than 60 children there
[enrolled in the daycare department], that is, they have a building for children who live
there and a daycare department (Interview with Mayra Suleeva, Head of an NGO Kenes
Centre for children with special needs; August 5, 2012).

Participation in the policy consultation as members of policy consultation/advisory groups and
experts raised the profile of several strong NGOs. The leaders of several most reputable NGOs
have gained personal recognition at different levels of the government, and some of them
received government non-monetary awards of appreciation, which can be viewed as a sign of
improved state-NGO relations but also of the fact that state-NGOs relations were still to a large
extent driven by personalities.

5.2.6 NGOs’ Projects/Programs and Social Service Provision

A crucial feature of the development of national NGOs has been the program or project mode
that profoundly shaped much of NGOs’ activities. The program/project framework was a direct
result of the influence of TOs on newborn national NGOs, as part of the diffusion of
organizational practices from the West to the post-Soviet context (Aksartova, 2005). Foreign
goods were provided to NGOs in the form of grants, typically, on a competitive basis and on
certain conditions reflecting the TOs’ priorities, goals, and approaches. In order to access foreign
grants, NGOs had to meet certain minimum organizational requirements (e.g., registered as a
legal entity in Kazakhstan; a mission which is in line with the donor’s objectives; proper
management structures; a valid bank account and accounting procedures; an office and necessary
staff). TOs’ grant-giving criteria often included experience and expertise in the field and with the
target population, a track record of building partnerships with the government, experience in
implementing donor-funded programs, and the ability to raise funds from other sources
(interview with TOs, NGOs).

The diffusion of program/project frameworks was facilitated through so called capacity-building
activities (i.e., training, educational materials, consultants) provided by TOs to national NGOs on
a large scale throughout the 1990s-early 2000s (interviews with NGOs, TOs). To access foreign
aid, NGOs acquired certain procedural, often tacit, knowledge and skills, such as capacity to
write a grant application, knowledge about donors/TOs and their granting procedures, fluency in donors’ operational language. Program/project frameworks, used (almost) universally in foreign aid (see more on the use of the logical framework in the Chapter on TOs), were transmitted to national NGOs through granting or (sometimes) sub-contracting policies and practices of TOs.

NGO programs/projects had several characteristics: they were time bound and, usually, short-term (under one year)\(^\text{180}\); they offered something new, different from ongoing NGO activities; they had clear and measurable goals and objectives; they had to link activities to immediate and long-term results; they included monitoring/evaluation procedures to test if the program/project reached the expected results; and funds were usually given to support the project/program implementation, not the organization (interviews with NGOs).

Working within the program/project framework had important implications for the provision of social services by NGOs. First, the short-term funding cycle of donors counteracted the idea of the importance of the continuity of provision for social services. Second, setting short-term achievable goals for the project was in contradiction with a longer perspective of desirable change that can take years and decades to achieve, as both TOs and NGOs know well. Third, TOs’ preference for innovation, that is, programs/projects that introduce a novel intervention or address a new issue, led to the neglect of ongoing, less exciting activities, such as social services and supports to beneficiaries. Fourth, as a rule, grants were restricted to expenses required for program implementation and excluded overhead costs (or core funding) necessary for the support of day-to-day functions of an organization\(^\text{181}\) (e.g., office, equipment, support staff, staff training, staff benefits). As a result of the lack of organizational support and the interrupted, unpredictable funding of program activities, NGO were constantly struggling to maintain operations, keep an office, prevent skilled staff from leaving, and provide services, especially at times when they had no externally funded project/program running. The following story illustrates the struggle of an NGO to sustain services for women and children who experienced domestic violence:

\(^{180}\) An exception from this practice were TOs whose goals were service provision, e.g., IOM and UNHCR’s work with migrants and refugees required continuity in service provision, and these TOs had long-term contracts with national NGOs.

\(^{181}\) Such restrictions have been quite common in grants provided to domestic NGOs. However, grants to international NGOs typically include overhead expenses that the recipient organization can spend on organizational support and development.
In 2006, we closed the shelter [for women and children victims of domestic violence] because we occupied a [former] kindergarten. Then they raised the rent and later they said that the facility was to be used as a kindergarten [again]. We couldn’t find another facility and had only a small space left for the helpline and counseling [for victims of violence]. […] Since 2001, we received 18,000 calls from women, among them 10,000 calls on domestic violence. We provided free legal and psychological consultations. Since 2012, it became really hard because we had no funding for this service at all. […] Then there were more restrictions [under the government employment support program], and in 2012 we closed this service. Now we have a psychologist who comes twice a week, […] and she continues her work with women [because] there are various women, for instance, women with suicidal attempts and [cases of] long-term domestic violence. […] We could not have a lawyer anymore. Counselling and helpline are considered an ongoing activity of an organization, [but] funders do not finance ongoing activities, […] they [prefer to] give money to innovative projects. Now there are state social contracts, but they are short-term, five-six months, funding is small and one-time, and domestic violence is included not every year [in government calls for bids] (Interview with Ms. E., Head of a community-based centre for children and youth; June 20, 2012).

While NGOs in Kazakhstan were often criticized for ‘running after money’, this analysis indicates that they often used different grants to run complementary projects that compensated for the fragmentation and short-term duration of their activities shaped by donors’ programmatic frameworks. Most child-welfare NGOs that I interviewed have been committed to their objectives. They appear to have been reluctant to simply shift from one issue to another and often maintained activities even after foreign funds were not available, by doing volunteer work, keeping the minimum level of activities, and channeling funds from other sources, including engagement in for-profit activities. However, the unpredictable and interrupted funding of program activities and the lack of core funding to support an organization in-between projects/programs severely undermined NGO abilities to maintain services. There were few exceptions to this pattern182, which only support the argument about the direct link between the funding approach and social service provision. Only those few NGOs that did receive substantial institutional support from TOs at some point were able to maintain the provision of social services over time.

182 E.g., the Open Society Institute provided unconditional institutional support to the Kenes Centre for several years, or the IOM negotiated with the US government donor agency the funding to purchase a facility for a shelter for migrants/victims of trafficking.
5.2.7 Professionalization of NGOs and Social Service Provision

Child-welfare NGOs started off as self-help, advocacy, and community support groups, or in the words of an NGO leader, as “tenderhearted aunties”. In the course of doing a variety of work, these organizations developed expertise in respective areas of policy and practice, and selected NGO leaders have become policy experts with extensive competencies in the field recognized by national and international actors. Some NGOs have developed innovative models of interventions with their respective children populations\(^{183}\). However, as a sector concerned with child welfare, NGOs have been slow in becoming a professional field.

From the functionalist perspective, professions are social structures defined by the function they perform in the society and characterized by certain attributes such as a field-specific knowledge-base, formal training, professional organization, code of conduct, and community sanction (Greenwood, 1957). Professionalization, therefore, implies various modes of institutionalization of practice/occupation. From this perspective, child-welfare NGOs’ work has yet to become professionalized. The delineating of an area of knowledge and practice was in contradiction with the dynamic and fluid work of NGOs, while the operationalization of NGO work as programs and projects made it difficult to create a sense of a shared professional field of practice. The institutionalization and legitimization of NGOs’ practices was challenging considering the lack of legitimacy of NGOs as new organizations. The scarce and unpredictable resource environment and the competition-based funding of NGOs by TOs and the state implicitly discouraged NGOs from sharing knowledge and creating professional associations. The grouping of child-welfare NGOs has been mostly informal and driven by personal relations. Multiple associations, unions, and networks of NGOs often exist as online listservs, rather than actual communities. The emphasis on the competitive advantage might be an obstacle for creating a shared professional identity across diverse and time-bound child-welfare organizations and programs.

5.2.8 NGOs as (Trans)National Policy Actors

If in the 1990s, NGOs received extensive but generic capacity-building training on how to run an organization, in the 2000s, NGOs were exposed to training activities specific to child welfare

\(^{183}\) E.g., the Kenes Centre developed a model of comprehensive education for children with special needs.
provided by international experts and funded by specialized TOs (e.g., the rights of the child, violence against children, children with special needs, child labour, etc.). NGOs were open to transnational concepts and approaches but their engagement with new ideas should not be understood as simple knowledge transfer. An intrinsic and crucial element of NGOs’ work in the area of child-welfare policy reform was the interpretation of global/international policies and inscribing them into the national context. The following case study offers an insight into the roles of NGOs in the transnational social policy process.

Child labour policy: A case of knowledge translation in post-Soviet Kazakhstan

Kazakhstan joined the ILO in 1992 and ratified two ILO Child Labour Conventions: the Convention on the Minimum Age of Employment (1979) in 2001 and the Convention of the Worst Forms of Child Labour (1999) in 2003. In 2004, the ILO launched a Central Asia Regional Project on Child Labour as part of the ILO International Programme on the Elimination of the Worst Forms of Child Labour (ILO-IPEC). The purpose of the project was to support with funds and technical resources national partners (i.e., governments, employers, trade unions, and national NGOs) in developing policies and practices combating child labour. While the MoLSP, employers and trade unions claimed support, they lacked experience and expertise in addressing the worst forms of child labour and had no experience in implementing programs/projects funded by TOs. By contrast, the national NGO response to the IPEC initiative was vigorous. It should be noted that none of the NGOs had used child labour as a framework for their activities before the ILO-IPEC project started. However, a few NGOs worked with (or for the benefit of) various categories of at-risk or disadvantaged children and youth, such as children in residential institutions, street children, or children living in poor neighborhoods. After becoming familiar with the ILO child labour conventions and the IPEC project, several NGOs developed proposals for activities to be funded by the IPEC project. For instance, an NGO that worked with orphan children in residential institutions designed a project to support occupational training and professional orientation for their beneficiaries, arguing that these children, once they have graduated from an institution, were at high risk of getting involved in illegal or harmful economic activities, that is, in child labour. An NGO that worked with street children argued that street children were often engaged in the worst forms of child labour, and therefore activities that assist them to get out of the street (e.g., searching for street children, reaching out to them, and removing them from the street) contributed to eliminating child labour. A third example, an NGO that ran a children’s neighborhood club situated in a poor city district, developed a proposal for engaging poor children in skill training and leisure activities as a means of providing an alternative to the worst forms of child labour.
The argument to draw from this case study is that the adoption of the ILO child labour Conventions involved not just the transfer of the global child labour policy to Kazakhstan but initiated a process of interpretation and reinterpretation of the child labour concept in the post-Soviet sociohistorical context. The development and implementation of child labour-related policies and practices required, first of all, a transformation of public attitudes toward child labour and a changed meaning of the concept of child labour. The “good” old child labour from the Soviet past, which many people in Kazakhstan associated with their childhood memories about (more or less) happy times in children’s labour and leisure camps, has been replaced in the public psyche by the “bad” new child labour of post-Soviet Kazakhstan.

While the state, employers, and trade unions were declaring support but showed, at least at the start of the project, little engagement in taking the new policy from the declaratory level of principle to the level of practice, NGOs played a crucial role in contextualizing child labour and making the issue concrete, relevant, and urgent. By translating the concept of child labour into issues important to the general public, the work of the NGOs helped to gradually shift the meaning and public perception of child labour in the post-Soviet context. Moreover, NGOs used the ILO-IPEC initiative as an opportunity to frame as child labour a range of activities they were already engaged in, or wanted to initiate with children or for children. Child-welfare NGOs used ILO child labour conventions to frame and legitimize their claims, a strategy that helped NGOs raise the legitimacy of their activities and bring issues of importance to their beneficiaries to the centre of the public debate. Furthermore, as members of child labour coordinating committees, the NGOs had an opportunity to network, collaborate with, and influence national and regional governments.

Thus, beginning in the early 2000s, the shifts in the state and TOs policy priorities caused changes in the emerging field of child-welfare NGOs. As child welfare moved to the centre of the state agenda, there was also an increased engagement of specialized TOs (i.e., UNICEF, ILO-IPEC, and the BOTA Foundation) in the national child welfare reform. In this environment, child-welfare NGOs rose as important policy actors and partners of TOs and the state. On the transnational policy field, NGOs played critical roles in translating international policies into the national context, using international policy documents as frames for claiming and legitimising their concerns and interests. On the national policy field, child-welfare NGOs became engaged in the policy process as experts/consultants as well as providers of social services funded by TOs.
and the state, thus making a step toward professionalization. While these developments were positive as they increased the access to social services for selected groups of children and families, the institutional obstacles for NGOs as welfare providers remained. The institutional (political and resource) environment continued to be unpredictable and fragmented, and even the funding that was made accessible had built-in restrictions. Thus, child-welfare NGOs have yet to become policy actors and welfare service providers on a significant scale.

**Different Paths of Child-Welfare NGOs: Four Case Studies**

As an illustration of the variety of strategies developed by different NGOs in response to the same institutional environment, I provide brief histories of four child-welfare NGOs that have played a major role in shaping post-Soviet child-welfare policies in Kazakhstan.

ARDI (Association of parents of children with disabilities) was established in December 1991 by a group of parents of children with special needs to provide support to families and children. Assiya Akhtanova has been the head and the driving force of ARDI since its inception. In the 1990s, ARDI focused on providing humanitarian assistance and raising public awareness on the issue. ARDI organized fund-raising media campaigns, brought medical specialists from Russia to Kazakhstan to examine and treat children with disabilities, reached out to international charity organizations to provide children with wheelchairs, advocated on behalf of families to help them to access social housing, cooperated with various international organizations and government agencies to provide home care and cash assistance to the most vulnerable children. In 2004, ARDI opened a daycare center for children with special needs that provided physical therapy, education and socialization. Since 2009, the ARDI centre for children has been financed through the state social contracting mechanism. (Source: ardi.kz)

The Kenes Centre is a community-based NGO established in Almaty in 1992 with the goal of protecting the rights of children with special needs. The leader of the organization, Mayra Suleeva, is a specialist in special education for children with severe disabilities (defectologist, in the Soviet classification of occupations). While working in a local special education school, she saw children being expelled from the school as ‘uneducable’ and sent out to residential institutions. She started Kenes as a daycare centre to provide comprehensive special education to children with special needs and as an alternative to residential institutions. Kenes employs a range of specialists: psychologists, defectologists, ergotherapists, physical therapists, vocational therapists, and social workers. The Kenes Centre developed the curriculum on individualized educational and rehab programs for children and provides training to specialists. These approaches were integrated in the national standards for the provision of social services to children with special needs, while Ms. Suleeva’s was working at the MoLSP. The center has recently integrated child care groups for regular kids and children with special needs. The center is financed by fees paid by parents and from private donations made by national and
international businesses and private citizens. (Source: Mayra Suleeva, personal communication).

SATR (Centre for social adaption and occupational rehabilitation of children with developmental problems) was established in 1992 as a governmental Republican research and practice institution. As a state organization, SATR was underfunded and struggled to achieve its objectives. In 1996, on the basis of the centre, SATR was registered as a public association (an NGO), a strategy that enabled the organization to compete for non-state foreign funding. From 1996 to 2006, SATR received 29 grants from a number of TOs, such as the Soros Foundation Kazakhstan, UNESCO, UNICEF, TACIS-IBPP, USAID, Counterpart Consortium (a.k.a. Counterpart International), U.S. Embassy, etc. to implement programs in inclusive education, correctional pedagogy (special education), and early intervention for children with special needs. SATR conducted policy analyses/research and training for specialists, provided special education and social services to children with special needs, organized conferences, developed and printed textbooks, and provided children with assisting devices and hearing aids. The Director of SATR, Roza Suleymenova, was a driving force behind the Law on Social, Medical, and Pedagogical Correctional Support to Children with Special Needs, adopted in 2002, which led to the development of a network of governmental organizations whose function was to detect and provide correctional services [special education] and social supports to children with special needs. In the late 2000s, SATR bifurcated into the governmental National Centre of Correctional Pedagogy and the for-profit enterprise SATR Ltd with a focus on importing assisting devices and hearing aids, providing continuous education and printing textbooks, and medical consultations. (Source: satr.kz)

The Women’s League of Creative Initiative (WLCI) was founded in 1994 by women of the creative/art professions (artists, journalists, musicians) to support each other and disadvantaged women. In 2000, the organization became involved in protecting children without parents and supporting family forms of caring for children (i.e., foster care, adoption, guardianship). WLCI conducted legal and regulatory analyses and policy recommendations, provided legal and social support to parents who want to adopt a child, trained professionals who work with children, provided educational and informational support to children in institutions, contributed to draft laws, and conducted awareness raising and advocacy campaigns. WLCI received support and collaborated with UNICEF, UNIFEM, OSCE, ILO-IPEC, Soros Foundation Kazakhstan and Open Society Institute, SIDA, U.S. Embassy, USAID, and other TOs. WLCI initiated two new organizations: the Union of Guardians (caregivers for children) and an NGO of children/youth graduates from children’s residential institutions. WLCI has become a major force in shaping social policy on children’s deinstitutionalization.

While this study does not intend to generalize its findings to all the child-welfare NGOs in the country, it can point to some commonalities and variation among NGOs as they evolved in less than two turbulent decades. The stories of four influential child-welfare NGOs in Kazakhstan illustrate the agency of organizational actors navigating the challenging and unpredictable institutional environment. These NGOs represent collective forms of organization by
professional and educated women who brought skills and the vision to accomplish this creative and adaptive work. Individual agency played a particularly prominent role in shaping these organizations: unlike organizations choosing individuals to establish new services, child-welfare NGOs were driven by locals, insiders who made use of multiple resources, including foreign aid, to build and redirect social relations. What these NGOs have in common is their success in outreach, networking, building partnerships, and bridging the state, businesses, communities, and transnational actors. By being open to the external environment and building strategic partnerships, these NGOs were able to influence the policy process and outcomes. At the same time, these organizations demonstrate the ability to re-invent themselves and evolve in response to the changing environment. On the other hand, the provision of social services was a major source of strength for child-welfare NGOs, allowing them to maintain close ties with their communities, accumulate knowledge, and in a long run, enhance their reputation and legitimacy among other policy actors.

5.3 Summary

5.3.1 Child-Welfare NGOs within the Shifting Institutional Environment: Two Historical Periods

Over the past two decades, the development of child-welfare NGOs in Kazakhstan has been embedded in the (trans)national institutional environment that had direct and indirect, enabling and constraining influence on new policy actors (Table 25). From the early 1990s to early 2000s, neither social welfare in general nor children in particular were priority issues on the agenda of the state or TOs, which were focusing on the economic restructuring and political reform. Therefore, child-welfare NGOs created in the early 1990s-early 2000s were grass-root initiatives responding to the increased vulnerability of children and families, such as children deprived of family care, street children, children with disabilities, children of single women, migrant children. Without direct public support for child-welfare work, child-welfare NGOs found resources to support their work indirectly. First, the national legislation adopted in the 1990s opened the way to forming non-state associations. Second, foreign aid aimed to support democracy, civil society, gender equality, and human rights gave women and child-welfare NGOs access to financial resources and generic NGO capacity-building training. These, political, discourses of human rights, gender equality, children’s rights were used by child-welfare NGOs as legitimized frameworks to articulate social issues of concern and access foreign funds. Third,
NGOs reached out to newborn national firms and/or transnational business communities to raise funds for their work. Typically organized by middle-age, educated women who were personally concerned about children’s welfare, child-welfare NGOs were involved in a range of activities, such as humanitarian assistance, awareness raising campaigns, and the provision of social supports. This work was not viewed as a professional activity, and the term ‘social services’ was rarely used. As policy actors, NGOs played an outsider role: they pointed to the problems and called for the state response but were largely excluded from the policy process and had limited influence on legal/institutional reform.

Shifts in the socioeconomic and political environment that occurred in the early 2000s had direct effects on child-welfare NGOs. First, this period was marked by tangible scaling up of activities of specialized TOs whose primary target populations were children, such as UNICEF, ILO-IPEC, and the Bota Foundation. At the same time, after 2005, NGOs felt a significant reduction in the democracy funding for NGOs in the form of generic capacity-building and grants for advocacy/human rights projects. Second, social welfare in general and child welfare in particular moved from the periphery to the centre of the state agenda, and within the new state agenda, NGOs were to play an important social role, primarily as social service providers. Since 2005 the state has been financing NGOs’ activities through state social contracting, and in 2009 the state began financing social services provided by state facilities and NGOs to children with special needs. As a result, overall, there was an increase in resources for social services for children and a perceived increase in the number of NGOs involved in child welfare and the provision of social services for children, as reported by study participants. Therefore, in the 2000s, the institutional environment became (more) favourable toward child-welfare NGOs and their involvement in social service provision.

5.3.2 NGOs as Emerging Policy Actors and Institutional Barriers

Even in this seemingly supportive environment, most child-welfare NGOs encountered institutional barriers that impeded their capacity to become social service providers on a large scale. These barriers stem from critical discrepancies among institutions of welfare provision and can be divided into several categories. First, NGOs faced institutional obstacles to accessing state resources due to the incongruence between national market-based legal instruments (e.g., the Law on State Social Contracting) and the nature of publicly-funded social service provision.
Second, access to the funding of social services (under the Law on Special Social Services) varied for different categories of NGOs depending on their ability to push the development of the supplementary legislation for their respective categories of children. Therefore, there is a discrepancy between the categories of children in need recognized by the state (they are more likely to be congruent with categories supported by the Soviet state) and those identified by NGOs (they are more likely to be ‘new’, more recent categories of vulnerability). Third, NGOs as service providers struggled to meet the eligibility criteria for the state funding, such as space requirements. As standards for the provision of social services were developed with government facilities in mind, the threshold was set too high for NGOs as new organizations. Thus, NGOs faced barriers due to the discrepancy between them as non-state organizations and government welfare organizations integral to the state welfare system. Next, the structuring of foreign aid in the form of short-term projects/programs with the exclusion of core funding shaped NGOs as flexible organizations with a very small number of core members, often limited to their leaders. Short-term foreign funding cycles of TOs impeded NGOs’ capacity to provide reliable, continuous social services and their long-term prospects of becoming strong policy actors. Thus, there was a mismatch between the short-term donor perspective in a recipient country and a long-term perspective of national actors. Paradoxically, the intensive ‘capacity-building’ work done by TOs at the earlier stages as part of donors’ support for democracy/civil society seems to have failed to produce many strong, sustainable NGOs that could grow into influential policy actors and service providers at later stages.

Finally, there was a discrepancy between ideologies underlying foreign aid, particularly, U.S. foreign aid and ideologies shaping post-Soviet sociopolitical processes. As foreign aid in the 1990s was dominated by the political discourse of democratization and civil society building, emerging NGOs were framed as political actors and challengers of the state, with the state distancing itself from NGOs. When the state agenda in the 2000s shifted toward national consolidation, NGOs were de-politicized and framed as social actors who contribute to the goals of unity and harmony. The discrepancy between the national and the transnational paradigms resulted in NGOs being intrinsically ambivalent and vulnerable. This analysis questions the division between the political and the social, arguing that social and political dimensions of child-welfare NGOs were intertwined. In the 1990s, conceived as political actors, NGOs undertook social functions, providing social supports to children and families. In the 2000s,
child-welfare NGOs were viewed as social actors whose primary role was to provide social services. However, in order to fulfill this social function, NGO needed to have leverage on a political scene and engage in a political process.

5.3.3 NGOs as (Trans)National Policy Actors

This analysis offers insights into the roles child-welfare NGOs played in the (trans)national social policy process. As new and free of Soviet institutional legacies organizations formed in the post-Soviet period of Kazakhstan, NGOs were flexible, open to new ideas, and moldable organizations. Child-welfare NGOs were important partners of TOs and of the state on the (trans)national child welfare policy stage. NGOs played critical roles in translating international policies into the national context, using international policy documents as frames for claiming and legitimising their concerns and interests. Apart from knowledge translation, NGOs were engaged in the production of knowledge about their target populations/beneficiaries and communicating this knowledge to the state and TOs. NGOs were able to quickly respond to changing social contexts, indentifying and bringing issues to the policy arena, and thus playing an important role in shaping the policy discourse.

5.3.4 NGO Strategies to Bring About Institutional Change

Another finding concerns the strategies used to bring about institutional change. Child-welfare NGO approaches to policy reform shifted, determined by changes in the legal and regulatory environment. In the 1990-early 2000s, NGOs played the role of critics located outside the policy process. They criticized the state, pointed to the issues of importance, and demanded state measures. Beginning in the 2000s, NGOs became integrated in the policy process as experts, consultants, advisors, acquiring knowledge about the problems with institutional welfare provision from inside. Demands for change/improvement were replaced by strategies aiming to cause incremental adjustments in existing institutions. Despite institutional resistance and the limited ability of NGOs to influence decision-making of the state, only after becoming insiders and participants in the social policy process, child-welfare NGOs succeeded in achieving meaningful results, such as generating (more) sustainable publicly funded social services for selected categories of children and families. NGOs as policy actors who lacked public policy decision-making power used strategies to build partnerships with the state and TOs to promote the desirable policy change. In this process, NGOs were agents who were constrained by the
institutional environment but had the ability to navigate the system, recognize an opportunity, and cause change.

5.3.5 Autonomy/Dependency of NGOs

The last argument problematizes the concept of NGO autonomy, which is an issue of concern in the development aid discourse and in the national discourse. The development aid discourse views NGOs as the embodiment of civil society (Aksartova, 2005), separate from the state, in opposition to the state, and therefore, autonomous from the state. The autonomy of non-state actors from the state was institutionalized in the early legislation of newly independent Kazakhstan and in practice created an obstacle for NGOs to participate in the policy process and influence policy outcomes. At the same time, development aid agencies were weary of aid dependency of national NGOs as a threat to NGOs’ sustainability. This anxiety around dependency was an underlying factor of short-term funding of NGOs projects/programs and of TO reluctance to provide core funding/institutional support. However, these donor policies impeded NGO capacity to sustain and therefore could not reduce NGO dependency on external funding. Meanwhile, the national discourse problematized NGOs ‘dependency’ on foreign aid, which was perceived as a potential threat to the national unity and security and led to the adoption of restrictive legislation in the mid-2000s. The analysis of the development of child-welfare NGOs shows that by occupying in-between positions, they were able to bridge the state and TOs, communities and donors, transnational and national policy spaces. The concept of the ‘autonomy’ of NGOs also overlooks the reciprocity and interdependency in relations between policy actors and indispensable roles NGOs play in the policy process. The strength of NGOs comes not from ‘autonomy’ but from their capacity to build reciprocal relations and interdependency with other policy actors. Thus, not only is the autonomy of NGOs not achievable but it is not even desirable.
Table 25 Child-welfare NGOs: Two phases and key characteristics

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<tbody>
<tr>
<td>NGOs as political actors vs social actors</td>
<td>Political actors</td>
<td>Social actors</td>
</tr>
<tr>
<td>Dominant framework</td>
<td>Transnational: political (human rights, democratization, civil society)</td>
<td>National: social welfare (social cohesion and accord)</td>
</tr>
<tr>
<td>Issue of concern/population</td>
<td>Most pressing needs of children and families affected by the economic crisis and the withdrawal of Soviet social welfare programs</td>
<td>Social inequality, new poor, the needs for social services, education, special education</td>
</tr>
<tr>
<td>Types of work</td>
<td>Emergency relief, humanitarian aid, awareness raising, fund-raising, provision of social support</td>
<td>Provision of social services, educational services, special education, research, policy analysis and recommendations, law drafting</td>
</tr>
<tr>
<td>Resources</td>
<td>Mostly from TOs, also from private sources</td>
<td>From the state, TOs, and also from private sources</td>
</tr>
<tr>
<td>Role in the policy process</td>
<td>Outsiders: critiquing the state, pointing to issues, demanding state measures</td>
<td>Insiders: policy analysis, recommendations for specific change in existing institutions</td>
</tr>
<tr>
<td>Social service provision</td>
<td>Some social services provided, among a range of other activities</td>
<td>Increasing engagement in social service provision</td>
</tr>
</tbody>
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Chapter 6

The State and the Family: Institutional Continuity and Change in Child Welfare Provision

This chapter depicts the evolution of the state child welfare system in the Soviet Union and post-Soviet Kazakhstan focusing on the interplay between institutional continuity and change. The chapter is organized in three parts. I will begin by outlining the formation of the Soviet child welfare system in 1917-1991, focusing on the historical roots of its main elements. In this section, I will also summarize the main characteristics of the Soviet child welfare system inherited by Kazakhstan. The second section offers an examination of the child welfare transformation during the first decade of the country’s independence (1991-2000). During this period, the focus of the state was on welfare retrenchment, resulting in major cuts to public child welfare programs; the only welfare institution that was preserved were children’s residential institutions. The third section examines the child welfare transformation during the second decade of independence (2001-2012). The revival of child welfare is evident from the dramatic increase in the number of laws and programs concerning children; the most important regulations and their implications for child welfare provision will be discussed. The third section of this paper will offer a closer look at the role of agency in transnational social policy process by examining a case study of the drafting and adoption of the Law on Special Social Services. I will conclude this chapter with a summary of key findings and analytical points.


The Soviet child welfare system inherited by Kazakhstan had evolved over several decades and was deeply embedded in the sociohistorical context. The Soviet child welfare system was linked to Soviet family policy and both were marked by the shifting interpretation of what roles the state and the family should play in the care of children. Because of the close relationship between child welfare and family policy, it is useful to utilize the historical analysis by

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184 This section utilizes Russian-language scholarly publications on the history of family and child welfare policy in the Soviet Union. Specifically, it draws upon the work done by Russian historian scholars Rabzhayeva (2004), who developed a historical analysis of Soviet family policy, and Zezina (1999; 2000), who conducted archival research on the Soviet child protection system.
Rabzhayeva (2004) who identifies three periods in Soviet family policy: the period of liberal family policy (1917- mid-1920s), the period of stabilization of the family (mid-1920s-1953), and the period of supportive family policies (1953-1990). The review of these three phases in family policy and changes in respective child welfare policies follows.

The first period in Soviet family policies, which began after the Russian revolution in 1917 and lasted until the mid-1920s, was marked by the radical reformation of the family in the conditions of economic disarray and civil war. Initially policies were conceived of in the spirit of Marxist thinking (or rather, its interpretation by Bolsheviks). The Manifesto of the Communist Party decries the bourgeois family as part of the capitalist mode of production (Marx & Engels, 1848). While Karl Marx wrote little about the future of the family, Friedrich Engels in his Principles of Communism (1847) proclaimed that children’s education would be nationalized and provided on a communal basis, replacing family upbringing. In line with this thought, the Soviet feminist thinker and politician Alexandra Kollontai called for the abolition of the family, the liberation of women, and the full state care provision for children (Osipovich, 1993). The early Soviet regulations introduced drastic changes to family law: religious marriage was replaced with civil marriage; women and men were declared equal in all rights; divorce was simplified; abortions were legalized; both official marriage and common-law marriage were recognized; and children born out of wedlock were equalized in rights with children born to married couples. This period was marked by sexual liberalization and the weakening of a traditional family as evidenced by the spike of divorces and experimentation with various forms of families, such as polygamy, communal cohabitation and same-sex marriage (Rabzhayeva, 2004).

In its early years, the Soviet government viewed care for children as a responsibility of the state. In January 1918, the Government issued a decree nationalizing public and private children’s institutions and orphanages inherited from Tsarist Russia, declaring that children were taken under the protection of the state (Zezina, 2000). The formation of state governance of child welfare started early after the revolution. Initially, children’s institutions were the responsibility of the Narkomat of Social Protection, and in 1918, this responsibility was
transferred to the Narkomat of Education. To deal with urgent children’s issues and to secure funding for children’s institutions, the government created the Child Protection Council in 1919, consisting of different narkomats. In addition to this state body, since 1918, a non-state League for Saving Children was engaged in humanitarian assistance for children, such as shelter, medical treatment and education. In 1921, the Council and the League were replaced by the Commission for the Improvement of Children’s Lives, a state body with higher authority to which children and parents in need could apply for help (Zezina, 2000).

The Soviet Russia’s Civil War (1917-1921) and the economic crisis caused severe deterioration of children’s living conditions. In 1923, there were an estimated 7 million homeless and family-deprived children and children suffering from famine in the Povolzhye region (Kostina, 2003). To urgently address these issues, the government created residential institutions for children (named children’s houses) on a mass scale (ibid.). To find and remove children from the streets, a network of receiving-distributing centres for children was created under the Narkomat of Education in 1920 (Zezina, 2000). Thus, the main Soviet government approach to dealing with unsupervised children was focused on finding children living on the streets and placing them in state institutions. Other new-type children’s institutions included pioneer houses (communities of Soviet pioneers, members of the youth organization), children’s communes, and correctional institutions for children who had committed crimes.

The second phase of the Soviet family policy, which started in the mid-1920s and lasted until 1953, was integral to Stalin’s industrialization that relied on the ‘forced stabilization of the family’ (Rabzhayeva, 2004, p.93). Government adopted pronatalist policies in these years supported a conservative view of a nuclear family as a “unit of the society” that should play a critical role in upbringing children “in the spirit of Communism building”. New legislation abolished abortions, introduced divorce fees, and no longer recognized fatherhood outside of registered marriage as children born out of wedlock had to be registered as fatherless. New laws promoted motherhood, such as the Decree of the Supreme Council of the USSR (1944) ‘On the increase of state assistance to pregnant women, women with many children and single

185 Narkomat, a People’s Commissariat, was a Soviet central executive government body. The word was used to distinguish the Soviet government from ministries in Tzarist Russia. Narkomats existed until 1946, when they were transformed into ministries.
mothers, on the setting of a honorable status of a ‘Mother-heroine’ and on the introduction of the “Mother’s Fame” Order and the “Motherhood” Medal (ibid.). Therefore, raising children was recognized by the state as a merit and a contribution to the society.

Meanwhile, Stalin’s collectivization and mass rejections in the 1930s caused another wave of children’s separation from parents. In the 1940s, World War II and mass evacuation from occupied territories were another source of street and family-deprived children. The Narkomat of Internal Affairs (NKVD) began to play a central role in finding unsupervised children, identifying them and searching for family members. Created under the territorial state authorities, Commissions on children’s affairs were responsible for children’s placement in families or institutions. Soviet societal organizations (e.g., trade unions, Komsomol [the Communist Union of Youth], enterprises, schools) were also engaged in the process of children’s placement (Zezina, 2000).

In the 1940s, the government introduced laws aimed at encouraging families to take care of unsupervised children. In 1943, the Decree “On arrangements for children left without parents” proclaimed three types of family care for parentless children: adoption, guardianship/tutelage, and patronat. Adoption was allowed mostly for orphans or children whose parents agreed to give up their children. Guardianship was an unpaid form of family care for children under 15, and tutelage was family care for children aged 15 or older. Guardians were usually members of extended families/relatives of the child, and there was no state support to guardians and adoptive parents. Unlike guardianship and tutelage, patronat, which was a revival of the pre-revolutionary practice of placing children in families, provided parents with monthly child allowances paid by local state authorities; not surprisingly, by the end of the war, in 1945, almost half of all family arrangements were made up by patronat. However, patronat was often abused by patronat parents who did not provide care to children, and its use was gradually reduced to 28% by 1953 (Zezina, 1999). Despite the introduction of family placements, children’s institutions continued to be the main option for unsupervised children. After World War II ended, hunger, poverty, displacement, and a new wave of political repressions continued to produce unattended children, whose number reached 3 million in 1945 (Zezina, 2000).
The third period in Soviet family policy started after Stalin’s death in 1953 and lasted until 1991. It was characterized by the softening of legal regulations concerning families and increasing state assistance to families with children (Rabzhayeva, 2004). In 1955 abortions on medical grounds were legalized and a state-covered maternity leave and child sickness leave for mothers were introduced. The 1956 Decree prolonged the duration of the maternity leave from 77 to 112 days (56 prior and 56 after the birth of a child), and the Decree “On the measures for further development of children’s pre-school facilities, improvement of education and health care for pre-school age children” (1959) had increased the number of preschool childcare settings. In 1968, the Foundations of the legislation on marriage and family were adopted that simplified divorce, legalized voluntary abortions, and recognized fatherhood of children born out of wedlock. The act affirmed the responsibility of parents for educating their children in the spirit of the “Moral Code of the Builder of Communism” and ensuring their well-being. Patronat was abolished, and guardianship/tutelage and adoption became the only forms of custody over children.

The softening of family policies in the 1950s-60s under the leadership of Nikita Khrushchev was accompanied by the revival of the idea of state (social) care as a better option for educating future builders of communism. There was also awareness of problems with children’s houses, including underfunding, poor nutrition, poor living conditions, and cases of children’s physical and sexual abuse (Zezina, 2000). In the 1950s-1960s, children affected by the war had grown up, and the main factors associated with children’s deprivation and institutionalization were alcoholism of parents, poverty, parents’ imprisonment, single mothers, and parents’ disabilities (Zezina, 2000). The XX Congress of the Communist Party of the Soviet Union (CPSU) in 1956 made a decision to introduce boarding schools, and the Decree “On the organization of boarding schools” (1956) led to the opening of hundreds of boarding schools. However, the government inspection of boarding schools in the Russian Federation

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186 The ‘Moral Code of the Builder of Communism’ was a set of twelve moral rules for members of the Communist Party of the Soviet Union and Komsomol adopted at the XX Congress of the CPSU in 1961.

187 This is how the Big Soviet Encyclopedia (1969-1978) described boarding schools: “In USSR, since 1956, [boarding school] is a general education, predominantly, eight-year school, in which children live and study (weekends, holidays and school breaks [they] spend in families or with relatives). [They] organize social education for children predominantly from low-income families and orphans. In the regions of the Far North boarding schools serve children who have difficulties with regular access to educational settings. Children with
in 1960 revealed “serious deficiencies” with these institutions, including a lack of funding, incongruence with standards, poor living conditions, shortage of teachers, poor quality of education, poor health of children, etc\textsuperscript{188} (Zezina, 1999).

In the 1970s-1980s, the government increased support for families with children through income transfers, such as allowances to low-income families with children, child birth allowances, and paid maternity leave for mothers of children under 1 year\textsuperscript{189}. (Also, in the 1970s, children without family care were given privileges and benefits facilitating access to professional education (quotas and material assistance for professional education). In the 1980s-early 1990s, paid maternity leave was prolonged to 70 days before and 70 days after the birth of a child and unpaid childcare leave for mothers of children aged from 1 to 3 years of age was introduced.

In the 1980s, public attention once again was drawn to children’s residential institutions. Introduced by Mikhail Gorbachev perestroika and glasnost (new government policies of restructuring and openness) were accompanied by public discussion about children deprived of family care and living conditions in children’s institutions. Several Decrees were adopted aimed at improving living conditions for children in institutions\textsuperscript{190}. The degree adopted in 1987 also created a mass societal organization Lenin Soviet Children’s Fund with branches in member Soviet republics. The Decree “On the creation of children’s homes of family type” (1988)

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\textsuperscript{188} Report “On serious deficiencies in the work of boarding schools” sent to the Bureau of the Central Committee of the CPSU on the RSFSR by the Chair of the Commission of Soviet Control V.Zakurdayev.

\textsuperscript{189} Respective government decrees included: “On the improvement of the provision of maternity/child birth leave and childcare leave” (1973); “On the further increase in material assistance to low-income families with children” (1974) and “On measures for strengthening state assistance to families with children” (1981).

\textsuperscript{190} Respective government decrees included: “On measures for the improvement of upbringing, education and material provision of orphans and children deprived of parental care in infant homes, children’s houses and boarding schools” (1985); “On measures for the radical improvement of upbringing, education and material provision of orphans and children deprived of parental care” (1987); and “On the creation of children’s homes of family type” (1988).
instituted a new form of semi-family care for children in which five-ten children deprived of parental care would be placed into a family supported by the state. 468 children’s homes of family-type were created in the Soviet Union accommodating 4,000 children from children’s residential institutions (Russian Children’s Fund, 2013). The number of children in children’s institutions was declining in the 1980s but lagged behind the contraction in the number of children due to the shrinking fertility rate (Zezina, 2000).

To summarize, the evolution of the Soviet child welfare system was embedded in the country’s turbulent sociohistorical context. Intertwined with shifting family policies, the development of the child welfare system wrestled with an underlying question of what roles the state and family should play in the provision of care for children. In its early years, the Soviet state adopted “liberal” policies toward families and took upon itself the responsibility for children by creating children’s residential institutions. During Stalin’s rule, the emphasis shifted toward a nuclear family as the primary provider of care for children, enforced through repressive family policies. During late socialism, the family was viewed as a primary childcare provider but the state adopted supportive family policies. While family policies were shifting, children’s institutions consistently played an important function in the Soviet child welfare system. Created as an emergency response to the mass scale children’s deprivation in the early years of the Soviet state, children’s residential institutions became an institutional solution to the persistent issue of children’s deprivation caused by changing socioeconomic and political conditions. They embodied the state caring for its people and were legitimized as such in the Soviet culture. Moreover, residential institutions were instrumental in removing social problems from the public eye because abandoned, abused children, or children with disabilities were visible evidence of family/state failure or did not fit the image of a ‘perfect’ society. The institutional logic underlying the Soviet child welfare system was focused on finding unsupervised, abandoned, neglected, or abused children and placing them in residential institutions.

6.2 The Soviet Approach to Child Welfare

Soviet child welfare was an integral component of the Soviet welfare system. Soviet welfare encompassed full employment, generous maternity benefits, child allowances, sick leaves and pensions, free education and health care, and state housing (World Bank, 1998). Some invisible socialist welfare programs were provided in the form of price subsidies for goods (e.g., food) and
services (e.g., utilities, public transportation, child care). In addition to universal programs available to all citizens, the state provided special merit-based benefits to diverse categories of beneficiaries (e.g., veterans of the World War II and Afghan war, big families with four and more children, military personnel and their families, people with disabilities, orphans; Maltseva, 2005). Since all sectors of the society – the economy, political system and welfare provision - were governed by the state, the entire society functioned as a welfare system, and each household received some kind of welfare.

The Soviet state was at the centre of welfare provision: state bodies (i.e., the Central Committee of the Communist Party, the Council of Ministries and the Central Council of Trade Unions) planned and managed welfare; territorial-level state authorities and workplaces (state enterprises) were responsible for the administration of welfare benefits and programs. Many welfare services (social insurance, child care, health care, recreation facilities) were tied to the workplace and managed by trade unions, which were integrated with the government authorities. Some small portion of workers of collective farms accessed their welfare services through collective farms, which were regulated and controlled by the state (Wiktorow, 1992).

The founding principles of child welfare provision in the Soviet Union were enshrined by the Constitution of the Soviet Union (1977) and Constitutions of member republics (Wiktorow, 1992). The Constitution of the Soviet Socialist Republic of Kazakhstan (1978, Article 51) asserted that the state protects the family through the network of children’s facilities, household and communal food services, child birth allowances, cash assistance and benefits for families with many children, and other forms of assistance. The Constitution also guaranteed public health care, subsidized housing accommodation and municipal services. Similarly, the Marriage and Family Code of the Kazakh SSR (1969) declared state protection of the socialist family and motherhood through maternity houses, childcare facilities, boarding schools, and state assistance and benefits for mothers, families, and children.

The Soviet child welfare system can be divided into three components: income transfers to families; public services for children and families (i.e., child care, after-school programs, children’s summer camps); and state children’s residential institutions. In the late 1980s, income transfers to families included a full pay maternity leave, child birth allowance, a paid childcare leave in case of child sickness, pensions for widows and children to compensate for the loss of a
breadwinner, and allowances for children whose parents avoided paying alimonies (Azarova & Polupanov, 1982). Families with children had access to public social services provided through a wide network of nurseries and kindergartens, pioneer summer camps and recreation/resorts. Altogether, public programs and services were universal in nature and not designed to meet needs of specific populations or specific needs. The needs of special groups were addressed through categorical benefits in the form of cash transfers and in-kind programs. For instance, children with disabilities were entitled to monthly pensions and free medications and access to professional education, free use of public transportation and a 50% discount for travel within the Soviet Union.

While most families with children received or were eligible for most universal welfare programs, there was a high variation in the quality of and access to public services, depending on the workplace and/or region of residence. Rural areas had poorer infrastructure, and Soviet enterprises varied in terms of child care infrastructure. Even when a family accessed benefits, they were so small in amount that they had a minimal effect on the family’s income situation. Thus, a large proportion of families were in need of additional/special support. In 1988, approximately 14-16% of people in the Soviet Union, or 40 million people, were living below the subsistence level (Ruminska-Zimny, 1997). The Soviet poor (under the Soviet euphemism “low provisioned”) included the elderly, especially those living in rural areas, families with many children, and single-mother families (Falkingham, 1999). In need of additional or special support were poor families, families with children with disabilities or parents with disabilities, parents with alcohol/drug addiction, parents in prison (Zezina, 2000).

The main approach of the Soviet state to dealing with families in need for additional/special support was to depend on a complex network of specialized children’s residential institutions (Kostina, 2003; Zezina, 2000). By the late 1980s, children’s institutions became not just the last resort but served as the primary (and in some cases, the first) option. As described in the working document of the UNICEF “recourse to institutional placement was by far the most common

191 There was a shortage of services; for instance, in 1970, only 40% of 3-6 year-old children had access to kindergartens, and 52% in 1977 (Wiktorow, 1992).

192 For instance, child allowance for a fourth child in low-income families was only four roubles (Wiktorow, 1992).
response by the state in the former USSR for orphaned, abandoned and neglected children as well as for children with disabilities. The system was conceived in such a way as to validate the child’s absence from the family environment rather than to facilitate, where possible, his or her return” (UNICEF, 2004). When a family failed to provide care to the children, the state would interfere by depriving parents of their parental rights and responsibilities by placing children in institutions. Moreover, some parents needing additional support (e.g., families with children with disabilities, poor families, single mothers) were encouraged to place children in residential institutions.

Kazakhstan (like other post-Soviet states) has inherited and maintained a variety of residential institutions for children\(^\text{193}\), such as: infant houses for healthy children and special infant houses for children with some medical conditions; orphanages and boarding schools for children deprived of family care; family-type orphanages; children’s villages and youth homes; special correctional institutions for children with disabilities; general-type boarding schools; boarding schools of healthcare type for children with TB infection; boarding schools for children with deviant behaviors; near-school boarding institutions for children from remote rural areas and poor families; shelters and centers for temporary isolation and rehabilitation of unattended children.

The governance of child welfare in Kazakhstan has also been inherited from the Soviet child welfare system. Responsibilities for children and children’s institutions are divided among four national agencies. The Ministry of Education and Science (MoESc) is responsible for all levels of education and oversees children’s residential institutions for children deprived of family care (children’s houses). The Ministry of Labour and Social Protection (MoLSP) is responsible for state transfer programs, the provision of care to children with disabilities living with their parents and oversees residential institutions for children with disabilities. The Ministry of Health (MoH) is responsible for maternal and child health care and oversees maternity wards, children’s hospitals, and infant homes. The Ministry of Internal Affairs (MoIA) is responsible for identifying street children, abandoned, abused children, and children in conflict with the law.

\(^{193}\text{Most of institutions listed here were inherited from the Soviet system, but children’s villages and family-type orphanages were introduced in the 1990s.}\)
The MoIA oversees special correctional institutions for children in conflict with the law and, until recently, was responsible for Centers for the Temporary Isolation, Adaptation, and Rehabilitation of Minors (former children’s reception-distribution centers, since 2010 re-organized into Centers for the Adaptation of Minors and handed over to the MoESc). The MoIA runs a register of “troubled” families and statistics on parents deprived of parental rights. The four Ministries had respective networks of departments at the level of territorial divisions (i.e., provinces [oblasts], cities, and districts [rayons]). As a result of the government decentralization reform that was carried out in the 1990s, these territorial departments were transferred under the authority of territorial level governments. However, the Ministries continue to be responsible for the provision of informational and methodological/technical support to these departments. The labour division among government agencies and inter-agency barriers to collecting and sharing data on children are accountable for unreliable and inconsistent government statistics on child welfare. The government data on children are limited and often inaccurate (there are discrepancies in data even within a single report). Another issue, periodic reports, such as the National Report on the Convention on the Rights of the Child (CRC), provide inconsistent data, making it impossible to track changes in child welfare.

The missing element in the Soviet child welfare system inherited by Kazakhstan was (personal) social services and/or social work that could assist families to provide care for their own children, including low-income families, large families with many children, single mothers, parents with alcohol/drug addiction, parents with disabilities, and social/special education services for children with disabilities. The lack of personal social services and/or social work was tied to the well-known official reluctance to acknowledge social problems in the Soviet Union, a critical element of the Soviet ideology and culture, fueled by the underlying need to prove the advantage of socialism over capitalism. In the society built on the premise that the socialist revolution had eliminated the structural causes of inequality, social problems were declared nonexistent and social work was claimed unnecessary (Iarskaia-Smirnova & Romanov, 2009b). Therefore, social problems that did exist were constructed (and addressed) as medical conditions, such as disability, alcoholism, or criminal acts, such as drug addiction, prostitution, political dissent (Iarskaia-Smirnova, 2011).

Although some historical analyses point to “surrogate” social work practices in socialist countries (Hering, 2009), that is, social support activities performed by individuals and
organizations: teachers at schools, educators in kindergartens and orphanages, pioneer leaders, educators at youth and children clubs and centers, activists of women’s councils and trade unions, nurses at policlinics, and militia inspectors on the minors’ affairs (Iarskaia-Smirnova & Romanov, 2009a). However, “surrogate” social services were inconsistent and insufficient. While the Soviet child welfare system was capable of reacting to extreme conditions, such as homeless children, abandoned children, and severe degrees of child abuse or neglect, without the buffer of institutionalized personal social services, the system had no tools to address specific issues on the individual family level and provide necessary support to families and children in need.

6.3 Post-Soviet Transformation of Child Welfare

Since the collapse of the Soviet Union, social welfare transformation has been embedded in the economic and political restructuring of the independent Kazakhstan. This analysis points to two distinct phases in the post-Soviet child welfare evolution: child welfare retrenchment during the first decade of the country’s independence and child welfare revival during the second decade. These two phases were also marked by another attempt to reinterpret the question of whose responsibility is care for children. Drawing upon secondary data and key informant interviews, I will examine the changes in the main elements of the child welfare system that took place during these two periods. I will specifically look for institutional continuity and change and the role of Soviet institutional legacies in the social policy process.


Public services

The government priority in the 1990s was the stabilization of the economy and balancing the budget by introducing structural reforms. Therefore, the purpose of welfare reform was to reduce public expenditures on welfare, health care, and education (Table 26). In 1996, real public expenditures on education dropped to 28% of the 1991 level; similarly, real public expenditures on health care in 1997 fell to 35% of the 1991 level (Falkingham, 1999). Drastic reductions in public spending on education in the 1990s hit preschool education most severely, and seven out of eight child care facilities were closed (UNESCO, 2011). Consequently, in 1998, children’s enrollment in preschool education dropped to 11% of the 1990 level, a dramatic drop from the
70% enrollment in Soviet Kazakhstan (ibid.; MoESc “Balapan program”, 2010). Also, the 1990s were marked by the dissolution of many facilities providing after-school education and extracurricular activities; as a result, only 7.5% of children had access to these facilities in 2000\(^\text{194}\) (NRFWS, 2000). Access to special education for children with disabilities/special needs suffered, too. In 2001, there were 37 special correctional pre-school organizations and 180 special groups within general child care facilities, meeting the needs in special pre-school education for only 21.5% of children in need of such education (Kazakhstan, 2001a).

Table 26 Public expenditure on social sectors by sector, Kazakhstan, 1990–2000

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<tr>
<td>Total gov. exp. (% of GDP), including:</td>
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<tr>
<td>(a) Social insurance &amp; social security</td>
<td>31.4</td>
<td>32.9</td>
<td>31.9</td>
<td>25.2</td>
<td>18.4</td>
<td>18.9</td>
<td>17.4</td>
<td>27.0</td>
<td>24.1</td>
<td>19.6</td>
<td>23.2</td>
</tr>
<tr>
<td>(b) Education</td>
<td>5.9</td>
<td>6.7</td>
<td>3.9</td>
<td>4.2</td>
<td>2.8</td>
<td>4.5</td>
<td>3.4</td>
<td>4.4</td>
<td>4.0</td>
<td>3.6</td>
<td>2.77</td>
</tr>
<tr>
<td>(c) Health</td>
<td>2.9</td>
<td>3.2</td>
<td>2.1</td>
<td>2.3</td>
<td>2.0</td>
<td>3.0</td>
<td>2.8</td>
<td>2.6</td>
<td>2.0</td>
<td>2.9</td>
<td>1.73</td>
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**Income transfers to families**

Drastic cuts in welfare benefit programs were achieved by limiting the number of welfare recipients and by monetization of in-kind categorical welfare benefits\(^\text{195}\). In 1994, the provision

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\(^\text{194}\) Data for years before 2000 are unavailable.

\(^\text{195}\) As ex-Minister of Labor and Social Protection G. Karagoussova admitted in her interview, monetization allowed the government to cut costs of welfare programs because monetary compensation was overall lower than the costs of in-kind benefits (KAZINFORM, 14 December 2006, http://www.inform.kz/kaz/article/167414)
of welfare benefits was suspended to selected categories of beneficiaries. In 1997, the government stopped cash allowances for single parents and cash allowances for children whose parents avoid paying alimonies (Kazakhstan, 2001b). Monetization of in-kind welfare benefits was implemented in several phases. In 1997, cash benefits to several categories of welfare recipients were offered instead of in-kind benefits (Maltseva, 2008); in 1999, all in-kind welfare programs were replaced with cash benefits for several categories of beneficiaries, including families with children (e.g., “Heroine-Mothers” [women raising ten or more children], women who were holders of other government motherhood awards, families with four and more children, children of the military personnel, children with disabilities, adults with disabilities).

Along with cutting or monetizing categorical benefits, during the 1990s several legislative acts were introduced to provide targeted social assistance to the poor, including low-income families with children, unemployed mothers with four or more children under seven years of age; children with disabilities living with families; children with HIV, and children of military personnel. However, the size of targeted social assistance was so low it hardly made any difference to family incomes and access to it was limited due to administrative inefficiencies and the lack of resources in territorial level governments (Maltseva, 2008). As a result, in 1996, more than 60 percent of families eligible for assistance did not receive it (World Bank, 1998). In addition, access to public services such as health care and education deteriorated, particularly for poor families, due to privatization/associated costs and physical distances families living in rural and remote areas had to travel (ILO, 2003 Assessment of targeted social assistance). Thus, although state social assistance targeted children as one of the main populations, it could not fully compensate for the loss of incomes and cuts in public programs.

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196 Those beneficiaries included, for instance, people affected by nuclear weapon testing in Semipalatinsk and by detrimental environmental conditions in the Aral region, victims of mass political repressions.

197 E.g., the Decree #528 of 24 June 1993 “On the adoption of the regulation of assigning and transferring family allowances”; the Law #126-I on 16 June 1997 on State Social Allowances on disability, the Loss of a Breadwinner, and Old Age; the Decree #382 of 21 March 1997 “On the adoption of the regulation on the provision of social assistance to families with children”.

198 For instance, monthly social assistance for children with disabilities of 0.9 of the minimum subsistence level was equivalent of US$4.5 (Kazakhstan, 2001b).
New legislation concerning child welfare

Several legislative and regulatory acts in the area of child welfare were adopted in the 1990s; however, they were mostly declarative in nature and did not change the provision of welfare for children. Demonstrating its commitment to child welfare, Kazakhstan ratified the Convention on the Rights of the Child (CRC) in 1992, the first UN convention joined by the newly independent country. New Constitutions, adopted in 1993 and 1995, stated key principles of the new nation-state, including those related to child protection, health care, and education. These documents declare the family as the primary care provider for children and a lesser role of the state, as compared with the 1978 Constitution. The short-lived first Constitution of the RK (1993) announced that children’s upbringing and education were the responsibility of parents or guardians, while the state provides for children deprived of parents and promotes charitable activities toward them. Soon after the second (and current) Constitution (1995) declared that marriage, family, motherhood, fatherhood, and childhood are under the state protection; but care for children is stated to be the “natural right and responsibility” of parents (Article 27).

Similar revision of the roles of the family and the state in child welfare provision was offered by the new Law on Marriage and Family (1998) that replaced the Soviet-era Code on Marriage and Family. No longer declaring the state’s commitment to maintaining the network of children’s facilities and income benefits for families, the Law placed the primary responsibility for children on parents. Yet, the Law maintained the Soviet child welfare approach to dealing with families failing to provide necessary care: the state intervenes by depriving parents of their parental rights and placing the child under the protection of state authorities. Further, the Law on Education (1999) laid out general principles guiding education. Free public elementary and secondary education was guaranteed by the state for all, as well as education, special education, and social support for children with disabilities.

Children’s residential institutions

Unlike income transfer programs and public services, children’s residential institutions survived the economic crisis and budget cuts. Although the birth rate and the total number of children were declining in the 1990s, both the number of institutions and the number of children in institutions had increased. For instance, the number of residential institutions for children without parental care increased by 50% and the number of children in institutions more than
doubled between 1990 and 1999 (41 children’s homes and boarding schools accommodating 4,700 children in 1990 and 65 institutions accommodating 10,961 children in 1999; NRFWS, 2000). As the First National CRC Report (Kazakhstan, 2001a) stated, “this is the only network within the system of primary and secondary education that has not been optimized [cut]”. Thus, two elements of child welfare—income transfers to families and public services—were reduced, but children’s institutions survived as the main government approach to child welfare at the time when more families struggled to provide necessary care. The same government document provides an explanation for the resilience of institutions: “The least protected [groups] are considered orphans, children with limited developmental capacities [disabilities] and children from big and low-income families. The state support for them is provided through the system of children’s houses and boarding schools” (NRFWS, 2000). Therefore, children’s residential institutions preserved their role and legitimacy during the first decade of Kazakhstan’s independence.

Along with maintaining Soviet children’s residential institutions, there were what appeared to be fledgling intentions to replace them. In 1994, SOS Kinderdorf International, an international nonprofit organization whose headquarters are in Austria, came to Kazakhstan invited by the country’s First Lady, Sara Nazarbayeva, who founded the children’s charitable fund “Bobek” (“the kid” in Kazakh language) in 1992 and has been a prominent figure in the national charity for children scene. SOS Kinderdorf has developed several program modalities, among them the best known is children’s villages—small family-type children’s residential institutions in which a woman caregiver (SOS-Mom) lives with several children deprived of parents. When children reach the age of 16, they move to youth houses where they live semi-independently for a few years under the supervision of teachers. Since 1997, SOS Kinderdorf has opened three SOS children’s villages and five youth homes in Kazakhstan (SOS Kinderdorf Kazakhstan, 2013). Children’s villages were promoted as a European, advanced, and better option for children deprived of parents, as compared with Soviet-type big-capacity children’s institutions. Better funded from private sources, children’s villages were built as exemplary facilities and provided better living conditions and services to children (Kazakhstan, 2001b). In 2000, the government

199 According to the Bobek’s website, Sara Nazarbayeva learned about SOS villages while visiting Germany and became interested in transporting this model to Kazakhstan. Since 1994, she has been the President of the SOS-Children’s Villages of Kazakhstan.
adopted the Law on Family-Type Children’s Villages and Youth Homes, which stated the goal of the “gradual transformation of children’s homes into children’s villages.” Six governmental children’s villages modelled after SOS villages were opened. But government-run children’s villages provided lower level of care to children than SOS facilities, and the plan to replace children’s residential institutions with children’s villages has not yet been realized\(^{200}\).

6.3.2 The Revival of Child Welfare in 2000-2012

*The shift in state priorities*

In the 2000s, the economic recovery was accompanied by a steady increase in public spending on education, health care, and social welfare, in absolute figures\(^{201}\) (Table 27).

Table 27 Public expenditure on social sectors by sector, Kazakhstan, 2001–2009

<table>
<thead>
<tr>
<th>GDP change (annual %)</th>
<th>2001</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
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<th>2006</th>
<th>2007</th>
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<tr>
<td>Total government expenditure (% of GDP), including:</td>
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<tr>
<td>(a) Social insurance &amp; social security</td>
<td>5.7</td>
<td>5.4</td>
<td>11.5</td>
<td>4.0</td>
<td>4.5</td>
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<td>3.9</td>
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<tr>
<td>(b) Education</td>
<td>3.3</td>
<td>3.0</td>
<td>3.3</td>
<td>2.3</td>
<td>2.3</td>
<td>2.6</td>
<td>2.8</td>
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<tr>
<td>(c) Health</td>
<td>1.9</td>
<td>1.9</td>
<td>2.0</td>
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</table>


An increase in public expenditures on welfare in the 2000s indicated a shift in government priorities and the growing importance of social welfare policy in the official discourse. The revival of social welfare did not indicate a return to the Soviet-era universal programs. No longer claiming its responsibility for *all*, the government declared that its primary role was to create

\(^{200}\) As of 2012, there were only 8 state children’s villages accommodating 417 children and 3 SOS villages accommodating 208 children in Kazakhstan (MoESc, 2012).

\(^{201}\) Public expenditures still lag behind as a percentage of GDP as compared to OECD countries\(^{201}\) (UNICEF, 2007).
economic conditions and jobs, maintain minimum standards of living, build infrastructure, and support certain populations that cannot provide for themselves, specifically, children, the disabled, and the elderly. At the same time, the government announced that three groups of the population will be protected by the state: the elderly, mothers, and children. As social welfare made a comeback to the official discourse in the 2000s, children re-gained their status as one of the primary target populations for welfare policy. But child welfare was inscribed into a social investment policy framework. If in the Soviet-era official and public discourse, child welfare and family policies were aimed at educating a future “builder of Communism”, more recent policies concerning children and family (i.e., policies on education, maternal and child health, and welfare) have been part of discourses on the country’s human resource capacity and competitiveness in the global market.

Income transfers to families

In the 2000s, there was a significant increase in government cash transfer programs for families and children. First, the Law on Targeted Social Assistance (2001) replaced other cash assistance programs for the poor. Targeted social assistance was given to families whose per-capita income fell below 40 percent of the minimum subsistence level. In 2003, children made up the majority of recipients of targeted social assistance (60%), followed by the unemployed (18%) and caregivers (12%) (ILO, 2003). Next, the Law on State Allowances for Families with Children (2005) introduced several family and maternity benefit programs, one means-tested and others universal: (1) monthly cash transfers to families whose per-capita income is below the food basket value until the child reaches 18 years of age; (2) a single-payment child birth allowance (since 2003); (3) monthly childcare allowance until the child reaches one year; and (4) a

202 The President of RK in his 2004 Address to the nation stated, “Nowadays, when the country has resources due to the economic growth, some dependency moods have revived [seeking] to solve many problems only with state resources. But such an approach will throw us back. Free of charge [things] and free rides lead to the distortion of values, impede labour motivation, weaken the person, and lower one’s living capacity […] An individual must provide all goods for oneself and for one’s family […]. And the less the state’s participation in solving one’s essential issues, the better” (my translation). Retrieved from http://www.akorda.kz/ru/allNews?category_id=26.

203 As the President of RK stated in his 2005 Address to the nation “An important issue for our strategy is the decent provision for the livelihood of the least protected member of the society—children, their mothers, and the older generation. The government will not save resources for the solution of these issues.” Retrieved from http://www.akorda.kz/ru/allNews?category_id=26.
monthly childcare allowance for parents/caregivers of children with disabilities\textsuperscript{204}. Unlike almost negligible cash benefits in the 1990s, the cash value of these allowances is sizable\textsuperscript{205}.

\textit{Public services}

State support for child care facilities has been part of the rising importance of education for the market economy. In his 2004 Address to the Nation \textsuperscript{206}, the President of the RK declared the government focus on education as a condition for increasing the country’s competitiveness and called for a number of measures, including the recovery of the network of pre-school child care facilities and near-school child care facilities and the creating of the network of special boarding schools for children with special educational needs. This speech initiated an increase in the state support to the network of publicly funded and private child care facilities. From 2007 to 2009, 2,557 pre-school facilities were opened with the capacity to accommodate 142 thousand children, including 612 kindergartens for 74 thousand children\textsuperscript{207}. As a result of government efforts, in 2010 there were 4,972 pre-school facilities, including 2,003 kindergartens, covering 373,160 children (38.7\%); but 260,000 children still had no access to pre-school education. The Balapan [“a baby bird; a little kid” in Kazakh] program adopted by the government in 2010 has the main goal of increasing the number of preschool education facilities to reach 70\% coverage by pre-school education for all children under 7 and 100\% coverage of children of 5-6 years of age by 2015 (MoESc, 2010).

\textit{Governance of child welfare}

There was growing awareness among child welfare policy actors, including government agencies, NGOs, and UNICEF and other TOs, that child welfare reforms stumbled because of

\textsuperscript{204} The monthly childcare allowance for parents/caregivers of children with disabilities was introduced by the amendment to this Law in 2010.

\textsuperscript{205} In 2013, child birth allowance was 45,360 KZT (approximately, USD$300); monthly childcare allowance for children from birth to one year was 8,316 KZT (USD$55) for a woman who was not employed and 40\% of the average monthly salary for working women. The monthly childcare allowance for parents/caregivers of children with disabilities was equal to minimum wage (18,600 KZT, or approximately, USD$120).


\textsuperscript{207} MoESc (2010). Balapan Program.
the division of labour among government Ministries and the lack of coordination among them. Since all four Ministries (i.e., the MoESc, MoH, MoLSP, and MoIA) have equal levels of authority, none of them would take on a role in leading and coordinating child welfare reform (Kazakhstan, 2001b). The National Commission on Family and Women Affairs created by the government of Kazakhstan in 1998 with the goal of advancing gender equality was also envisioned to direct child welfare reform. But these hopes were not realized as the Commission had a small staff, small budget, and little authority over other agencies (ibid.). Another coordinating body was the Council on Youth Affairs, established in 2000 under the Government of Kazakhstan, which played not more than a consulting and advisory role and, therefore, could not play a leading role in child welfare reform (ibid.). Created in 2002 under the President of RK, the national Commissioner for Human Rights (Ombudsman) is responsible for monitoring human rights (including rights of children) and dealing with citizens’ complaints on government bodies. The agency conducts analyses and contributes to UNICEF reports on children but is not involved in the governance or provision of child welfare. The next attempt to establish a coordinating body was an inter-agency National Coordination Group on the Rights of the Child created in 2003 with support from UNICEF. The groups brought together representatives of government agencies and NGOs. It improved communication among agencies, increased their awareness of international norms, and engaged them in child welfare reform but had no formal authority.

In 2006, the government created the Committee for the Protection of the Rights of the Child, a special body under the MoESc, which was assigned a task “to realize government policy in the area of protection of rights and legal interests of children, as well as implementing and control functions in this area” (MoESc, 2011). The Committee has a network of subordinate Departments for the Protection of the Rights of the Child under respective territorial administrations in 16 regions of the country. The Committee has improved inter-agency communication and data collection on children. Unlike “old” government agencies, it is open and accessible to NGOs and communities. However, the issue of inter-agency divisions and of

---

208 E.g., the Report on violence against children in schools of Kazakhstan (2013); Rapid assessment of children’s vulnerabilities to risky behaviors, sexual exploitation and trafficking in Kazakhstan, 2012; Analysis of legislation and complaints on torture and violence against children in the context of juvenile justice, 2013.
the lack of coordination among government agencies has persisted (interviews with NGOs, GOs). Although the Committee was assigned the responsibility for coordination, it was not given the authority required to execute coordinating functions concerning other Ministries. Moreover, the Committee and its departments encounter tensions within the MoESc and its territorial departments that sometimes perceive the newly created counterparts as “problem seekers” whose objective is to undermine the work done by others. While the new body was created, the roles and functions of existing agencies have not been amended (interviews with NGOs, GOs). New layers of institutions added to the child welfare governance structure do not seem to have changed the core principles of child welfare governance but rather contribute to the institutional complexity and confusion.

*Child welfare legislation: An introduction of a rights-based framework*

The revitalization of child welfare is evident from the increase in the number of regulations and state programs concerning children adopted in the 2000s. First, a symbolically significant Law on the Rights of the Child was the adopted in 2002. Having no analogous regulation in the Soviet welfare system, the Law sought to incorporate in the national legislation the principles set by the CRC and to serve as a comprehensive act concerning children. While declaring commitment to protecting children’s rights in line with the CRC, the Law, however, made no attempt to change the system of child welfare provision, and its introduction was not accompanied by amendments to other laws. Rather, the Law on the Rights of the Child re-instated existing principles of child welfare provision. For instance, the Law contends that when family placement is not available for a child without parental care, the state authority is responsible for placing a child in a relevant institution. Without reforming children’s residential institutions, the Law re-frames them using the CRC language as “organizations performing functions on the protection of the rights of the child”.

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209 The Article 30 of the Law on the Rights of the Child lists all existing children’s residential institutions as ‘organizations performing functions on the protection of the rights of the child’ such as: infant homes for children-orphans and children without parental care aged from birth to three years of age; specialised Infant homes for children with mental or physical defects from birth to four years of age; special educational organizations for children with deviant behaviors aged from 11 to 18; boarding school for orphan children and children without parental care aged from 3 to 18; general type boarding schools for orphans, children without parental care, and children from low-income and large families aged from 6 to 18; boarding schools for children with mental retardation for children aged from 4 to 18; children’s villages of family type for orphans and children without
Alternative forms of family care

Three forms of alternative family care for children without parents, namely, adoption, guardianship/tutelage, and patronat, have been used in post-Soviet Kazakhstan, all of them existed in the Soviet child welfare system. Adoption gives adoptive parents the same parental rights and responsibilities as biological parents have, including welfare benefits, maternity and child care allowances but no other benefits. The rate of adoption was steadily declining since 2005 (Table 28).

Table 28 Number of adoptions in Kazakhstan, 2000-2010

<table>
<thead>
<tr>
<th>Year</th>
<th>2000</th>
<th>2001</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Population aged 0-17, in 1,000s</td>
<td>5,053</td>
<td>4,963</td>
<td>4,870</td>
<td>4,777</td>
<td>4,708</td>
<td>4,660</td>
<td>4,617</td>
<td>4,600</td>
<td>4,607</td>
<td></td>
</tr>
<tr>
<td>Number of adoptions</td>
<td>4,352</td>
<td>4,483</td>
<td>4,114</td>
<td>4,715</td>
<td>4,397</td>
<td>4,075</td>
<td>3,461</td>
<td>3,822</td>
<td>3,519</td>
<td></td>
</tr>
<tr>
<td>Gross adoption rate*</td>
<td>498.8</td>
<td>518.4</td>
<td>475.5</td>
<td>533.8</td>
<td>474.6</td>
<td>414.6</td>
<td>329.5</td>
<td>340.0</td>
<td>293.1</td>
<td></td>
</tr>
</tbody>
</table>

*per 100,000 population aged 0-3


Guardianship and tutelage are traditional family care options, most often used by relatives of children without parental care. Guardianship/tutelage has been the most prevalent form of alternative family care in Kazakhstan: while the number of new children taken under guardianship/tutelage ranges between 2,000 and 5,000 per year, the number of children under guardianship/tutelage throughout the 2000s was approximately 25,000 each year (Kazakhstan, 2012a). Until 2011, there was no child care allowance for guardians; in 2011, the state introduced childcare benefit for guardians, similarly to patronat parents (an equivalent of USD$100 per month). The third alternative to children’s residential institutions (re)introduced de jure in 1999 was patronat (foster care), a family care option based on a contract between an adult parental care under 18; youth homes for graduates of children’s homes and children’s villages; and centers for temporary isolation, adaptation and rehabilitation of minors for unattended children aged from 3 to 18.
caregiver and the state (another revival of patronat that existed before the Russian revolution and in the Soviet Union from 1943 to 1968)\textsuperscript{210}. However, patronat did not take off \textit{de facto} until 2004 when state funding was allocated and the placement of children under patronat care began. In 2004, over 2,800 children were taken into patronat families\textsuperscript{211}. Since then, the number of children taken annually in patronat families has sustained at the level of approximately 2,000 (Khusainov et al., 2009). Thus, the use of the three available forms of alternative family care in post-Soviet Kazakhstan was stable or declining (Table 29), showing no tendency to grow and to replace children’s residential institutions.

### Table 29 Number of children in alternative family care in Kazakhstan in 1999-2011

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of children taken under guardianship and tutelage</th>
<th>Number of children in patronat families</th>
</tr>
</thead>
<tbody>
<tr>
<td>1999</td>
<td>2,078</td>
<td>0</td>
</tr>
<tr>
<td>2000</td>
<td>2,667</td>
<td>0</td>
</tr>
<tr>
<td>2001</td>
<td>2,742</td>
<td>0</td>
</tr>
<tr>
<td>2002</td>
<td>4,671</td>
<td>0</td>
</tr>
<tr>
<td>2003</td>
<td>5,687</td>
<td>0</td>
</tr>
<tr>
<td>2004</td>
<td>5,238</td>
<td>2,813</td>
</tr>
<tr>
<td>2005</td>
<td>5,212</td>
<td>1,928</td>
</tr>
<tr>
<td>2006</td>
<td>3,010</td>
<td>1,791</td>
</tr>
<tr>
<td>2007</td>
<td>4,425</td>
<td>1,823</td>
</tr>
<tr>
<td>2009</td>
<td>-</td>
<td>2,063</td>
</tr>
<tr>
<td>2010</td>
<td>-</td>
<td>2,267</td>
</tr>
<tr>
<td>2011</td>
<td>-</td>
<td>2,267</td>
</tr>
</tbody>
</table>

\textit{Source:} Khusainov et al., 2009; MoESc, 2012.

**Children’s residential institutions**

In the early 2000s, the total number of children in all residential institutions (including those with and without parents) continued to grow until mid-2000s and then stabilized (Table 30).

---

\textsuperscript{210} The Regulation On Patronat adopted by the Decree #1346 of 9 September 1999.

\textsuperscript{211} The introduction of patronat coincided with the decline in the number of adoptions. If parents chose patronat instead of adoption, than it explains why the introduction of patronat had no effect on the level of institutionalization.
Table 30 Children in residential care, at the end of the year (in 1,000s)

<table>
<thead>
<tr>
<th></th>
<th>1999</th>
<th>2000</th>
<th>2001</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>58.0</td>
<td>67.2</td>
<td>69.2</td>
<td>76.2</td>
<td>82.5</td>
<td>87.0</td>
<td>84.6</td>
<td>79.5</td>
<td>79.0</td>
<td>82.9</td>
<td>78.5</td>
<td>77.4</td>
</tr>
</tbody>
</table>


While the overall number of children in all residential institutions appears to be rather stable, the number of children without parental care in residential care started to shrink in the late 2010s (Table 31). A recent media release\textsuperscript{212} reports that the government closed 17 children’s residential institutions since 2010 due to the fall in the number of children without parental care. Because of the problems with statistics on children deprived of family care and children in residential care discussed earlier, it is hard to explain the recent reduction in the number of children entering children’s residential institutions. Government documents tend to attribute this development to the state’s efforts aimed at de-institutionalization (Kazakhstan, 2012a). However, this argument cannot be substantiated because there was no respective increase in the use of alternative forms of family care, such as adoption, guardianship/tutelage, and patronat.

A more plausible explanation is that the flow of children into residential institutions reduced due to economic recovery and an increase in living standards of the general population. As this historical analysis indicates, since their inception and throughout the turbulent Soviet history, children’s residential institutions worked as a sluice for any cause of children’s deprivation. After the collapse of the Soviet Union and subsequent socioeconomic turmoil, children’s residential institutions continued to play the same role. While children’s residential institutions appear to take a downturn in the 2010s, they do not seem to simply drift away. In the past, any turmoil would revive children’s residential institutions and the underlying institutional logic. After twenty years of reforms, children’s residential institutions have yet to be replaced with alternative forms of care and new institutional logic.

Table 31 Children in residential care by the type of institution*

<table>
<thead>
<tr>
<th>Type of children’s residential institutions</th>
<th>2001</th>
<th>2003</th>
<th>2006</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Infant homes</td>
<td>2,436</td>
<td>2,120</td>
<td>26 2,105 children</td>
<td>25 1,586 children</td>
</tr>
<tr>
<td>Boarding schools (for all children including those without parental care)</td>
<td>583 71,400 children</td>
<td>598 73,200 children</td>
<td>722 79,674 children</td>
<td></td>
</tr>
<tr>
<td>Children’s houses &amp; boarding schools for children without parental care</td>
<td>70 12,022 children</td>
<td>69 12,000 children</td>
<td>62 6,700 children</td>
<td></td>
</tr>
<tr>
<td>Orphanages of family-type</td>
<td>33 184 children</td>
<td>33 249 children</td>
<td>29 427 children</td>
<td></td>
</tr>
<tr>
<td>Children villages</td>
<td>6 350 children</td>
<td>5 6 7 349 children</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Youth homes</td>
<td>10 14 23 25 1,298 children</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SOS villages</td>
<td>2 2 3 3</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Children’s houses for children with disabilities without parental care</td>
<td>17 (1 motor+16 mental)</td>
<td>19 1,294 children</td>
<td>20 (3 motor +17 mental)</td>
<td></td>
</tr>
<tr>
<td>Special correctional institutions for children with disabilities</td>
<td>88 15,859 children</td>
<td>86 15,600 children</td>
<td>15,477 children</td>
<td></td>
</tr>
<tr>
<td>Boarding schools of health care type</td>
<td>101 32,235 children</td>
<td>100 32,800 children</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Boarding schools for children with deviant behavior</td>
<td>n/a 5 522 children</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Near-school boarding organizations</td>
<td>305 11,900 children</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shelters</td>
<td>26 13 553 children</td>
<td>21 564 children</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Centers for temporary isolation and rehabilitation</td>
<td>18 18 9,883 children</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Cells are left empty if respective data are not available.

Sources: UNICEF working document (2004); Kazakhstan (2006a); Kazakhstan (2012a); MoESc data (2012); TransMONEE data (2012).
**Social services for children**

Unlike other welfare programs discussed in this chapter, social services are a new modality that was absent from Soviet child welfare (as a formal institution) and only introduced over the past two decades. The provision of social services represents a different institutional logic: to provide individualized supports to families with children accessible in the community, without removing children from the family. Three pieces of legislation adopted in the 2000 created the legal basis for the development of social services for children in Kazakhstan. First, the Law on Social, Medical, and Pedagogical Correctional Support to Children with Special Needs, adopted in 2002, was the first and significant step in the development of the system of social support services for children with special needs. The initiating, drafting, and advocacy that resulted in the adoption of this Law were led by the NGO SATR and its founder Roza A. Suleymenova. The Law started the development of the governmental institutional network responsible for the detection and correction/treatment of disabilities and the provision of medical, educational, psychological, and social services to children with special needs. The system’s territorial structure resembles the organization of healthcare provision. At the local level, departments of social assistance for children with special needs were set up to provide home care, staffed with the head of the department, social/home care workers and consultants (one worker per 6 children with special needs). At the municipal, district, and provincial (oblast) level, psycho-medical and pedagogical consultations, rehabilitation centres, psycho-pedagogical and correctional rooms (centres) were established to provide psychomedical and pedagogical diagnosis/assessment of educational needs and community-based special education and rehabilitation services. These facilities are staffed with teachers, defectologists\(^{213}\), speech therapists, psychologists, social pedagogues, and medical doctors. Social assistance departments for home care for children with special needs fall under the supervision of the MoLSP; other facilities belong to the education system governed by the MoESc. In addition to the Law on social, medical, and pedagogical correctional support to children with special needs, a set of supplementary regulations (national standards for facilities and service provision) was developed.

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\(^{213}\) Defectology is a field of child special education specific to (post)Soviet region built upon the work of Lev Vygotsky. The theory states that impairment does not limit child’s capacity to learn, if proper educational approaches are used (UNICEF, 2005 \(\text{http://www.unicef.org/ceecis/Disability-eng.pdf}\)). Fields of specialization in defectology included oligophrenopedagogy (mental retardation); audiology (hearing impairments); typhlopedagogy (visual impairments); logopediy (speech therapy); and correctional-development education.
From the beginning, the government allocated funding to support new organizations (510 million KZT in 2003 and 487 million KZT in 2004 [equivalent of US$3.5 million and US$3.4 million, respectively], but the opening of facilities by territorial level authorities was initially sluggish. There was also a lack of skilled service providers to provide quality services to children with special needs as well as a lack of training and methodological support for service providers (interviews with NGOs, GOs). Despite these issues, over time, the Law has improved access to medical and social services for children with special needs. In 2011, country-wide there were 57 psycho-medical and pedagogical consultations, 20 rehabilitation centres, 129 rooms of psycho-pedagogical correction and 497 speech pathology rooms (Commission on Human Rights of the RK, 2012). By 2011, 160 homecare departments were opened (MoESc, 2011).

The Law has several limitations that influence the development of social services for children with special needs. First, the Law represents a mix of institutional logics to care for children with special needs. On the one hand, the authors of the Law envisioned comprehensive, multidimensional services provided by the network of community-based organizations beyond traditional Soviet welfare programs for children with disabilities, such as state benefits and residential institutions. On the other hand, the Law’s primary focus on pathology and correction/treatment reveals a predominantly medical perspective of child disability, resembling the Soviet approach with its focus on the categorization of children by defect and placing in specialized institutions. Second, the newly created network of institutions was a rather autonomous addition to existing organizations (health care and education), which added another layer of complexity to the already complex and internally divided child welfare system. Third, creating a separate network of organizations for children with special needs provides no institutional means for the integration/inclusion of these children in the society. Fourth, since these services are new and unknown to general public, the lack of integration with already existing and well known services (e.g., health care and education) creates a barrier to service utilization.

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214 In 2003, 48 out of 106 homecare departments of social assistance were opened by the local authorities; 2 oblast psycho-medical and pedagogical consultations in two cities, 8 oblasts, 14 municipal and rayon consultations, and 7 rehab centers in oblasts.

215 Here is an illustration to how post-Soviet reformers and advocates wrestle and engage with the lasting legacy of the Soviet-era medical model of disability. At the round table discussion of drafted standards for social services for
It is difficult to estimate the effect of the Law on Social, Medical, and Pedagogical Correctional Support to Children with Special Needs on children’s institutionalization. First, the provision of new services does not involve existing residential institutions (although when a family applies to the special correctional institution, the assessment conducted by a psycho-medical pedagogical consultation is required). Second, over ten years of the implementation of the Law, the registered number of children with special needs has been growing, probably, due to the better detection of disability/special needs\textsuperscript{216}. Third, since the introduction of these services, there has been only a slight reduction in the number of children with disabilities in residential institutions (Table 32). However, this positive trend may be attributable to the improvement in the socioeconomic conditions. In sum, the new system of social, medical, and pedagogical correctional support to children with special needs has supplemented the child welfare system by filling in some serious gaps but apparently has not interfered with any of the existing institutions.

Table 32 Number of children with disabilities in residential care

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of Children</th>
</tr>
</thead>
<tbody>
<tr>
<td>2000</td>
<td>16,010</td>
</tr>
<tr>
<td>2001</td>
<td>22,785</td>
</tr>
<tr>
<td>2002</td>
<td>15,562</td>
</tr>
<tr>
<td>2003</td>
<td>17,908</td>
</tr>
<tr>
<td>2004</td>
<td>17,406</td>
</tr>
<tr>
<td>2005</td>
<td>16,582</td>
</tr>
<tr>
<td>2006</td>
<td>15,477</td>
</tr>
<tr>
<td>2007</td>
<td>15,282</td>
</tr>
<tr>
<td>2008</td>
<td>14,761</td>
</tr>
<tr>
<td>2009</td>
<td>14,424</td>
</tr>
<tr>
<td>2010</td>
<td>14,341</td>
</tr>
</tbody>
</table>

\textit{Source: TrasnMONEE, 2012.}

The second piece of legislation that played a role in the development of social services for children in Kazakhstan was the Law on State Social Contracting introduced in 2005 as an institutional mechanism for state funding of NGO providers of social services (this Law is discussed in greater detail in Chapter 4). The Law provides a list of NGOs’ activities that can be funded under this mechanism, such as education, science, information, sport, health care, environmental protection, youth policy and children’s initiatives, gender issues, support to early intervention I attended in August 2013, participants from Kazakhstan talked about low service utilization due to the lack of awareness and trust in the new service. Guest speakers from Lithuania who spoke about their experiences explained that they found that Nordic models of social services provided in the community were not suitable for their context. They deliberately chose to introduce social services for children with special needs in polyclinics because families want disability to be treated and they trust doctors.

\textsuperscript{216} According to the MoESc, in 2007 there were 120,000 registered children with special needs, and in 2011—147,000 children with special needs (Kazakhstan, 2012a).
vulnerable populations, support for children without parents, children in single-parent and big families, and others. The state has allocated significant funds via this mechanism, and the amount of funding has grown steadily. However, inherent with the design of the Law as well as multiple obstacles to the implementation of this Law limited the use of the social contracting mechanism for financing NGOs’ social services (See Chapter 4 for the discussion of these obstacles in greater detail).

The third piece of legislation that played a major role in the development of social services for children is the Law on Special Social Services, adopted in 2008. This Law regulates the provision of social services to individuals and families in ten types of a ‘difficult living situation’ (five of them are children-only categories): orphan children; children deprived of parental care; children deprived of supervision, including deviant behaviors; limited capacity of early psychophysical development of children from birth to three years of age; stable functional impairment due to physical and mental disability; impaired functions due to socially significant illnesses and diseases that pose a threat to others; inability to care for themselves due to old age, illness or disability; abuse that has led to social maladaptation and social deprivation; homelessness; being released from prison; and being under supervision of the probation services of the criminal inspection. The Law allows for the state funding of social services provided by governmental organizations, including residential institutions and home care departments, and NGOs through the state social contracting mechanism.

Responsibility for special social services is divided among three national agencies (i.e., the MoLSP, MoH, and MoESc), in line with their current responsibilities, and regional departments of state administrations. These agencies are responsible for setting up state standards, developing qualification requirements for social workers (service providers), needs assessment and monitoring/evaluation, and the overall coordination of social services in the respective area (i.e., education, health care, social protection). At the territorial level, territorial state authorities are responsible for selecting providers of social services (state and non-state) and procuring social

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217 The Law on State Social Contracting provides a tool for the state funding of NGOs; for-profit organizations cannot be funded via this mechanism.

218 The last type was added in 2012.
services through the state social contracting mechanism. A person/family in a difficult living situation may apply for special social services to a territorial state authority, which then delegates a social worker to conduct a needs assessment. Based on the social worker’s assessment, the state authorizes the state-covered provision of special social services. Social service providers can be governmental organizations and NGOs that have to comply with state standards and are subject to monitoring/evaluation by state authorities.

The Law on Special Social Services differs in several significant ways from earlier legal acts. First, the law outlines social services as a new domain within the existing welfare system, providing a framework for the provision of social services in residential institutions and in communities. Second, the law identifies new categories of beneficiaries that were not previously recognized as such within the welfare system, including children’s categories. Third, the law includes governmental organizations and nonprofit and for-profit non-state organizations into the broad category of social service providers. Fourth, the law provides a framework for social work as a new profession/occupation that provides social services. At the same time, the Law on Special Social Services has not eliminated or replaced other legislative acts that regulate NGOs’ activities. Quite the opposite, this law complements and builds on existing legislative frameworks, most importantly, the Law on state social contracting.

The Law on Special Social Services provides an overarching legal framework for the provision of social services, and responsible Ministries are expected to develop supplementary regulations (service standards, facility and staff requirements, budget estimates) to secure government funding. Three years later, the only agency that has done the work was the MoLSP, which developed standards for the provision of special social services for the Ministry’s traditional populations: children with disabilities, adults with disabilities, and the elderly in need of care. Therefore, out of various categories of children, the only population of children that has benefited from social policy reform was children with disabilities/children with special needs between four and 18 years of age. Notably, children under that age who reside in special infant homes have not received a similar increase in care because the MoH has not developed

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219 According to this Law, the government covers the guaranteed amount of special social services. Service providers can provide for-fee special social services that are outside the guaranteed amount.
respective standards for special social services. Similarly, children’s institutions (boarding schools and children’s houses) under the MoESc have yet to develop standards for social services.

The standards for special social services envision a drastically different provision of care in residential institutions for people with disabilities. These Soviet-type institutions used to provide not more than minimum care; they were (and still are) big and crowded, accommodating hundreds of residents, who lived in humble, sometimes appalling living conditions. The new standards require children’s residential institutions to provide an array of health care, educational, and social services; to expand staff to include not only aid workers, but also psychologists, teachers, psychotherapists, social workers, speech therapists, and diet nurses among others; and to improve living conditions for residents (e.g., to eliminate isolators, install warm floors in sanitary rooms, provide better food, open Montessori and sensory rooms, provide pampers for residents with incontinence). Also, a new position of Vice-Director for social work was introduced (before these institutions only had a Vice-Director on medical care). For each child, there is a requirement to conduct an assessment and develop an individual development plan. However, the standards do not cover the costs of renting the facility (building or part of a building), and this created obstacles for the provision of community-based social services by NGOs.

Once the standards were approved by the central government, unprecedented funding (over 34 billion KZT) was allocated in three phases, beginning with pilot regions and then spreading the coverage to the rest of the country. The funding started in 2009-2011 with children with special needs; in 2010-2012, it was provided to residential institutions for adults with disabilities; in 2011-2013 --to residential institutions for the elderly, and in 2012-2014 funding is expected to be allocated to shelters for the homeless (Centers for the adaptation of the homeless)\textsuperscript{220}. Also, 40 NGOs were able to access funding for the provision of social services (Akhmetov, 2012).

The reform of residential institutions caused by the Law on Special Social Services was not without controversy. As the representative of the MoLSP recalled, “some directors of internats [residential institutions] wanted more [funding], others didn’t want anything. They would say,

\textsuperscript{220} Standards for this category were developed by the MoLSP more recently.
‘What for? They [residents] are idiots’. We no longer use such terms now. They thought these children were uneducable, but even half-a-year after [the implementation of the standards], these children have changed” (Interview with Ms. CC., MoLSP; August 10, 2012). Yet, the flow of resources provided an opportunity for children’s residential institutions to drastically improve living conditions and expand care for their residents. The government representative provides a vivid description: “When we introduced pampers, air ionisers, warm floors – everything has changed: cleanliness, no smell! They installed elevators, lifting tools, wheelchair ramps…” (Interview with Ms. CC., MoLSP; August, 10, 2012). However, if the problem before was the lack of funding, the sudden flow of funds to institutions that had no experience (and may have seen no value) in the provision of comprehensive care to residents created multiple issues, discovered during inspections undertaken by the MoLSP (interviews with GOs, NGOs). Some administrators of residential institutions used these funds to purchase new furniture for their offices and big-screen TVs. Or, inspectors found discrepancies between the food served to residents and the meals described on the paper. Or, children’s development plans were merely copies of the sample provided by the standards. “They hired social workers according to the standard, and these social workers sit and write these [copy-cat] plans” (interviews with Ms. K., Head of an NGO, August 5, 2012). Employees were lacking skills and knowledge about services they were hired to provide221.

Children’s residential institutions were encouraged to open daycare departments with the purpose of gradual transformation of residential institutions into community-based centers that would provide social services to children in their communities. In 2012, the MoLSP reported that 12 daycare departments were opened in institutions for children with psycho-neurological diseases. For instance, a daycare department was opened in the special residential institution in Astana with a push and guidance from the MoLSP. An NGO representative222 oversaw the renovation of the facility and hiring and training of staff. This initiative enabled 70 parents to take their children home (interviews with GOs, NGOs). Other administrators of children’s

221 The lack of skills and knowledge have been recognized by many actors, and a number of programs have been implemented to address the issue, such as training of social workers by the German Foundation, UNDP, and by the Association of social workers and volunteers.

222 Ms. Mayra Suleeva, Head of Kenes, an NGO community-based centre for children with special needs.
residential institutions were reluctant to change because they disapproved the reform as unnecessary or hesitated due to the lack of experience in social service provision\textsuperscript{223}. Thus, the Law on Special Social Services has yet to realize its full potential to cause a major change in child welfare provision and challenge the dominance of residential institutions.

Government homecare departments of social assistance have also been financed to provide home-based special social services to children with special needs. However, the provision of home care suffers from the lack of educated and qualified staff, the absence of job instructions for home care, and an overall lack of understanding of the concept of home-based social services (interviews with NGOs). The employees of home care departments are typically young women who lack knowledge and skills for working with children with special needs. Without special training and proper job instructions, home care workers are often used to provide respite care, so that a parent can leave the house. There are cases reported by parents when home care workers treat their work as a pretend exercise and substitute home care with phone calls to parents\textsuperscript{224}.

The Law on Special Social Services did improve access to state funding for some NGOs. It was reported that 40 NGOs in 2011 have received 354.5 million KZT (equivalent of US$2.36 million) of state funding for the provision of community-based social services (Akhmetov, 2012). However, access to state funding is still problematic for many NGOs, as they have to go through the state social contracting process. Moreover, there are NGOs that work with children with special needs and have expertise in the area but struggle to meet the government standards for the provision of social services (e.g., building/ facilities, license, staff). As discussed earlier, the drafters of the Law wanted to include the costs of renting a facility in their standards but could not get this provision through the approval process. Currently, not having a facility (building/part of a building) is a major obstacle for many NGO providers of social services to

\textsuperscript{223} An ex-director of a children’s special institution in Almaty, for example, was reportedly against any change in her organization and repeatedly declined an NGOs’ offer to assist her with setting up a daycare department (interviews with government and NGOs’ representatives).

\textsuperscript{224} An NGO serving children with special needs trained parents of these children to provide home care under the state social contract. After having financed this NGO’s home care services, the state authority decided to give funding to government home care departments, not to an NGO, to provide home care to children with special needs. This decision reveals an assumption among decision makers that government money is better spent on government facilities and offers an example of an institutional logic that continues to prefer government facilities to non-state agencies.
children (interviews with NGOs). While NGOs have all (expertise, experience, methodologies) but the facility for the provision of social services, governmental institutions may lack expertise and motivation but do have facilities. As institutional barriers to state funding persist, NGOs find themselves in a disadvantaged position as compared to governmental organizations. Thus, the implementation of the Law and the standards for special social services has been stumbling. Even having the transformative Law and standards supported by public funds was not sufficient to dramatically increase the scope and quality of social services for children.

6.3.3 Agency in the Transnational Social Policy Process
The final section of this chapter offers a closer look at the process of drafting the Law on Special Social Services as a case of transnational social policy. The narrative is followed by the brief analysis.

The Law on Special Social Services: A Case Study of the Role of Agency in Transnational Social Policy

The State. The lead agency that initiated, drafted, and pushed the Law on Special Social Services was the MoLSP whose primary concern was to improve welfare provision for its traditional populations: adults and children with disabilities and the elderly living alone and in need of care. In the early 2000s, the leadership of the MoLSP (the Vice-Minister and the Head of Social Protection) realized that the existing (post-Soviet) system of social protection of the disabled was insufficient and that a legal mechanism was required for the provision of social services [the Soviet welfare provision for the disabled was based on a medical model of disability; its core elements were cash assistance (pensions), medical assistance (medications and assisting devices), and residential institutions]. Other government agencies (e.g., MoH, MoESc) were not involved in the drafting process but were included in the Law as agencies responsible for the implementation of the Law in their respective areas.

Transnational Actors. At that time UNICEF in Kazakhstan started to promote the idea of social work as a system of personal social services provided to families and children. UNICEF brought an international consultant from the UK, a social worker who consulted national actors, including the MoLSP and NGOs. Representatives of the MoLSP made a study tour to the UK to visit facilities that provide social work/social services. In search for international experience, the MoLSP approached its international partners: UNICEF (which worked with MoLSP on child welfare policies) and UNDP (which did not work on the issues of disabilities until 2008 but provided technical assistance to the MoLSP on poverty reduction policies).

NGOs. By then, NGOs advocating for people with disabilities (i.e., Namys) and children with disabilities (e.g., SATR, Kenes) who had worked closely with the MoLSP on the Law on the social protection of the disabled (2005) had developed good working relationships with the
MoLSP. The MoLSP invited NGOs advocating for people with disabilities to join a working
group to draft the Law; moreover, Mayra Suleeva, the head of the NGO Kenes was invited to
join the Ministry specifically to work on this Law.

**Lithuania.** Together, policy actors identified Lithuania’s 2002 Law on Social Services and
Social Assistance as a potential model for several reasons: the UNDP partners and NGOs knew
policy actors in Lithuania; Lithuania as a candidate EU member was bringing its legislation in
compliance with the EU standards; before the collapse of the Soviet Union, Lithuania had a
welfare system similar to Kazakhstan; and partners could communicate in Russian. These efforts
helped identify experts from Lithuania, government officials and NGO advocates for the rights
of people with disabilities, who had developed the legislation on social services.

**Actions.** The drafting of the Law on special social services involved a range of activities,
including presentations by invited experts from Lithuania and advocates for the rights of people
with disabilities (e.g., Head of the Lithuanian NGO “Viltis” Dana Migaleva and Director of the
Department at the Lithuanian Ministry of Social Protection and Labour Alfredas Nazarovas) and
round tables with national and territorial authorities. UNDP and UNICEF also promoted two
ideas as an underlying framework for the new Law: de-institutionalization and NGOs as service
providers. In 2008 the working group drafted the Law and with financial support from UNICEF
and UNDP, a group of national partners made a study tour to Lithuania (the participants of the
study tour included all state authorities that should play a role in the adoption of the Law:
representatives of the MoLSP, NGOs, the Parliament, the President’s administration, the Office
of the Prime-Minister, and territorial state authorities). The visit to Lithuania exposed members
of the delegation to the practice of social service provision. They saw that NGOs can be partners
of the state as service providers. They also learned about measures undertaken in Lithuania to
reduce the size of residential institutions for people with disabilities, a direction the MoLSP has
also adopted. Building on this advocacy campaign, the Law on Special Social Services was
successfully defended at all levels of the government and adopted in December 2008.

**Comments**

The Law on Special Social Services offers a fascinating insight into transnational social policy
reform for several reasons. First, this Law presents a rare example of successful cooperation
among three policy actors: the state, domestic NGOs, and TOs. Notably, it was the state that
played the leading and coordinating role in the process of bringing together all policy actors,
drafting the Law, reaching out to international partners, and pushing the new legislation through
all the necessary steps. NGOs contributed a different perspective from that of the state on the
issue of disability and played a critical role in drafting the Law that represents a different
institutional logic. Unique to this case is the fact that an NGO person was invited to join the
Ministry to work on the Law and supplemental regulations (standards). That allowed integrating
the Law and replication of NGOs’ practical experience in the provision of social services to
children with special needs. TOs in this case played a supportive role by providing financial and technical assistance in response to the requests from the government. While TOs supplied policy ideas, such as social services, de-institutionalization, and NGOs as service providers, these ideas were translated and used by national actors. The policy process overall was driven by national policy actors.

The second comment concerns the importance of language that shaped the Law. The Law was initially conceived of as a law on social work. But the term “social work” was unknown to policy makers, which was viewed as an obstacle to pushing reform, and “social work” was replaced first by “social services” and later by “special social services” to distinguish the new modality from existing social services. The language used in this Law is different from respective pieces of legislation that had existed before. Here is a quote by one of the members of the working group that drafted the Law:

> Social servicing [sotsialnoye obsluzhivaniye in Russian] is an old Soviet system. Social services [sotsialniye uslugi] mean that the sources of funding may be different, not only the state but also services paid out of pocket. We also decided to compromise because it was necessary that the law could be approved at all steps. Many [people] did not understand why it [the law] was needed, even people in the Ministry [MoLSP] would say, ‘What for? We already have a Law on Social Protection of the Disabled’. We had to prove that this sector needs to be developed, that this is a new service, new positions (Interview with Ms. CC., MoLSP; August 10, 2012).

New wording signals not only an introduction of a new form of welfare provision but also that the basis for social services shifted to accommodate a range of funding sources: public, private, and fee-for services. Thus, social services turned into a commodity.\(^{225}\)

The third comment concerns the role of agency seen in policy actors’ ability to use the opportunity as well as to compromise. The successful adoption of this Law resulted from the interplay between the institutional environment favourable to welfare reform and the effective strategies and tactics used by policy actors, in particular, the political will exercised by the leadership of the MoLSP. The fourth comment is about the negotiation of inclusion and

\(^{225}\) A similar reference to the market was made in the press release issued by the press centre of the Majilis [Parliament] on 29 October 2008: “At the today meeting, Majilis approved the draft Law on Social Services [...] One of the most important directions for state policy [aiming] to support socially vulnerable populations and provide them with real assistance is the provision of special social services. The draft law was developed with the goal of the further development of the market of special social services...”  [http://www.parlam.kz/ru/mazhilis/news-details/id1846/1/1](http://www.parlam.kz/ru/mazhilis/news-details/id1846/1/1)
exclusion as part of the social policy process. Although the primary concern of the MoLSP was people with disabilities, the drafters of the Law envisioned a comprehensive piece of legislation that provides a framework for social services provided to a variety of populations. Initially, the drafters included 20 categories of difficult living situations; however, in the process of consultations and discussions, the list was reduced to ten categories. The groups that were not viewed as traditional beneficiaries under state agencies’ mandates (e.g., migrants, victims of trafficking, victims of natural disasters, etc.) were more likely to be removed from the list of service beneficiaries and, as a result, excluded from social service provision.

The final point concerns the influence of Soviet institutional legacies on post-Soviet social policy. The Law on Special Social Services determines ten categories of a difficult living situation, but the standards have been developed for only those several categories that fall under the MoLSP area of expertise in accordance with the traditional labour division. Other ministries have been reluctant to work on the standards for special social services for their children’s categories because social service provision is outside of their traditionally defined area of jurisdiction. For example, standards have yet to be developed for such categories as infants in infant homes (MoH) and children without parental care (MoESc), or street children and children in conflict with the Law (MoIA). Moreover, the law defines not only “old” categories of beneficiaries, which existed in the Soviet era and were included in agencies’ areas of responsibility, but also “new” categories of vulnerability (e.g., domestic violence, trafficking in human beings), thus, raising a question of who (what agency) is responsible for developing respective regulations and driving the reform. To illustrate, several domestic NGOs and TOs (e.g., IOM, OSCE) have been advocating for the provision of social services for victims of trafficking and domestic violence, but the policy reform stumbles because no state agency takes responsibility for these populations.

226 Characteristically of the post-Soviet policy environment, one of the members of the Parliament during the discussion of the draft law asked the MoLSP representative, ‘Are you going to build communism?’, a comment that shows how post-Soviet social policy is framed in relation to the Soviet welfare provision.

227 Here is how an NGO representative describes the conundrum: “We cannot understand where to run with these standards. We [appeal] to labour [MoLSP]—labour pushes us away; we [appeal] to education [MoESc]—they say they don’t need this. We cannot understand, we want to go to deputies [members of the Parliament] with prepared proposals and have already sent two inquiries on the implementation of this law […] But there should be a responsible [government] authority. No one wants to be a responsible body in this area".
6.4 Summary

This study depicted the evolution of child welfare provision in the Soviet Union and post-Soviet Kazakhstan focusing on its main institutional components, the governance structure, the organizational infrastructure, and the dominant institutional logics. The transformation of child welfare provision during the post-Soviet period of Kazakhstan was shown to be the interplay between institutional continuity and change, an incremental process of multidirectional and multidimensional changes that produced (at the time of this analysis) a hybrid welfare system that comprises preserved Soviet-type core institutions as well as multiple layers of newly introduced institutions. At the core of the transformation of child welfare institutions in post-Soviet Kazakhstan, I argue, was the change in the dominant institutional logics: the logic of welfarism (social protection) that fed the Soviet-type child welfare system did not go away but co-existed with the imported transnational logic of children’s rights. The co-existence of multiple logics (apart from the logics of child welfare provision, there are multiple logics of organizational actors, policies within various fields of child welfare, etc.) was the source of the hybrid type of welfare system that was found by this study.

6.4.1 The Soviet Roots of the Child Welfare System

This analysis began with an overview of the historical accounts of Soviet child welfare, which provided a frame of reference for understanding the post-Soviet development of child welfare. First, the development of the Soviet child welfare system was intertwined with shifting family policies and marked by defining and re-defining the roles the state and family should play in the provision of care for children. Post-Soviet Kazakhstan continues to wrestle with this question. Second, Kazakhstan inherited the complex and sophisticated Soviet child welfare system, including its main institutional components, the dominant institutional logic, the governance structure, and the organizational infrastructure. Therefore, the analysis of its Soviet historical roots informs the study of its post-Soviet transformation.

The Soviet child welfare system inherited by Kazakhstan encompassed three main components: income transfers to families; public services for children and families (i.e., child care, after-school programs, children’s summer camps); and state children’s residential institutions. While income transfer programs and public services were provided to the majority of Soviet families, children’s residential institutions were the main approach dealing with the families and children
in need of additional/special support, such as poor family, single-parent families, parents with disability, children with disability, abandoned, abused, and neglected children.

Grounded in the presumption of a paternalist and benevolent Soviet welfare state, the dominant institutional logic of the Soviet child welfare system was focused on finding unsupervised, abused, or neglected children and placing them in children’s residential institutions. The missing element in the child welfare system inherited by Kazakhstan was (personal) social services and/or social work that could assist families and children with additional/special needs unmet by universal welfare programs. The absence of institutionalised personal social services and/or social work was rooted in the denial of social problems integral to the Soviet ideology and culture. Thus, there was a connection between the dominance of children’s residential institutions and the lack of social services/social work in the Soviet child welfare system: children’s institutions were instrumental in removing neglected, abandoned, and abused children from the public eye, thus, making social services and social work unnecessary.

The governance of child welfare in Kazakhstan has been also rooted in the Soviet child welfare system. The four central government agencies responsible for children’s affairs, including MoESc, MoLSP, MoH, and MoIA, as well as their respective territorial departments are responsible for the planning and provision of child welfare programs, using the main three approaches (i.e., public services, income transfers, and children’s residential institutions). The division of labour among these government agencies, including areas of expertise, categories of beneficiaries, and approaches used by each agency, are central to an understanding the transformation (and resistance to transformation) of the child welfare system in post-Soviet Kazakhstan.

6.4.2 The post-Soviet Transformation of Child Welfare Institutions: Hybridization and Multiple Institutional Logics

The analysis of post-Soviet child welfare transformation was particularly concerned with tracing institutional continuity and change. Institutional continuity was conceptualized as the maintenance and reproduction of Soviet institutions and the role of Soviet institutional legacies in shaping post-Soviet transformation. Institutional change was conceptualized using Streeck and Thelen’s (2005) typology which includes five types of incremental institutional transformation: (1) displacement, or the rise of subordinate institutions to replace the dominant
one; (2) layering as creating new institutions in addition to existing ones; (3) drift, a process of institutions’ losing significance due to inadequate maintenance; (4) conversion, or remodelling of institutions; and (5) gradual breakdown or dying out of institutions (p. 57).

Since the collapse of the Soviet Union, child welfare transformation has been embedded in the economic and political restructuring of the independent Kazakhstan. This analysis points to two distinct phases in the post-Soviet child welfare evolution: child welfare retrenchment during the first decade of the country’s independence (1991-2000) and child welfare revival during the second decade (2001-2012). These two phases were also marked by another attempt to reinterpret the question of whose responsibility is the care of children: during the first decade, the state pushed this responsibility onto families while decreasing state support; during the second decade, the state re-assumed an increased responsibility for families and children.

During the first post-Soviet decade of the dismantling of the Soviet welfare system, child welfare retrenchment included broad cuts in income transfers to families and public programs, such as education, health care, and child care. However, children’s residential institutions not only survived cuts but also increased in the number, indicating that the institutional logic underlying child welfare was preserved: if the family fails to provide care for its children, the state steps in by placing children in residential institutions. While new types of children’s institutions were introduced, they were maintained on a small scale, seemingly posing no threat to the dominance of Soviet children’s residential institutions.

The child welfare revival phase included two categories of changes to welfare provision: (1) the reinforcement of “old”, traditional child welfare programs, as seen in the increase in public spending on health care, education, income transfers to families, child care, and children’s residential institutions, and (2) the introduction of new institutions under the children’s rights framework, which was used increasingly by policy actors to frame desired policy change or to legitimize their claims. As a result, alternative forms of family care (e.g., patronat/foster care, guardianship/tutelage) were re-introduced or supported by public funds, while the legitimacy of children’s residential institutions among policy actors started to fade, and the number of children’s residential institutions began to contract (“drifting away”, according to Streeck and Thelen’s [2005] classification). Another new form of welfare provision, personal social services, was introduced and gained legitimacy. Funded by the state and provided by NGOs and by new or
reformed state institutions, social services represent a different institutional logic of individualized support for the family and children. Furthermore, new child welfare governance institutions based on the human and children’s rights frameworks (e.g., the Committee on the Protection of Children’s Rights, the Ombudsman, the Commission on the Family and Women’s Affairs) were established.

A crucial characteristic of post-Soviet child welfare transformation was that new child welfare institutions did not replace ‘old’ ones but were added to/built into existing institutions (“layering”, according to Streeck and Thelen’s [2005] classification). However, newly introduced institutions struggled. The provision of social services in the public sectors suffered from the lack of expertise, formalism, and a general confusion about their new roles and responsibilities. NGOs as new social service providers faced institutional barriers to accessing public resources. The development of alternative forms of family care was stagnant. New governance institutions were given less authority than the traditional state agencies, while the core principles of child welfare governance were maintained.

This analysis pointed to multiple roles Soviet institutional legacies played in shaping the post-Soviet child welfare transformation and institutional continuity. First, Soviet legacies can be traced to the maintenance, reproduction, and reinforcement of existing institutions, such as children’s residential institutions and the governance structure. Second, traditional Soviet institutions (e.g., Ministries) appear to have more institutional power, authority, resources, and legitimacy than newly created institutions (e.g., the National Commission on Women’s and Family Affairs, the Committee on the Protection of Children’s Rights). Third, Soviet institutional legacies can be found in how the question of inclusion/exclusion has been negotiated for the new age of welfare. New categories of children as a target of social policy have been created, raising a question of who should be responsible for them. As this analysis shows, “old” categories of children that are congruent with Ministerial areas of responsibility (e.g., children with disabilities/special needs) have benefited from social policy reform. Therefore, not only “old” welfare institutions but also the development of new welfare institutions has been shaped by the legacies of Soviet institutional configurations. Overall, the child welfare system shows remarkable resilience and an ability to change incrementally, mainly by adding new layers of institutions, while maintaining its core welfare institutions (table 33).
Child welfare transformation in post-Soviet Kazakhstan can be understood as a dialectical interplay of institutional continuity due to the continuing influence of Soviet institutional legacies and multiple incremental changes driven by the introduction of new institutional logics. The co-existence of multiple institutional logics produced a hybrid child welfare system which includes preserved Soviet welfare institutions and layers of newly introduced ones. It is possible that over time, an accumulation of incremental changes and layers of institutions will lead to a transformative change in the provision of child welfare; however, at the time of this analysis, the most striking characteristic of the child welfare system in Kazakhstan is the resilience of its core institutions under the multiple layers of more recent acquisitions.

Table 33 Summary of key characteristics of child welfare in Kazakhstan by time period

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<tr>
<td><strong>Public services: education, health care, child care</strong></td>
<td>Cuts in public services, partial privatization, removal of subsidies</td>
<td>Increase in state funding of public services</td>
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<tr>
<td><strong>Income transfers: benefits for families and children</strong></td>
<td>Cuts in income transfer programs, monetization of in-kind benefits</td>
<td>Increase in income transfer programs for families with children; Introduction of means-tested family benefits</td>
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<tr>
<td><strong>Children’s residential institutions as a main response to families and children’s deprivation/special needs</strong></td>
<td>Increase in the number of children’s residential institutions and number of children in institutions; New types of children’s institutions (family-type homes, children’s villages, youth homes) were introduced</td>
<td>Children’s residential institutions are maintained; After 2010s, some institutions are closed due to the reduction in the number of children without parental care New types of children’s institutions (family-type homes, children’s villages, youth homes) maintained.</td>
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<tr>
<td><strong>Alternative forms of family care: adoption, guardianship/tutelage, and patronat (the latter cancelled in 1968).</strong></td>
<td>Adoption and guardianship maintained but lag behind the increasing children’s deprivation</td>
<td>Alternative forms of family care were re-introduced (patronat) or reinforced through cash benefits (guardianship/tutelage)</td>
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<tr>
<td>No formal social services/social work</td>
<td>Social services introduced through NGOs funded by TOs</td>
<td>Social services for children with special needs introduced through governmental organizations (psycho-medical and pedagogical support organizations; home care; in residential institutions) and in the community by NGOs</td>
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<tr>
<td>Governance of child welfare divided among four agencies: MoESc, MoH, MoLSP, and MIA</td>
<td>Governance of child welfare divided among four agencies: MoESc, MoH, MoLSP, and MIA; National Commission of Women’s and Family Affairs under the President of RK; National Commission for Human Rights (Ombudsman)</td>
<td>Governance of child welfare divided among four agencies: MoESc, MoH, MoLSP, and MIA; National Commission of Women’s and Family Affairs under the President of RK; National Commission for Human Rights (Ombudsman); Committee on the Protection of Children’s Rights under the MoESc created.</td>
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Chapter 7
Discussion and Conclusions

The purpose of this chapter is to bring together all elements of the analysis of the evolving child welfare diamond in Kazakhstan discussed in separate chapters of the thesis, including the institutional environment, the state, NGOs, and TOs. Drawing upon my initial questions, I discuss the findings, focusing on the multiple institutional logics in the (trans)national institutional environment, contradictory and interdependent relationships among policy actors within the child welfare diamond, and the continuity and change in child welfare institutions. My main argument is two-fold. First, the transformation of the child welfare system is a function of relations among (trans)national organizational actors whose behaviors are constrained and enabled by the broader legal/regulatory environment. My second argument is that multiple and competing institutional logics in the institutional environment and within the welfare diamond have produced hybrid child welfare institutions, whose transformation was the interplay of incremental changes and institutional resilience.

This chapter is structured in four parts. I begin by summarizing my research findings focusing on the three levels/components of the analysis: the (trans)national institutional environment; the organizational level (i.e., behaviours of organizational policy actors and relations among them within the welfare diamond); and the evolution of child welfare institutions. Second, I discuss major theoretical concepts that cut across different levels of analysis, namely, transnational social policy; the social paradigm versus the political paradigm; and the relations between agency and structure in the policy process. I then identify which findings were expected and which were surprises that have lead to a new understanding (or new questions). Third, this chapter discusses the relevance of the theoretical framework and methodology and the contribution of this thesis to existing theory. Finally, I lay out implications for policy and practice as well as new questions and ideas for future exploration.

7.1 Research Findings

7.1.1 The Institutional Environment: Multiple Institutional Logics

The (trans)national institutional (legal and regulatory) environment that shaped the behaviours of organizational actors was characterized by shifting, multiple, and competing institutional logics.
as a result of the transnationalization of the national policy process. The national and transnational/global institutional contexts were intertwined, creating a dynamic and complex policy space. Tracing the evolution of the (trans)national institutional environment in/out the post-Soviet Kazakhstan, this study identified contradictions between the national and transnational institutional logics as well as shifts in the dominant institutional logics on the national policy scene. Two distinct periods in the development of the institutional environment were identified. The first period (1991-the early 2000s) was characterized by the opening of the national policy space to transnational involvement and the dominance of imported ideas, while the second period (the early 2000s-2012) was marked by setting up boundaries to transnational influence on national social policy and partial re-evaluation of policy frameworks.

**The Transnational/Global Institutional Context**

During the early period (1991-the early 2000s), the transnational influence on social policy in post-Soviet Kazakhstan was shaped by neoliberal frameworks that dominated foreign aid in the 1990s. The post-socialist transformation was conceived of as “transition”, a linear unidirectional process of economic and political restructuring that was expected to lead post-socialist and post-Soviet states to market economies and Western-type democracies. As a result, the focus of foreign aid in post-socialist/post-Soviet countries was on supporting the “transition” of post-socialist/post-Soviet states to market economies and democratic governance. Foreign aid frameworks employed in post-Soviet/post-socialist states were drawn from dominant at the time foreign aid doctrines (e.g., economic liberalization, democratization, good governance, and civil society) and were transferred to national policy spaces through foreign aid provided by multilateral and bilateral agencies and international NGOs. As part of democracy and civil society support, national NGOs were given access to foreign aid resources and discourses. While social welfare was secondary on the foreign aid agenda (after market reforms and democratization), political discourses of human rights and political freedoms influenced social policy, as social problems and social welfare were framed by policy actors as human rights and advocacy issues.

The second period (the early 2000s-2012) was marked by significant shifts in the (trans)national institutional environment in Kazakhstan. First, there was a decline in foreign resources provided to national NGOs as part of generic capacity building within the framework of democracy/civil
society support. At the same time, priorities of TOs shifted from democratization/civil society toward social policy and good governance; this change was accompanied by an increase in technical and financial resources provided to child-welfare NGOs by several influential TOs (e.g., UNICEF, ILO-IPEC, and the Bota Foundation). The shift in the foreign aid environment had significant implications for the national policy actors and the balance within the welfare diamond. First, the shift toward social welfare coincided with the rise of social welfare on the national policy agenda. Second, the decline in foreign aid to national NGOs forced them to turn to the state in search for more reliable sources of funding, thus, facilitating the state agenda of political consolidation.

**The National Institutional Environment**

The national institutional environment that shaped behaviours of child welfare policy actors was part of the wider socioeconomic and political context in Kazakhstan. This study identified two periods in the national policy environment since 1991. The first decade was marked by severe economic depression, political liberalization, and dramatic reduction in living standards of the population. The focus of the state was on economic and political liberalization, while changes in welfare provision were mostly limited to cuts in public expenditures. As a newly independent state that was seeking legitimacy on the world stage, Kazakhstan launched a multi-vector foreign policy, which opened the national policy scene to transnational actors.

The larger socioeconomic and political context had several important implications for child welfare policy development. The economic crisis and restructuring along with the withdrawal of public welfare programs jeopardized living conditions of the majority of families and children. Political liberalization allowed for the formation of nongovernmental, nonprofit organizations that became involved in advocacy and the provision of social support to vulnerable social groups. The new foreign policy facilitated the flow of foreign resources and policy ideas to the national policy space. By providing foreign aid to national organizations and, in particular, to national NGOs, TOs transferred foreign funds as well as ideas in the form of technical assistance, global policy instruments, and programmatic approaches. Imported policy frameworks such as democratization, civil society, and human rights dominated the national policy scene.
The second decade of the country’s independence was characterized by economic growth and the improvement of human development indicators. The political environment was marked by state measures aiming at political consolidation of various political and social actors as well as the revival and streamlining of the welfare system. The new official discourse placed an emphasis on social accord, conflict-prevention, and addressing social issues as the means of alleviating social tensions. At the same time, national policies shifted toward greater control over transnational involvement in the political process and TOs’ influence on national NGOs. Amongst government concerns about outside threats to the country’s stability and cohesion, several regulations/amendments to existing laws were introduced to put some restrictions on TOs and NGOs.

The shifts in the socioeconomic and political environment had multiple effects on policy actors involved in child welfare. While many families benefited from the economic recovery, certain social groups (e.g., poor families, adults and children with disabilities, children deprived of parental care) continued to need public support. As social welfare became a state priority, public expenditures on welfare were steadily increasing. Within the state agenda of political consolidation, NGOs gained recognition as important actors who represent interests of various social groups, address social issues, and can be partners of the state in building a stable, cohesive society. As a result, NGOs gained (some) access to state funding, while the influence of TOs on NGOs somewhat decreased.

7.1.2 Policy Actors: Contradictions and Interdependency Within the Welfare Diamond

*Transnational Organizations: Patrons, Partners, or Managers?*

Foreign aid has been inherently ambiguous since its inception as part of the foreign policy of wealthy states and as a humanitarian act of helping countries in need. The analysis of TOs’ involvement in post-Soviet Kazakhstan led to the argument that transnational actors, as instruments of foreign aid, existed in a (trans)national policy space and were driven by contradictory logics. For instance, TOs were ambivalent on the significance of political rights versus social rights, as indicated by the shift of the emphasis of transnational involvement in Kazakhstan from democratization/civil society in the 1990s toward social welfare in the 2000s. Next, TOs faced the impossible task of simultaneously satisfying stakeholders in the donor state
and fulfilling organizational goals in the receiving state. Another contradiction, less obvious but deeply problematic, can be found between the objective of democratization and support to civil society/NGO building and the managerial logic underlying TOs’ policies concerning national NGOs. As this study shows, managerialism had a profound effect on the relations between TOs and national NGOs in Kazakhstan and contributed to aid fragmentation by imposing short-term thinking in the form of programs and projects.

**State and NGOs: Political Rivals or Social Partners?**

The analysis of the history of relationships between the state and non-state organizations in the Soviet Union and post-Soviet Kazakhstan identified several shifts in the state relations with non-state organizations within the wider economic and sociopolitical environment. It was argued that at the core of the ambivalence in the state relationship with non-state actors was the question of what kind of actors NGOs are—political or social, and that this question has been dealt with in the national institutional environment throughout the history of the Soviet Union and post-Soviet Kazakhstan. A Soviet societal organization was a distinct type of a non-state organization that over time had become deeply integrated in the Soviet political and social system. During late socialism, Soviet societal organizations were dual in nature: they played a *political* role as a proof of mass political support to the Soviet state’s international agenda, while on the domestic stage Soviet societal organizations were *apolitical* organizations that performed various social functions assigned by the state. During the post-Soviet period of Kazakhstan, the political-social dualism continued to be employed as a frame for state-NGO relationships.

The post-Soviet period of the state-NGO relationships can be divided into two distinct phases. During the first phase (1991-2000) the state distanced itself from newborn NGOs framed as *political* actors and as expression of the citizens’ right to voluntary association. Consequently, NGOs had few restrictions imposed on them but also little support from the state. The second phase was characterized by the state-NGO integration (2001-2012), when the state introduced measures leading to greater control over NGO activities but also to greater access to public resources and to the policy process. The shift in the state-NGOs relationships was accompanied by another attempt to re-define NGOs and their role in the society: during the second decade, NGO were re-framed as *social* actors whose role in the society is to alleviate social issues,
provide social services, and assist in maintaining social order. As a result, “socially-oriented” NGOs were given access to state funding as well as to the social policy process.

**National NGOs: Rights Advocates or Program Implementers?**

Over the past twenty years, the development of child-welfare NGOs in Kazakhstan has been embedded in the evolving (trans)national institutional environment. Two phases in the development of child-welfare NGOs were identified. From the early 1990s to early 2000s, neither social welfare in general nor children in particular were priority issues on the agenda of the state or TOs; therefore, child-welfare NGOs created at that time were grass-root initiatives responding to the increased vulnerability of children and families. Without direct support for child-welfare work, these NGOs were able to access foreign aid by employing political discourses of human rights, gender equality, and children’s rights to frame their concerns and legitimize their claims. As policy actors, NGOs played an outsider role: they pointed to the problems and called for the state response but were largely excluded from the policy process and had limited influence on legal/institutional reform.

In the 2000s, the institutional environment became (more) favourable toward child-welfare NGOs and their involvement in social service provision as a result of tangible scaling up of activities of specialized TOs (i.e., such as UNICEF, ILO-IPEC, and the Bota Foundation) and the availability of state funds for social services for children and families. At the same time, after 2005, NGOs felt a significant reduction in the democracy funding for NGOs in the form of generic capacity-building and grants for advocacy/human rights projects. Also, NGOs became increasingly engaged in the social policy process as experts and consultants through newly created institutional mechanisms of social policy consultations.

However, even in this seemingly supportive environment, most child-welfare NGOs encountered institutional barriers that impeded their capacity to become social service providers on a large scale. These barriers stem from critical discrepancies among institutions of welfare provision and therefore, can be used to identify those discrepancies. First, NGOs as nonprofit organizations faced obstacles to accessing state resources because state funding tools were developed for commercial firms. Second, NGOs as new welfare providers often work with “new”, more recent categories of vulnerability and faced obstacles to accessing public funding, which is more likely to be channeled to “old” categories of welfare beneficiaries recognized in the Soviet welfare
system. Third, NGOs as service providers faced barriers due to the discrepancy between them as non-state organizations and government welfare organizations integral to the state welfare system. Fourth, a mismatch between the short-term perspective of foreign donors and a long-term perspective of national actors constituted another barrier for NGOs. Short-term foreign funding cycles of TOs and the exclusion of core funding impeded NGOs’ capacity to provide reliable, continuous social services and their long-term prospects of becoming strong policy actors.

Finally, national NGOs carried the contradiction that stems from the discrepancy between ideologies underlying foreign aid, particularly, U.S. foreign aid, and ideologies shaping post-Soviet sociopolitical processes. As foreign aid in the 1990s was dominated by the political discourse of democratization and civil society building, emerging NGOs were framed as political actors and challengers of the state, while the state distanced itself from NGOs. When the state agenda in the 2000s shifted toward national consolidation, NGOs were framed as social actors who contribute to the goals of unity and harmony. The discrepancy between the national and the transnational paradigms resulted in NGOs being intrinsically ambivalent and vulnerable.

**Power Shifts and Interdependency within the Welfare Diamond**

The analysis of the dynamics within the child welfare diamond for the past two decades reveals shifting and complex relations among policy actors. Two distinct phases were identified (Fig.1). During the first phase (1991-early 2000s), the priorities for the state and TOs were economic/market reforms and political liberalization, while social policy was put aside. While the state focused on restructuring the economy, it distanced itself from NGO development. TOs emphasized not only economic but also political reforms and provided financial and technical resources to foster the development of national NGOs as part of democratization and civil society support. Shaped by TOs’ short-term grant-making policies and practices, newborn NGOs evolved as flexible, open to new ideas organizations that were capable of understanding TOs’ programmatic language and translating transnational policy ideas into the local context. However, the strategies that enabled NGOs to navigate the dynamic donor environment and to access foreign aid also impeded their capacity to provide continuous, reliable social services.

The second phase in the transformation of the child welfare diamond (early 2000s-ongoing) was characterized by the rising importance of social policy, including child welfare, in the official
discourse. The economic recovery was accompanied by the revival of social welfare and an increase in government spending on welfare. While foreign aid to NGOs in general dropped, there was an increase in technical and financial assistance to child welfare NGOs. Within the new national agenda of political consolidation, NGOs were recognized as welfare providers and were given conditional access to state funding. The shift within the welfare diamond led to a certain degree of differentiation among NGOs: some of them received access to state funding; some continued to rely on foreign aid; some turned to for-profit activities; and some funded their activities from a mix of sources. Despite the fact that the institutional environment was more favourable toward child welfare provision in the 2000s, national NGOs continued to face institutional barriers that undermined them as policy actors and impeded their capacity to scale up social service provision.

Figure 4 Shifts within the (trans)national welfare diamond

This research points to different dimensions of power that shaped relations among policy actors within the child welfare diamond. The study findings are in agreement with institutional theory, which posits that the power of international organizations comes not only from their control over resources, but also from their control over knowledge. International organizations collect information, classify and categorize the social world, create and fix new meanings, and
create and diffuse new norms (Barnet & Finnemore, 1999). TOs in the post-Soviet policy field were both the channels for transferring foreign aid funding as well as the sources of legitimate transnational knowledge. The influence of TOs was greater in the early years of the country’s independence when the state experienced the shortage of financial resources, while the Soviet-time ideas and policies lost their legitimacy. Beginning in the 2000s, the balance of power within the welfare diamond shifted. The state regained much of its power due to the economic recovery, accompanied by measures aiming at political consolidation. While material resources were not longer viewed as an issue, transnational actors continued to play an important role as the source of legitimacy for national actors.

Next, the state had power over selecting the priorities for legal and institutional reform and the distribution of state resources. However, state actors bound by institutional inertia had limited power in implementing the new policy that requires going beyond their institutional mandates. Compared to the state and transnational actors, national NGOs appear to exercise less power, as they depend on resources provided by the state or by transnational organizations. NGOs as new organizations in the post-Soviet context also lacked legitimacy. However, national NGOs played crucial roles as policy actors that interpreted newly adopted social policies and inscribed them into national and local contexts. Power over knowledge and policy translation is not an abstract, imaginary, ability. NGOs in this project were not passive recipients of the global policy and mere implementers of donors’ requirements but agents whose perspectives and interests actively shaped the policy and practice concerning children in Kazakhstan.

7.1.3 Hybridization of Child Welfare Institutions: The Interplay of Continuity and Change

This study depicted the evolution of child welfare institutions in post-Soviet Kazakhstan focusing on its main institutional components, the governance structure, the organizational infrastructure, and the dominant institutional logics. The transformation of child welfare provision during the post-Soviet period of Kazakhstan was shown to be the interplay between institutional continuity and change, a multidirectional and multidimensional process that has produced (at the time of this analysis) a hybrid welfare system that includes preserved Soviet-type core institutions as well as multiple layers of newly introduced institutions.
The Soviet-type child welfare institutions inherited by Kazakhstan encompassed three major components: income transfers to families; public services for children and families (i.e., child care, after-school programs, children’s summer camps); and state children’s residential institutions. The dominant institutional logic of the Soviet welfare system was centered on finding unsupervised, abused, or neglected children and placing them in children’s residential institutions. The missing element was (personal) social services/social work that could assist families and children with additional/special needs unmet by universal welfare programs. The governance of child welfare in Kazakhstan was also rooted in the Soviet child welfare system, including the division of labour among government agencies including areas of expertise, roles and responsibilities, categories of beneficiaries, and approaches used by agencies.

This analysis points to two distinct phases in the post-Soviet child welfare evolution: child welfare retrenchment during the first decade of the country’s independence (1991-2000) and child welfare revival during the second decade (2001-2012). During the first post-Soviet decade of the dismantling of the Soviet welfare system, child welfare retrenchment included broad cuts in income transfers to families and public programs, such as education, health care, and child care. However, children’s residential institutions not only survived cuts but also increased in number, indicating that the institutional logic underlying child welfare was preserved. While new types of children’s institutions were introduced, they were maintained on a small scale, seemingly posing no threat to the dominance of Soviet children’s residential institutions.

The child welfare revival phase included two categories of changes to welfare provision: (1) the reinforcement of “old”, traditional child welfare programs, as seen in the increase in public spending on health care, education, income transfers to families, child care, and children’s residential institutions, and (2) the introduction of new institutions under the children’s rights framework, which was used increasingly by policy actors to frame desired policy change or to legitimate their claims. As a result, the legitimacy of children’s residential institutions among policy actors started to fade, and alternative forms of family care (e.g., patronat/foster care, guardianship/tutelage) were re-introduced or supported by public funds. Another new form of welfare provision, personal social services, was introduced and gained legitimacy. Funded by the state and provided by NGOs and by new or reformed state institutions, social services represent a different institutional logic of individualized support for the family and children. Furthermore, new child welfare governance institutions based on the human and children’s rights frameworks
(e.g., the Committee on the Rights of the Child, the Ombudsman, the Commissions on the Family and Women’s Affairs) were established.

It should be noted that new child welfare institutions did not replace “old” ones but were added to/built into existing institutions. Newly introduced institutions struggled. The provision of social services in the public sectors suffered from the lack of expertise, formalism, and a general confusion about their new roles and responsibilities. NGOs as new social service providers faced institutional barriers to accessing public resources. The development of alternative forms of family care was stagnant. New governance institutions were given less authority than the old state agencies, while the core principles of child welfare governance were maintained. Overall, the child welfare system showed remarkable resilience and an ability to incrementally change, mainly by adding new layers of institutions, while maintaining its core welfare institutions.

This research contributes to the scholarly debate about the mechanisms of institutional change. The study findings support Streeck and Thelen’s (2005) argument that incremental change can lead to institutional transformation, and disruption can result in institutional return to its old path as well as to drastic institutional transformation. Drawing upon Streeck and Thelen’s (2005) classification of incremental processes that can over time result in institutional change, this case study found that layering (i.e., creating new institutions in addition to existing ones) and drifting (a process of institutions’ losing significance due to inadequate maintenance) to be the predominant characteristics of the transformation of child welfare provision. New institutions of child welfare provision and governance are part of layering strategies, while children’s residential institutions appear to begin to drift away. Therefore, child welfare transformation in post-Soviet Kazakhstan can be understood as a dialectical interplay of institutional continuity and incremental change.

It is possible that over time, an accumulation of incremental changes and layers of institutions will lead to a transformative change in the provision of child welfare; however, at the time of this analysis, the most striking characteristic of the child welfare system in Kazakhstan is the resilience of its core institutions under the multiple layers of more recent acquisitions. At the core of the institutional change, I argue, is the change in the dominant institutional logics: the logic of welfarism (social protection) that fed the Soviet-type child welfare system did not go away but co-exists with the imported transnational logic of children’s rights. The co-existence of
multiple logics (apart from the logics of child welfare provision, there are multiple logics of organizational actors, policies within various fields of child welfare, etc.) is the source of the hybrid type of welfare system that was found by this study.

7.1.4 Transnational Social Policy

This analysis offers insights into the transnational social policy process. First, the study indicates that the (trans)national post-Soviet institutional environment cannot be understood as simply a disjuncture from the Soviet-era policy. In the Soviet era the paradigmatic disagreement on what is superior—the social or the political—was at the centre of the ideological clash between the Soviet Union and the West. In the post-Soviet period, the question of what comes first—the social or the political—continued to shape Kazakhstan’s (trans)national institutional context. In the 1990s, the priorities of the government of Kazakhstan were aligned with those of transnational actors and focused on economic and political liberalization. In the 2000s, as the national economy began to recover, the state’s priorities shifted toward political consolidation and social welfare, while the state’s relations with TOs shifted from openness and non-interference toward setting boundaries and (more) control.

Further, this analysis indicates that the policy/institutional environment cannot be clearly separated into the “national” and “international/global” levels. Instead, policy actors operated and interacted in a “transnational” space, in which the “national” and “international/global” were related and interdependent. Deacon and Stubbs (2013) conceptualize different levels of governance in global social policy using the notion of “scales” as “contingent and politically constructed” spaces in which policy actors exist. They argue that “policy-making is not only taking place at different taken-for-granted levels of governance but that key policy players are transcending ‘levels’ at any one moment” (Deacon & Stubbs, 2013, p.10). This analysis confirms Deacon and Stubbs’ argument. Even in the Soviet period of the “Iron Curtain” dividing the Soviet Union and the Western world, the internal/national policy space was not completely isolated. While explicit international engagement in the domestic social policy was minimal, there was implicit influence on the Soviet policy driven by the idea of the competition between the socialist and capitalism systems. In the post-Soviet period, the boundaries between the national and transnational actors were constantly shifting and (re)negotiated.
Another finding is that the transnational policy field can be understood as a complex and shifting network of transnational and national institutions driven by diverse, sometimes overlapping, sometimes conflicting institutional logics. Foreign aid has been inherently ambiguous since its inception as an instrument of foreign policy of wealthy states and as a humanitarian act of helping countries in need. Similarly, TOs due to their existence in a (trans)national policy space were driven by contradictory logics: the divide between national and transnational actors on the significance of political rights versus social rights; the obligation to satisfy stakeholders in the donor state and the need to fulfill organizational goals in the receiving state; the objective of democratization and civil society/NGO building and the managerial logic underlying TOs’ policies concerning national NGOs.

Similarly, behaviours of national policy actors were shaped by contradictory (trans)national logics. Interestingly, the divide between freedom (political rights) and security (social rights) continued to be re-defined and re-negotiated as a relationship between the nation-state and transnational actors. Another contradiction can be found between the policy of openness to transnational influences and the policy of protecting/controlling one’s policy space. While the goal of Kazakhstan as a newly independent state was to achieve legitimacy by opening up to the global community, the creation of vocal stakeholders consisting of TOs and advocacy NGOs was most likely an unintended consequence of the earlier adopted policies, which influenced the policy process at the later period.

7.1.5 The Social versus the Political: False Dichotomy?

This study reveals the shifting dialectical relationship between the social and the political underlying the policy process in Kazakhstan. In his classical work, T.H. Marshall (1950) developed a framework of citizenship that consists of three parts: civil rights (i.e., individual liberties, such as individual freedom, freedom of speech and thought, the right to property, and the right to justice); political rights (the rights of representatives of groups of society to participate in the political process); and social rights (the right to social welfare/public programs). According to Marshall (1950), at the earlier periods of history, these three dimensions of citizenship were blended because institutions were amalgamated; the differentiation of institutions of modern states was marked by the sequential evolving of different types of citizenship: civil rights in the early 19th century, political rights throughout the 19th century, and
social rights in the 20\textsuperscript{th} century. Marshall argued the importance of not only civil and political but also of social rights for inclusive citizenship. The application of Marshall’s framework of social and political/civil rights provides an insight into the logic underlying the evolution of welfare institutions and relations among policy actors during the Soviet and the post-Soviet period.

The review of the history of the relationships between the Soviet Union and the West points to a paradigmatic divide as expressed in the debate on the meaning and significance of human rights. Whereas the capitalist camp prioritized political and civil rights, such as the right to association, freedom of speech, the right to vote and participate in the political process, the socialist camp emphasized social and economic rights, such as the right to employment, health care, housing, and social welfare. While political rights prioritize individual freedoms, social and economic rights are based on the notion of collective responsibility.

During the post-Soviet period of Kazakhstan, the question of freedom (political rights) versus security (social rights) continued to be re-defined and re-negotiated as a relationship between the national and transnational actors. In its early years, the position of the newly independent state shifted to realign with that of transnational actors. Civil and political rights were deemed superior at the expense of social rights. Thus, political reforms were implemented to ensure the freedom of associations, of speech, of religion, and other political rights, whereas social welfare was curtailed as a legacy of the Soviet state. Beginning in 2000, however, another shift occurred as part of an attempt of political consolidation of the society, when the state turned toward social welfare and asserted the importance of social rights. The relations between the state and non-state actors were shaped by the political-social paradigm.

Further, the examination of shifting national legal frameworks concerning NGOs also points to the critical role of the political-versus-social dichotomy in defining state-non-state relations. I argue that NGOs were defined as apolitical, social organizations in the Soviet past, based on the assumption that the political struggle had been over after the socialist revolution. In the post-Soviet period, the first decade was the period when NGOs were defined as political actors, mostly under the influence of the Western concept of post-socialist “transition” toward a pluralist democracy. In the second decade, the state attempted to regain power over NGOs by re-framing
them as social organizations whose role is to represent social groups, address social issues, and contribute to the social cohesion and accord.

This analysis challenges the clear division between political and social rights, showing how such dichotomy was used by national and transnational policy actors to curtail either of them. However, the two dimensions, it is argued, are intertwined and interrelated. In this case study, child-welfare NGOs were constantly negotiating and reconciling their social and political dimensions. In the 1990s, conceived as political actors, NGOs undertook social functions, providing social supports to children and families. In the 2000s, while child-welfare NGOs were framed as social actors, in order to fulfill their social functions, they engaged in a political and policy process. The question of the political/social nature of NGOs raises a broader question that can be relevant to other national contexts. Can activities of NGOs working towards a shift in societal relations be thought of as including a political dimension? And can the state’s support for social NGOs be thought of a political tool to realign NGOs with the state?

7.1.6 Embedded Agency and “Muddling Through” to Institutional Change

This research contributes to scholarly understanding of the relationship between agency and structure, a question of critical importance for institutional analysis. The findings of this study are in agreement with the concept of “embedded agency” proposed by Thornton and Ocasio (2008) who argue that “to understand individual and organizational behavior, it must be located in a social and institutional context, and this institutional context both regularizes behavior and provides opportunity for agency and change” (pp.101-102). Policy actors in this study were both shaped by the institutional environment but also able to actively, though not necessarily intentionally, shape and change social, political, and welfare institutions.

In this case study, policy actors existed in complex networks of (trans)national institutions. What is important to note is that institutional environments include not only legal and regulatory contexts regulating behaviours of organizational actors but also policies and practices of policy actors toward each other, inter-organizational relationships as well as internalized conceptions of how things should work, or institutional logics. Soviet legacies traced in cognitive frames of individuals (e.g., the “goodness” of children’s residential institutions, or the expectations of state support) as well as existing institutions inherited from the Soviet welfare system were an
important element of complex institutional contexts that shaped the behaviours of policy actors. This analysis indicates that the process of reforming social care for children required redefining target populations. Child protection was viewed as a moral responsibility in the Soviet Union and in independent Kazakhstan. However, children are not a homogeneous population, and new categories of children as a target of social policy have been created since the country’s independence. Not only do “new” categories differ from “old” ones, they are incongruent with the traditional division of labour among state agencies, raising questions about who should be responsible for “new” categories of children. As this analysis shows, “old” categories of children, that were congruent with Ministerial areas of responsibility, such as children with disabilities/special needs, benefited from social policy reform. Therefore, institutional change in the post-Soviet era was shaped by the legacies of Soviet institutional configurations.

Therefore, institutional environments constituted contradictory and shifting social fields that provide both constraints and opportunities to policy actors. For example, during the welfare retrenchment phase in the 1990s, opportunities for the introduction of social services as a new mode of welfare provision were limited; nevertheless, national NGOs were able to use resources from TOs to provide social support to selected social groups. The revival of welfare in the 2000s created a political environment favourable to the introduction of substantial policy reform. At the same time, it took the political will of policy actors, resources, ideas, and strategies to introduce social services as a new approach to welfare. In this process policy actors showed their ability to use the opportunity as well as to compromise, and policy choices were shaped by calculated tactics as well as by chance. As a result, policies and welfare institutions were mixed in nature: they represented new institutional logics embedded in the Soviet institutional legacies. This case study offered insights into the (trans)national social policy process as the interplay between the constraining and enabling institutional environment and the agency of transnational policy actors, whose choices and behaviours were shaped by existing institutions and whose actions ultimately transformed these institutions.

The study argues that complex institutional environments were the sources of unintended policy consequences. The multiplicity of (trans)national policy actors with competing interests and agendas, the complexity of existing institutions with different jurisdictions, the coexisting multiple contradictory logics, as well as often invisible informal or corrupt practices together constituted institutional resistance that had a moderating effect on any change to the institutional
environment introduced by policy actors. As a result, not only this policy process produced unintended policy outcomes but policy outcomes never seemed to be as intended.

Over fifty years ago, Charles E. Lindblom (1959) coined the phrase “muddling through” to refer to the incremental nature of the policy process in market economies and democratic political systems; twenty years later in his follow up paper “Still muddling through” (1979) he argued that “neither revolution, nor drastic policy change, nor even carefully planned big steps are ordinarily possible” (p.517). His notion of incremental policy making is strikingly relevant to this study’s findings about post-Soviet welfare transformation. Despite the dramatic and undeniable structural change experienced by post-Soviet Kazakhstan, this analysis indicates that the change in welfare provision did not miraculously happen overnight but, in fact, consisted of a multitude of incremental and multidirectional institutional adjustments.

7.1.7 Reflections on Study Findings: Expectations, Assumptions, and Surprises

I would like to conclude the discussion of study findings by going back to the (carefully articulated) research hypotheses, (non-articulated but somewhat explicit) expectations, and (implicit) assumptions that I had when I set out to conduct this study. The following is my reflections on the expectations that have been met and surprises that made this journey more challenging but even more fascinating. The question that was driving the study was how institutions change. My first point concerns my research hypotheses that linked the institutional environment, organizational actors, and interorganizational relations to the changes in welfare provision in post-Soviet Kazakhstan, and the study confirmed the relationship, allowing me to look more closely at the mechanisms of institutional reproduction and transformation.

Second, the study was interested in exploring the role of Soviet institutional legacies and transnational actors in shaping the change, and the examination of these questions led me to unexpected findings. If my initial expectation was that transnational actors and policy instruments played a definitive role in shaping post-Soviet institutions, one of the study surprising findings was the complexity and subtlety of transnational influence on post-Soviet social transformation. The most pervasive and problematic part of transnational involvement in social policy was also the least political and contentious, such as short-term funding cycles,
grant-making procedures that exclude core funding for national NGOs, and program/project frameworks used universally by TOs and transferred “naturally” to national organizations.

The third comment concerns the role of Soviet institutional legacies in post-Soviet institutional change. I encountered the first surprise in the process of reviewing historical research related to the study objectives and finding out recurring or similar patterns in the Soviet past and the post-Soviet period, such as shifts in relations between national and transnational actors, or the dynamics of the state-non-state relations, or the shifts in state-family responsibilities for caring for children. Another unexpected finding was that Soviet institutional legacies were not only engraved in national legal and regulatory environment but were also to be found across various institutions, including the roles and responsibilities of government agencies, their jurisdictions and areas of expertise, relationships among post-Soviet organizations, and job descriptions of public employees.

The biggest surprise is linked to Soviet institutional legacies in post-Soviet institutions of child welfare provision. The implicit assumption that I had before undertaking this study was that welfare institutions have changed, and that they have changed dramatically. In the process of interviewing key informants in Kazakhstan, a different picture began to emerge, and it became more powerful and explicit during the data analysis phase: the system of welfare provision consists of well-preserved and sometimes renewed institutions inherited from the Soviet welfare system and multiple layers of institutions introduced over the past twenty years.

7.2 The Relevance and Limitations of the Theoretical Framework and Methodology

The overarching theoretical framework for the study was drawn upon three approaches: the welfare diamond approach, a transnational perspective, and historical institutionalism. These theoretical tools were selected for this study based on their relevance and sensitivity to sociopolitical processes shaping post-Soviet/post-socialist social policy and welfare systems. Drawing upon the review of the literature on welfare policy analysis in post-socialist and post-Soviet countries, I developed an argument that typology-based approaches, mainly, welfare regimes, are not suitable for capturing dynamic and fragmentary welfare policies and policy processes. I also critiqued “transition”, a conceptual framework that views post-Soviet/post-socialist transformation as a linear, predictable process that prioritizes major structural changes.
The study’s overarching theoretical framework was a flexible and sensitive instrument for the study of post-Soviet transformation of child welfare institutions. The use of the welfare diamond approach allowed me to examine the distinct roles of policy actors, their relationships with each other, power imbalances, and interdependency. The selection of policy actors that shaped the policy process in the child welfare field (i.e., the state, NGOs, and TOs) proved to be relevant for the study. Organizational actors within the child welfare diamond constructed for the study constituted a network that exhibited features that meet the criteria of the structuration of an ‘organizational field’, such as “an increase in the extent of interaction among organizations in the field; the emergence of sharply defined interorganizational structures of domination and patterns of coalition; an increase in the information load with which organizations in a field must contend; and the development of a mutual awareness among participants in a set of organizations that they are involved in common enterprise” (DiMaggio & Powell, 1991, p. 65). While the exclusion of the market from the welfare diamond may have accounted for a narrower view of the child welfare transformation, the for-profit firms were rarely brought up by key informants as independent policy actors. Therefore, the omission of the market was justifiable for this study that was concerned with changes in public welfare institutions.

The application of the transnational approach enabled the study to examine the role of the (trans)national environment and organizations in the post-Soviet social policy process. Moreover, the combining of national and transnational actors, as opposed to selecting either of them, offered an insight into the interactional, relational aspects of transnational social policy and the processes that may have been overlooked, such as policy translation and travelling ideas as well as tensions, contradictions, and interdependency between national and transnational policy actors.

Furthermore, historical institutionalism was shown to be a powerful tool for this study because it allowed me to include a variety of institutions, to conduct the institutional analysis at different levels, and most importantly, to examine institutions embedded in the sociohistorical contexts. The application of the historical institutionalist approach painted a picture of post-Soviet institutional transformation as a contradictory, multidirectional, shifting, historically contingent process, driven by interdependent policy actors with competing interests. Thus, as intended, the study challenged the notion of “transition” as a unidirectional, linear path from socialism to
capitalism as well as the use of overly reductionist theoretical frameworks with a limited set of predetermined variables.

One of the theoretical and empirical objectives of this study was to historicize and contextualize the abstract concepts of the state, the voluntary sector, and transnational policy actors, and the combination of historical institutionalism with the welfare diamond was instrumental for making this exploration. Indeed, these relational and historical approaches provided greater insights into these institutions because “[p]olitical systems, then, are best viewed not solely in terms of formal institutional features, such as "the state," "parties," or "bureaucracies," but in terms of complex sets of relationships among social and political actors engaged in a struggle for power” (Immergut, 1992, p.243).

The overarching theoretical framework and research methodology had a number of limitations, which need to be acknowledged. First, the study framework did not include major structural economic and political factors to link them to the policy process and outcomes. Rather, in line with the study research questions, the focus of the study was on the behaviours of policy actors within the given sociohistorical environment. Second, the welfare diamond excludes the notion of socioeconomic class and political coalitions/alliances, thus, the study overlooked the role of social stratification, class formation, and political coalitions in the post-Soviet policy process. Third, the inductive approach used for this study produced multiple concepts/variables without pre-defining relations among them; therefore, the analytical challenge was to account for the multiplicity of meanings and possible interpretations at the data analysis phase of the study. The strategy for dealing with this challenge was drawn upon framework analysis used for this study, which included mapping out multiple possible interpretations, identifying key variables and themes, drawing relations among them, checking with raw data, and drawing charts/diagrams linking key concepts at the higher level of abstraction. Also, during the data analysis phase, literature was searched to bolster the theoretical framework for this study with additional concepts/mid-range theories that enhanced the analysis and added to deeper understanding, such as institutional logic theory, organizational field, and scales in the transnational policy space. Other study limitations stem from the case study research design and purposive/convenient sampling procedure, which limit the generalization of research findings to other sociohistorical contexts. This limitation is common for qualitative case studies, but it may be argued that this
study intended to produce historically contingent knowledge that can be used as a frame of reference, not as a universal model.

The study enhanced scholarly understanding of social policy processes in the largely neglected area of research--the post-Soviet transformation of welfare institutions, and contributed to knowledge in several theoretical fields: theory of institutional change, transnational social policy, and the relationships between agency and structure in institutionalism.

7.3 Implications for Policy and Practice

The study offered insights into the policy process and child welfare transformation in post-Soviet Kazakhstan. A firm belief underlying this research was that a better understanding of the policy process and the mechanisms of institutional change can assist (trans)national policy actors to develop policies, strategies, and practices that will improve welfare provision for families and children in Kazakhstan. The research findings revealed the complexity of the policy process, tensions and contradictions of the policy process as well as the multiplicity of interests and institutional logics within the child welfare policy field. As a result, no simple, easy-fix solutions and approaches to social policy can be elicited from this research.

However, this case study is not a story of the impossibility of change. Not only did the study of child welfare transformation in post-Soviet Kazakhstan show that change is possible but it found that change was integral to the social policy process. While various actors within the policy process had competing interests, they also had overlapping, shared, or coinciding interests, which provided a basis for cooperation and partnership in the cases of successfully adopted policies. An understanding of the incremental nature of the policy process and institutional change means that small, incremental changes may produce big institutional change, and vice versa. Incremental policy making requires that strategies and tactics for policy change take into consideration the existing institutional context, including not only large-scale institutions (e.g., laws, agencies) but also small invisible regulations (e.g., job descriptions, operational instructions) and informal practices. Also, the awareness of the incremental nature of the policy process prepares policy actors (and policy analysts) to see the difference between the policy written and the policy implemented and to encounter the unintended consequences of social policies.
In addition to general observations concerning the policy process the study findings have several practical implications. Policy recommendations, which to a large extent were drawn upon ideas offered by policy actors who participated in this study, are listed below and divided into four categories, reflecting the study framework and the structure of this analysis.

7.3.1 Implications Concerning the State and the National Legal/Regulatory Environment

This study showed that the legal and regulatory environment matters. While the institutional environment was not the source of welfare policy change, it provided the “rules of the game” that shaped welfare policy by guiding behaviours of organizational actors and putting the limits to what they could or could not do. Furthermore, the study findings indicated that the successful introduction of new policies\(^\text{228}\) was driven by strong partnerships among all policy actors, including government agencies, NGOs, and transnational actors. Therefore, the study calls for regulations that provide for an inclusive policy process and institutionalize the participation of non-state policy actors at all levels of the government and all stages of the policy process, including consultations, policy design and planning, budgeting, and decision making.

7.3.2 Implications Concerning Transnational Policy Actors and Foreign Aid

This case study pointed to the intersection between the national and transnational/global social policy space. Transnational organizations existed in the (trans)national social space but also created it by facilitating the flow of resources, ideas, and people. In the transnational social policy space, national actors accessed financial resources and policy ideas, which were translated and used for bringing about institutional change. This study problematizes not the transnationalization of the national social policy space but the disjuncture between the national and transnational/global policy spaces and actors. As perceived by national actors, priorities, goals, and objectives of TOs were defined somewhere else, by someone else, and with little involvement of national constituents. Moreover, the institutional policies and practices employed by TOs in relation to national organizations reinforced the disjuncture, most importantly, the

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\(^{228}\) By ‘success’, I mean meaningful change in welfare provision that improved the well-being of welfare beneficiaries; for instance, the Law on Special Social Services
policy that disallowed core funding of national NGOs and short-term funding cycles within program/project frameworks. This study argued that such policies resulted in the outcomes that were opposite to intentions: these policies prevented most national NGOs (with few but notable exceptions) from becoming strong, sustainable, competent policy actors and advocates and undermined their capacity to provide long-term, reliable social services to their communities.

7.3.3 Implications Concerning National NGOs

This study showed strengths and limitations of newborn NGOs in relation to the wider (trans)national institutional context. Shaped by the unpredictable, contradictory, and shifting environment, national NGOs developed multiple strategies that allowed them to pursue their organizational objectives and survive. Many of those strategies were shaped by the more powerful policy actors, such as the state and TOs. Few organizations, however, became strong, prominent policy actors, whose expertise and experience were recognized by national and transnational policy actors. While this study cannot make any causal links between organizational policies and outcomes, one of the strategies that distinguish stronger organizations appeared to be strong links with their communities, including the provision of social services. The provision of social services enabled NGOs to maintain strong ties with their target social groups, accumulate knowledge, and become legitimate policy actors on the national policy scene.

7.4 Where Do We Go from Here? Questions for Future Research

This doctoral research set out to pursue the question of how post-Soviet welfare institutions change and what role institutional factors play in this process. The study was an initial inquiry into the social policy process and welfare transformation in post-Soviet Kazakhstan, a challenging and exciting undertaking that generated some fascinating insights. More importantly, being an exploratory study, it also led to more specific questions for future exploration and pointed to several areas for future exploration. The first research area is that of transnational social policy in the post-Soviet/post-socialist context with an array of questions: How do policy ideas travel and settle? What ideas get adopted and what ideas get discarded? Why does the same policy idea fail in one post-Soviet state and become institutionalized in another? And how are imported policy ideas used to change (or maintain) existing institutions?
The second research area is the study of institutional change. This study was concerned with *how* institutions change, therefore, the question of *why* institutions change is left for future exploration. Some potential questions are as follows: What is the relationship between structural economic, political, social changes and institutional change? What is the role of the emerging market in welfare provision? How does the changing foreign aid landscape affect institutional change in the post-Soviet context? How do the welfare mix, the policy process, and policy outcomes differ in other fields of social policy, such as health care, child care, or care for the elderly? What is the interplay of institutional factors in other post-Soviet states, and how is institutional change different from that in Kazakhstan?

The third area of future research concerns welfare beneficiaries/service users and welfare providers. The important questions for research include the following: How do welfare beneficiaries experience change in welfare provision? Who has benefited and who has lost as a result of welfare reform? What are the relationships between societal stratification, social policy reform, and access to service provision? What are the effects of welfare change on the well-being of children and families? What is the general public’s perception of welfare services and welfare beneficiaries? Who are welfare/social service providers? How is service provision different in the government and the NGO sectors? What are the institutional logics underlining social services as new types of welfare provision?

To conclude, this thesis was my modest attempt to make a case for the study of social policy and welfare transformation in post-Soviet Kazakhstan and the post-Soviet region. As Immergut (1992) put it, “there is no underlying social truth that explains these political differences [in welfare states]. Nor is there a predetermined destination to the welfare state. The future of the welfare state is open; it will depend on concrete political decisions made by actors in strategic contexts” (p.243). This statement appears to be particularly relevant to welfare policy in the post-Soviet Kazakhstan. That makes the exploration of the evolving welfare policy in this region even more challenging, more important, and more enticing.
References


Ministry of Labour and Social Protection of the RK [MoLSP]. (2011). *Systemnaya and msshtabnaya rabota prodolzhaetsya* [Systematic and comprehensive work continues: In Kazakhstan a social protection system has been established in accordance with international standards and adapted to the needs of a socially-oriented state]. Interview with G. Abdykalikova Minister of Labor and Social Protection. Retrieved from http://www.enbek.gov.kz/node/24266.


Yurchak, A. (2003). Soviet hegemony of form: Everything was forever, until it was no more. *Comparative Studies in Society and History, 45*(3), 480-510.


Appendices

Appendix 1. Interview Guide

A. Introductory Section: First of all, thank you for your time and willingness to participate in this study. I would like to let you know that this interview is confidential and voluntary. If you do not want to answer certain questions or would like to stop the interview at anytime, please let me know. Do you any questions before we start?

<table>
<thead>
<tr>
<th>Date of the interview:</th>
<th>Respondent’s Name/ID:</th>
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<tbody>
<tr>
<td>Place:</td>
<td>Sex:</td>
</tr>
<tr>
<td>Time:</td>
<td>Age:</td>
</tr>
<tr>
<td>Interviewer’s name:</td>
<td>Occupation:</td>
</tr>
<tr>
<td>Length of the interview:</td>
<td>Education:</td>
</tr>
<tr>
<td>Name/Pseudonym of the organization</td>
<td>Position in the organization</td>
</tr>
<tr>
<td>Type of the organization (NGO, government organization or GO, international/supranational organization, for-profit organization or FPO)</td>
<td></td>
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</table>

B. Main Section

<table>
<thead>
<tr>
<th>Main question</th>
<th>Clarifying questions/Prompts</th>
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<tbody>
<tr>
<td>(1) Individual participant data</td>
<td></td>
</tr>
<tr>
<td>1.1. Could you please tell me about yourself and your interest in the provision of social services for children?</td>
<td>Years of experience in this organization and in the provision of social services for children</td>
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<tr>
<td></td>
<td>How did you become involved in this field?</td>
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<tr>
<td>(2) Organizational characteristics and history</td>
<td></td>
</tr>
<tr>
<td>2.1 What is the legal status of your organization?</td>
<td>NGO, government agency, international government/supranational organization, international NGO, for-profit organization</td>
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<tr>
<td>2.2 Please tell me about your Mandate, objectives, activities, geographic location,</td>
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<tr>
<td>2.3</td>
<td>Please tell me about the history of your organization</td>
</tr>
<tr>
<td>2.4</td>
<td>What are organizational policies and procedures related to service provision/program/activity?</td>
</tr>
</tbody>
</table>

### (3) Organizational networks and relationships

<p>| 3.1 | Please tell me about other organizations your organization interacts/has relationships with. | What are the key organizations in this field: NGOs, government, transnational actors, for-profit organizations? What are formal and informal assumed/designated roles of your organization, other organization? How would you describe relationships among them? Who reports to whom? Who is superior/subordinate? What does your organization give, receive? How about other organizations? Can you give me an example? Can you describe the flows of ideas/technical expertise among these organizations? What is the level of influence of your organization, other organizations? Why? From your perspective, what other organizations (e.g., government, transnational, for-profits, NGOs) can do to help your organization to provide a better service for children? How inter-organizational relations have changed since (baseline year)? How are inter-organizational relationships different from 10-15-20 years ago? Why? Can you give me an example? |</p>
<table>
<thead>
<tr>
<th>(4) Institutional environment</th>
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</thead>
<tbody>
<tr>
<td><strong>4.1</strong> Can you tell me about policy/legal frameworks/directives that directly influence your organization?</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>(5) Concluding open-ended questions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>5.1</strong> Concluding open-ended question</td>
</tr>
</tbody>
</table>
### Appendix 2. List of Key Informants and Organizations

<table>
<thead>
<tr>
<th>Participant ID</th>
<th>Type of organization</th>
<th>Area of work</th>
<th>Date of interview</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 A</td>
<td>NGO</td>
<td>Child-welfare policy and advocacy NGO</td>
<td>July 2, 2012</td>
</tr>
<tr>
<td>2 B</td>
<td>NGO</td>
<td>NGO providing psychosocial support to children</td>
<td>August 6, 2012</td>
</tr>
<tr>
<td>3 C</td>
<td>NGO</td>
<td>Women’s organization</td>
<td>June 23, 2012</td>
</tr>
<tr>
<td>4 D</td>
<td>NGO</td>
<td>Women and child welfare advocacy NGO</td>
<td>June 25, 2012</td>
</tr>
<tr>
<td>5 E</td>
<td>NGO</td>
<td>Community-based centre for children and youth; support for women victims of violence</td>
<td>June 20, 2012</td>
</tr>
<tr>
<td>6 F</td>
<td>NGO</td>
<td>Community-based children’s centre; shelter for migrants</td>
<td>July 5, 2012</td>
</tr>
<tr>
<td>7 G</td>
<td>NGO</td>
<td>NGO capacity-building</td>
<td>July 9, 2012</td>
</tr>
<tr>
<td>8 H</td>
<td>TO</td>
<td>Donor agency</td>
<td>July 12, 2012</td>
</tr>
<tr>
<td>9 I</td>
<td>NGO</td>
<td>People with disabilities</td>
<td>July 3, 2012</td>
</tr>
<tr>
<td>10 J</td>
<td>NGO</td>
<td>Community-based centre for children with special needs</td>
<td>August 28, 2012</td>
</tr>
<tr>
<td>11 K</td>
<td>NGO</td>
<td>Community-based centre for children with special needs</td>
<td>August 5, 2012</td>
</tr>
<tr>
<td>12 L</td>
<td>NGO</td>
<td>NGO capacity building</td>
<td>July 19, 2012</td>
</tr>
<tr>
<td>13 M</td>
<td>NGO</td>
<td>NGO working with street children</td>
<td>June 27, 2012</td>
</tr>
<tr>
<td>14 N</td>
<td>NGO</td>
<td>Policy and advocacy NGO</td>
<td>July 10, 2012</td>
</tr>
<tr>
<td>15 O</td>
<td>NGO</td>
<td>Support for migrants</td>
<td>July 4, 2012</td>
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<tr>
<td>16 P</td>
<td>TO</td>
<td>ILO-IPEC</td>
<td>July 5, 2012</td>
</tr>
<tr>
<td>17 Q</td>
<td>TO</td>
<td>Donor agency</td>
<td>June 22, 2012</td>
</tr>
<tr>
<td>18 R</td>
<td>TO</td>
<td>NGO capacity building</td>
<td>June 21, 2012</td>
</tr>
<tr>
<td>19 S</td>
<td>TO</td>
<td>NGO capacity building</td>
<td>July 20, 2012</td>
</tr>
<tr>
<td>20 T</td>
<td>TO</td>
<td>Donor agency</td>
<td>July 27, 2012</td>
</tr>
<tr>
<td>21 U</td>
<td>TO</td>
<td>NGO-capacity building</td>
<td>June 26, 2012</td>
</tr>
<tr>
<td>22 V</td>
<td>TO</td>
<td>UNICEF</td>
<td>September 11, 2012</td>
</tr>
<tr>
<td>23 W</td>
<td>TO</td>
<td>Family Support</td>
<td>July 19, 2012</td>
</tr>
<tr>
<td>24 X</td>
<td>TO</td>
<td>UNDP</td>
<td>September 11, 2012</td>
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<tr>
<td>25 Y</td>
<td>TO</td>
<td>SOS Children’s Villages</td>
<td>July 30, 2012</td>
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<td>26 Z</td>
<td>GO</td>
<td>Infant home</td>
<td>August 8, 2012</td>
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<td>27 AA</td>
<td>GO</td>
<td>Children’s home</td>
<td>July 5, 2012</td>
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<td>28 BB</td>
<td>GO</td>
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<td>29 CC</td>
<td>GO</td>
<td>State authority</td>
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<tr>
<td>30 DD</td>
<td>GO</td>
<td>State authority</td>
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