

Is there an Islamic Public Administration Legacy in Post-Soviet Central Asia? An Ethnographic Study of Everyday Mahalla Life in Rural Ferghana, Uzbekistan

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ABSTRACT

This paper examines the role of mahalla as a "hybrid" institution in the process of revamping public administration in post-Soviet Uzbekistan. It argues that the mahalla system, which is anchored on Islamic principles, has now become an institutionalized feature of Uzbekistan's public administration (through legislative codification and executive incorporation) and now operates partly on behalf of the state and partly community-driven as a local-level provider of social welfare and, increasingly, as the [state] mechanism of social control. Also this paper aims to illuminate the processes and dynamics of the mahalla system and how it has evolved to respond to the changing political regime in the post-Soviet period, acting as a pseudo local-government entity, given the failure of the existing regime to provide much-needed development in rural Uzbekistan.

Keywords: Islamic public administration; post-Soviet societies; mahalla; Uzbekistan; Central Asia; law and society; ethnography of the state; Islamic legal culture.

1. Introduction

Following the collapse of the Soviet Union in 1991, Uzbekistan, like other post-Soviet states, were faced with the complex task of rebuilding its nation-state. After independence in 1992 and coming on the heels of the global (Western) public administration (PA) discourse, Uzbekistan adopted a Western-style constitution and proclaimed its strong commitment to ideals of market economy, good governance, human rights and rule of law (see e.g. Gleason 2001). At the same time, Uzbekistan made it clear that its PA system, whilst adhering to Western notions of PA (Western PA), would also deploy Uzbekistan's ancient traditions, rich Islamic heritage and centuries-old administrative traditions as a nation-building project. Many international organizations, such as the World Bank, IMF and UNDP, promptly geared their development programs to Uzbek authorities' reform agenda, financing and initiating innumerable good governance, market

economy and human rights projects. Thus, it was a moment of great expectations and euphoria in Uzbekistan.

The analysis of public policy developments since 1991 shows that Uzbekistan has made little progress in promoting rule of law and good governance, and that formal institutions merely have attained a showcase quality (e.g. Luong 2002; Perlman and Gleason 2007; Ilkhamov 2007; Urinboyev and Svensson 2013a; Urinboyev and Svensson 2013b; Urinboyev and Svensson 2014). Seemingly, Uzbek authorities' main concern was the need to preserve social order where they opted to capitalize on existing socially embedded administrative structures as a nation-building project. The need to keep the social order was influenced largely by the unstable political situation in Central Asia during the 1990s, e.g. ethnic clashes between the Uzbeks and the Meskhetian Turks in 1989, the Osh riots (ethnic conflict between Uzbeks and Kyrgyzs in southern Kyrgyzstan) in 1990 and the civil war in neighboring Tajikistan in 1992-1997 (e.g. Fane 1996; Warikoo and Norbu 1992; Megoran 2007). Uzbekistan also had its own challenge coming as it did from radical Islamic movements in the Ferghana valley, traditionally the area for conservative Islam in Central Asia. Due to these challenges, Uzbekistan emphasized "stability at any cost", rather than focusing on Western-style governance as its main aim. In the light of these challenges it seemed quite rational for the Uzbek regime to deploy the existing socially embedded governance structures as a means for expanding state authority and preventing political and social instability in the country (Urinboyev 2013; Urinboyev 2011a; Noori 2006a). Hence, the design of PA reforms in the early years of independence clearly reflected the political stability concerns of Uzbek authorities.

In post-Soviet Uzbekistan, preserving the stability of the economy and of the social and political order has become an overarching rationale for policy choices and governance trajectories. The Soviet social policy legacy had a profound impact on the policy choices of the Uzbek government in the 1990s. Given that the former Soviet social welfare system provided relatively strong social protection and health-care facilities, the general population had expected the same treatment and conditions from the new Uzbek authorities. This issue had important implications for the security and stability in the country, because Uzbek authorities were aware that they might lose legitimacy and face social unrest if they failed to meet the expectations of the people. Given the high proportion of low-income groups and the dependence on the import of consumption goods, any attempt to contract social welfare benefits would affect millions, which could lead to social unrest. Given the political instability during the 1990s, Uzbekistan had strived to retain a Soviet-type generous social welfare system but found it increasingly challenging. (Spechler 2008; Ruziev et al. 2007). The Uzbek government could no longer run the Soviet-type generous social policy system due to fiscal pressure and therefore had to move to a means-tested system (Micklewright and Marnie 2005). Besides, the living standard of people has fallen dramatically, and the number of people claiming the social welfare benefits has increased accordingly.

During the first stages of the nation building process there was a widespread assumption that Uzbekistan would be able to meet the challenges of the transition period by capitalizing on its (pre-Soviet) rich Islamic past, values, authentic PA insti-

tutions and popular traditions. Accordingly, mahalla¹, a pre-Soviet PA structure built on Islamic principles and traditions, presented itself as a feasible and legitimate governance tool for social-service provision and maintaining social order and political stability. As locally legitimate institutions, mahalla have been tasked with important PA functions throughout Uzbekistan. As David Abramson noted, “beginning in the late 1980s and intensifying in the 1990s, the Uzbek mahalla became the centerpiece of a state-sponsored campaign to transfer responsibilities for welfare and other social services onto local shoulders” (Abramson, as quoted in Sievers 2002, 144). Thus, mahalla, a governance structure originating from Central Asia’s Islamic past and administrative traditions, are now a key welfare structure that provides services, ranging from social welfare to local governance² – functions that are performed by the state and local government institutions in the modern states.

This paper examines the place of mahalla as a “hybrid” institution in the process of revamping PA in post-Soviet Uzbekistan. The paper argues that mahalla, a somewhat traditional informal institution which is anchored on Islamic principles, has now become an institutionalized feature of Uzbekistan’s PA (through legislative codification and executive incorporation) and now operates partly on behalf of the state and partly community-driven as a local-level provider of social welfare and, increasingly, as the [state] mechanism of social control. Hence, this paper aims to illuminate the processes and dynamics of the mahalla system and how it has evolved to respond to the changing political regime in the post-Soviet period, acting as a pseudo local government entity given the failure of the existing regime to provide much-needed development in rural Uzbekistan. In other words, this article utilizes the case of mahalla to better understand the legacy of Islamic PA in everyday life and governance trajectories in post-Soviet Uzbekistan.

These concerns will be investigated with reference to relevant literature and the four periods of ethnographic field research conducted between 2009 and 2014 in the Ferghana region of Uzbekistan. The first field research was conducted in April and May 2009, the second field research lasted for three months between June and August 2010, the third was undertaken in June and July 2012, and the last field research was conducted between August and September 2014. The different time stages were chosen to clarify and deepen the understanding of the role of mahalla in PA processes. Being a native Uzbek, I had the advantage of knowing the language and possessed the pre-understanding of the local conditions and situation. The methods employed for data collection were participant observation and informal interviews. When carrying out observations, I was primarily interested in understanding the people, listening to people’s voices, trying to understand them on their own terms

¹ Mahalla is an Arabic word meaning “local community” and alludes to a group of people residing in a specific territory (see Bektemirov and Rahimov 2001). According to Bektemirov and Rahimov (2001, 477), mahalla, in both the historical and the modern perspectives, represents a “clearly defined socio-demographic, cultural and spiritual entity, as well as an administrative-territorial one, in which people are united by traditions, customs and human, business and legal relationships.” Although there are more than 12,000 mahallas in Uzbekistan, for the sake of simplicity I will use the word “mahalla” in its singular form throughout the paper. Moreover, I will not italicize the word “mahalla” due to its central role in the paper.

² E.g. all basic needs like jobs, social welfare, access to loan, residence registration, security, dispute resolution, irrigation, asphaltting.

and practices, and treating them as experts. My observations frequently took the shape of informal chats, questions that arose on the spur of the moment. I was interested in observing the commonplace and more or less taken-for-granted activities that signal the key features of social structures, norms and interactions, and that can stand for broader public policy developments. The interviews were more free-flowing and focused on such questions as the role of the mahalla and mosque in everyday life, the relationship between citizens and state officials, local traditions, values and norms, the arrangement of life-cycle rituals, political stability and security, coping strategies and informal income-earning opportunities, public perceptions of social hierarchies, the importance of kinship relations, redistributive activities, proper social behavior and the perceived role of the state and its laws in everyday life.

The rest of the paper is organized in the following manner: The next section, part two, provides a brief historical overview of the mahalla institution, depicting the processes and dynamics of its evolution during the pre-Soviet (Islamic), Soviet and post-Soviet periods. Part three focuses on previous research that situates this study within “Central Asian studies” and the “mahalla” research and thereby presents an analytical framework for understanding the perspective I take on mahalla. The paper hopes to argue that if we want to better understand the role and meaning of mahalla in Uzbekistan’s governance trajectories, we should distinguish between “formal” and “informal” mahalla, since the former is administered by state-appointed (salaried) officials and thereby operates on behalf of the state, whereas the latter is a community-driven informal structure which is governed by an informal leader (*oqsoqol*) and acts as an informal social safety net. In part four, I describe the processes of how mahalla has become an institutionalized feature of Uzbekistan’s PA system and the possible effects of these developments on the mahalla system. In part five, I present the results of my ethnographic fieldwork conducted between 2009 and 2014 in rural Ferghana, Uzbekistan, in which I explore mahalla as an informal social safety net encompassing Islamic welfare values. Finally, part six draws out the implications of the paper for scholarly debates on Islamic PA and highlights the most important findings of the study.

2. Pre-Soviet (Islamic), Soviet and post-Soviet mahalla

The role of mahalla as an administrative structure in the history of Central Asian societies has always been important. Following the collapse of the Soviet Union there has been unrelenting interest in academic research and policy communities in the history of the mahalla system (Sievers 2002; Massicard and Trevisani 2003; Masaru 2006; Micklewright and Marnie 2005; Geiss 2001; Urinboyev 2011a; Abramson 1998; Human Rights Watch 2003; Dadabaev 2013; Kamp 2004; Urinboyev 2013; Urinboyev 2011b). Despite the existence of a diversity of scholarly approaches to and explanations for mahalla, there is one common dilemma for the scholars studying mahalla. As Sievers (2002, 103-104) notes, this dilemma is due to the fact that “mahalla are neither regionally uniform nor static, nor are the types of public goods available to mahalla residents.” Moreover, Sievers argues that mahalla have been changing for centuries due to the establishment or collapse of empires and with the arrival of new ethnic groups or tribes. For Sievers, any depiction of mahalla in modern Uzbekistan should include some account of mahalla in the Soviet and

pre-Soviet periods. Hence, before describing the place of mahalla in the PA system of contemporary Uzbekistan, a brief historical overview of pre-Soviet (Islamic) and Soviet mahalla may be in order.

2.1 Mahalla during Pre-Soviet (Islamic) and Soviet period

Historically, Uzbek mahalla have been very successful in mobilizing resources and people. They were not governmental, and their activities were non-profit. The origin of Mahalla tradition dates back to the pre-Mongol period, around the 11th or 12th centuries, when Islamic empires thrived in Central Asia (Sievers 2002). Pre-Soviet mahalla were usually a community of several hundred people, organized around Islamic rituals and social events. Some mahalla formed along ethnic, religious or professional lines (Abramson 1998, 27). Most mahalla possessed their own mosque, teahouse, bazaar and other facilities (Sievers 2002). The administration of pre-Soviet mahalla was fully based on Islamic values and traditions, since imam and the elders played a crucial role in the administration of mahalla by providing advice and direction to the local community (Geiss 2001).

During the early Soviet period there were some attempts to eliminate the mahalla as an institution; but later it became evident that such efforts would produce social unrest (Abramson 1998). As a result, the Soviet government changed its strategy towards mahalla. Conversely, the Soviet government tried to use mahalla for disseminating communist ideology by integrating them into the state and party structures (Rasanayagam 2011). As a result, mahalla served as local village councils during the Soviet period (Bektemirov and Rahimov 2001). However, in the final period of the Soviet Union mahalla ceased to disseminate communist ideology and returned to their traditional Islamic functions, running in parallel with government structures (Human Rights Watch 2003). With the dawn of independent Uzbekistan in 1991, mahalla have become a buzzword in academic and policy debates. Almost all major PA reforms touched on mahalla (Noori 2006b). The Uzbek government has come to realize the significant role of mahalla in expanding the state's authority and promoting social order and political stability (see e.g. Noori 2006a; Bektemirov and Rahimov 2001; Kamp 2004; Urinboyev 2013). I will come back to these processes in the subsequent sections.

2.2 Mahalla in Post-Soviet Uzbekistan

Today the term “mahalla” is commonly used in Uzbekistan to describe the (local) residential neighborhood in which residents are united by common traditions, language, customs, moral values and reciprocal exchange of money, material goods and services (Urinboyev 2013, 42). As Sievers (2002, 96) notes, everyone in Uzbekistan technically belongs to one mahalla. In other words, to be a citizen of Uzbekistan means to be a resident of a mahalla. Most Uzbeks identify themselves through their mahalla. For example, if a native is questioned where he or she lives, the answer will be “I live in mahalla X” (Noori 2006a). Thus, mahalla binds people based on the principle of common residence in a certain neighborhood with established borders

(Bektemirov and Rahimov 2001). As Sievers (2002) observed, most Uzbeks reject the possibility of excluding themselves from a mahalla.

There are about 12,000 mahalla in Uzbekistan, and each mahalla might contain between 150 and 1500 households. On average, approximately 400 households reside in one mahalla (Micklewright and Marnie 2005, 431). The Mahalla Foundation, established in September 1992, coordinates the activities of all mahalla throughout Uzbekistan. Sievers (2002, 96) differentiates rural and urban types of mahalla in post-Soviet Uzbekistan. Rural mahalla constitute former state and collective farms. Urban mahalla can be divided into apartment mahalla (modern apartment complexes), contemporary mahalla (blocks of rather wide family houses) and traditional mahalla (blocks of densely structured pre-Soviet single-family houses). Mahalla can also be classified according to regional, ethnic, professional and religious lines. Despite their remarkable diversity in terms of space, population and activity, mahalla adhere to a core set of understandings and practices (Sievers 2002, 95). Those understandings and practices include paternalism, continuity, the power of moral example, respect for elders and an orientation toward family values (Bektemirov and Rahimov 2001, 479; Sievers 2002).

2.3 Steps to formalize mahalla in Post-Soviet Period

Following the collapse of the Soviet Union the nature and functions of the mahalla system has changed drastically. This is because part of mahalla's informal functions have been formalized (through legislative codification and executive incorporation), and now mahalla activities are largely regulated by state law. Before the advent of independence, the governance of mahalla was carried out according to Islamic values and traditions. Mahalla heavily relied on the authority of *imam* (religious leader) and *oqsoqol* (informal leader) to regulate the mahalla affairs and to enforce cooperative behavior among the residents. However, the adoption of the *Law on Institutions of Self-Government of Citizens* in September 1993 and April 1999 (hereinafter Mahalla Law) has formalized the activities of mahalla, thereby indirectly incorporating it into the system of PA. As Noori (2006a, 535) describes, the expansion of mahalla's formal (legally regulated) functions reached its pinnacle in 2003 with the delegation of the extensive array of administrative duties, such as the collection of utility fees, administering a draft tax, managing local sanitation needs, providing basic security for residents, encouraging local business development, securing jobs for unemployed residents and organizing youth sports leagues, etc. Thus, *mahalla* have come to signify an administrative institution.

These developments marked the beginning of a new era in the history of the mahalla system, which led to the incorporation of mahalla's Islam-laden values and principles into the system of PA. Mahalla are no longer local informal Islamic PA institutions; now they have become the government's main agency responsible for implementing social welfare programs and maintaining social order and stability. The violation of mahalla decisions is now punishable under the Mahalla Law. Mahalla can now enforce both legal and social (Islamic) norms within their territory.

However, despite the state's attempts to fully formalize and incorporate mahalla into the system of PA, mahalla were able to preserve their traditional nature in which

people are tied to each other and maintain everyday relations through common (Islamic) values, traditions, informal exchange and reciprocation of money, material goods and services. Therefore, when discussing the effects of state's legal intervention on mahalla and the place of mahalla in Uzbekistan's future governance trajectories, there is a need to distinguish between the "formal" and "informal" faces of the mahalla. This distinction is especially important when analyzing the outcomes of previous research on mahalla, since much of the scholarly literature tends to overlook this important distinction. This paper aims to contribute to these debates by empirically showing the formal and informal aspects of mahalla. Before embarking on this aim, I will briefly review the outcomes of previous research in the next section.

3. Previous research on mahalla

There has been a wide array of research on mahalla, investigating its historical context and transformation and the current role in different ways and for different reasons. The scholarly interest in mahalla is especially prevalent in the fields of social anthropology and political science, where studies have empirically demonstrated the role of mahalla as "eyes and ears" of the authoritarian regime in post-Soviet Uzbekistan (Noori 2006a; Noori 2006b; Rasanayagam 2011; Massicard and Trevisani 2003; Kassymbekova 2003; Abramson 1998). The bulk of these authors argue that the ruling regime in Uzbekistan deploys the mahalla and its leadership as a means to monitor and control the population and thereby tries to extend its authoritarian control through manipulating mahalla-based social control elements, such as locally rooted norms of authority, bonds of neighborhood sociality, gossips as well as informal information channels and networks of reciprocity and obligation.

Another account gleaned from scholarly literature examines mahalla from a social-policy perspective, looking at mahalla's role as distributor of state social welfare benefits (e.g. Micklewright and Marnie 2005; Falkingham et al. 1997; Atkinson and Micklewright 1992; Coudouel and Marnie 1999; Sievers 2002; Kamp 2004). The central idea common to this entire body of literature is that they are concerned with the question of whether or not mahalla-based targeting of social welfare benefits is efficient and helps reduce poverty in Uzbekistan. Some of these studies critically examine the fairness/justness of mahalla-based targeting through a women's-rights perspective, arguing that mahalla as a patriarchal social structure is an oppressive social-policy instrument in relation to the needs of women and thereby leads to the abuse of women's rights (Kamp 2004; Human Rights Watch 2003). There is also a penchant to examine mahalla as a local form of civil society in Uzbekistan (e.g. Masaru 2006; Sievers 2002; Clarke 1999). These studies describe mahalla as a "socio-political object" that is able to offer a local understanding of the relationship between state and society.

As the review of previous research indicates, current scholarly understandings of mahalla institutions in Uzbekistan continue to be based on the analysis of the "formal" mahalla system (which is regulated by Mahalla Law), which makes it difficult to recognize the dynamics of mahalla and its resistance to the state's legal intervention. This means the state in Uzbekistan is still portrayed as an omnipresent actor that is capable of penetrating deeply into the fabrics of everyday life. The state is certainly a powerful

actor when it comes to using coercion and regulating the activities of “formal” mahalla. However, the state and its coercive structures are almost invisible in terms of influencing socio-economic relations and negotiations on the level of informal mahalla. Field research conducted in rural Ferghana tells us that the findings of previous research on mahalla needs to be reconsidered in the light of empirical evidence. As a result of Uzbek authorities’ attempts to formalize the mahalla by devolving extensive administrative responsibilities, mahalla has become a “hybrid” institution, both operating on behalf of the formal PA system and functioning as a community-driven informal governance structure with its own normative system, which is based on Islamic welfare values. Hence, as I argued in my previous article (Urinboyev 2011a), there is a need to distinguish between “formal” and “informal” mahalla: the former is administered by the Mahalla Law, whereas the latter functions via Islamic values and traditions. This distinction will be empirically demonstrated in the next sections.

Another important issue that has been overlooked in the previous research is that mahalla has not been explored as the legacy of Islamic PA. This oversight is somewhat surprising given that mahalla’s origins date back to Central Asia’s Islamic renaissance period, and Uzbekistan has been the “heartland” of Sharia-law based kingdoms (e.g. Khiva and Kokand Khanates and the Emirate of Bukhara) until the early twentieth century. As Drechsler (2013) argues, one of the most important determinants for governance in Muslim-majority countries would probably be Islam, regardless of whether the state in question is secular or not. In this connection, mahalla has always been an important carrier of Islamic values and traditions in society. One reason for not recognizing the mahalla as the Islamic PA legacy could perhaps be the ambitious anti-Islam policies of the Soviet Union and current Uzbek regime’s attempts to describe mahalla as a secular institution. Of course, mahalla in no way represents the radical form of Islam, but it is nevertheless an important carrier of Islamic legal culture in Uzbekistan. Hence, in this paper I argue that Islam is a culturally embedded practice in everyday mahalla life and social relations. This argument will be further elaborated on in the empirical and discussions sections.

4. Formal mahalla

Until the introduction of Mahalla Law, the social order and everyday life in mahalla was mainly maintained through enforcing Islamic values and norms. The introduction of Mahalla Law led to the fusion of Islamic traditions with the law, since most informal functions of mahalla had been formalized. Mahalla have become the focal point of all state and non-state functions (Sievers 2002). Consequently, these developments transformed mahalla into a comprehensive system of social control. As Rasanayagam (2011) claims, Uzbek authorities’ attempts to formalize the informal functions of mahalla through legal intervention can be understood as a way to expand the state power and harness the social control function of mahalla. In this context, one may wonder what effect, if any, the legal intervention of the state had on mahalla. In this regard, the next section focuses on the interaction between Islamic traditions and law in the mahalla system in order to better understand the degree to which mahalla has become the “eyes and ears” of the authoritarian regime in Uzbekistan.

4.1 Legal intervention into mahalla

The analogue of mahalla might exist in other Muslim societies, but what makes Uzbek mahalla unique is that it has received legal status as a citizen's local self-government institute. As the primary self-government unit, mahalla exist throughout Uzbekistan, based on the principle of decentralization (Bektemirov and Rahimov 2001).³ The Uzbek government promoted the traditional mahalla institute with an emphasis on the rights and obligations of local communities within a nation-state (Abramson 1998). The Law on Mahalla (1993, 1999) defines mahalla as "an independent activity of citizens, guaranteed by the Constitution and the Laws of the Republic of Uzbekistan, for the purpose of resolving issues of local importance according to their own interests and historical peculiarities, as well as to national traditions, spiritual values and local customs." (Law on Mahalla, 1999, art. 1)

Apparently, this definition implies that the mahalla are non-governmental organizations and that they are not part of the system of PA. Since mahalla is a new phenomenon to many Western scholars, the legal status of mahalla has been the object of intense discussions. The Mahalla Law defines mahalla as non-governmental organizations, but at the same time, Mahalla Law delegates some rights and obligations to mahalla which are reminiscent of the functions of governmental agencies. Mahalla now perform a wide range of state functions which were previously implemented by specialized state agencies during the Soviet period. According to the Mahalla Law (1999), mahalla citizen assemblies nominate candidates for national and local elections; mahalla can give recommendations to residents regarding the organization of community events like wedding, birth and death ceremonies; a mahalla citizen assembly directly nominates candidates for district or city councils and indirectly nominates candidates for regional councils and the Parliament; mahalla can collect voluntary contributions for the purposes of enhancing the well-being of mahalla; mahalla facilitates the implementation of public policies; mahalla organizes the logistics of local visits of deputies of the parliament, regional, district and city councils; mahalla must report any illegal religious organization and assist state law-enforcement bodies; mahalla also facilitate the tax-collection process; mahalla also facilitate the implementation of state-funded programs targeted to vulnerable citizens, such as elderly care.

Mahalla are currently run by both formal (elected according to law) and informal leaders (informally chosen by residents). Prior to the legal intervention of the current Uzbek government, mahalla were administered basically by four informal leaders, an *oqsoqol* (whitebeard)⁴, an *imam* (religious leader), a *boyilar* (wealthy residents in the

³ After the adoption of the Mahalla Law, it became very difficult to separate informal (traditional Islamic) mahalla from formal law-regulated mahalla, and traditions from the law. Hence, I prefer to use the term mahalla to explain both its formal and its informal features.

⁴ Oqsoqol is usually an older male in a mahalla chosen by consensus from his generational group for his personal reputation, intelligence, honesty, personal influence and leadership skills. Mahalla Law uses the terms "oqsoqol" and "rais" interchangeably, but, as most Uzbeks do, I prefer to use the term "oqsoqol" to refer to informal leader of mahalla, whereas the term "rais" be used to refer to formal leaders of mahalla, which are elected according to Mahalla Law.

community)⁵ and a *dasturhonchi* (a woman leader). These informal leaders were basically responsible for organizing wedding, circumcision and funeral ceremonies, made administrative decisions, collected fees from residents for mahalla projects, mediated disputes between residents and organized *hashar* (community mutual-assistance work). The *masjid* (mosque) was the main administrative building of mahalla, where residents gathered on a daily basis to discuss mahalla issues. However, after the adoption of the Mahalla Law in 1993 (and the subsequent revision of the Mahalla Law in 1999), the number of mahalla leadership has doubled. Under the Mahalla Law (1999), a chairman, *rais*, who is a state employee, leads the mahalla through the citizen's assembly/council alongside with the formal female leader of mahalla women's committee. The citizen's assembly (*fuqarolar yigini*) is the supreme body of mahalla, which elects the chairman (*rais*), the executive secretary, the advisor and the chairmen of the auditing and administrative committees of mahalla. Under the Constitution, the chairman (*rais*) of mahalla is elected for a term of 2.5 years. Residents over the age of eighteen are entitled to attend the citizen's assembly. Citizens exercise their right to self-governance through participating in the activities of citizen assemblies. The citizen assembly has the power to represent the interests of residents and make decisions on behalf of mahalla, which are effective on the respective territory. In turn, the citizen's assembly approves the members of the assembly council (*kengash*), which includes the chairman of the citizens' assembly, various advisors, the chairmen of assembly commissions and the executive secretary. The citizen's assembly council implements the decisions of the citizen assembly and carries out daily self-government activities of mahalla between sessions. (Law on Mahalla, 1999, art. 10)

The legal intervention has also empowered mahalla to implement the state's social welfare legislation. In this sense, mahalla might look like parastatal organizations from the Western perspective, given the fact that they implement the state's social welfare legislation. Social policy-makers in Uzbekistan found mahalla to be the most effective and credible mechanism to implement welfare programs while the implementation of welfare legislation is mainly placed in the hands of specialized state agencies in the Western countries. For example, municipal social welfare committees are responsible for the implementation of social welfare programs in Sweden. Seemingly, social policy-makers in Uzbekistan assumed that mahalla-based targeting of welfare benefits (means testing) is fair and that the people who are in charge of means-testing actually know what they are doing and care about getting the benefits to the people who need them. Although the Guidelines (1994; 2002) of the Ministry of Labour and Social Protection provide detailed instructions considering the indicators of living standards, the guidelines do not specify the circumstances in which the benefit should be awarded. In this regard, based on their local knowledge and standards, mahalla target social assistance and child benefits at the most needy families in the community. The mahalla council (*kengash*) can make a decision without much regard to objective criteria regarding which residents are entitled to receive

⁵ In both historical and modern context, wealthy have more prestige and authority within mahalla, as most of the communal activities, such as irrigation, road construction, building of mosques, etc., are mostly funded by them. In comparison to others, wealthy residents usually contribute more to overall budget of mahalla. Thus, wealthy residents have also equally influential role in decision-making process in mahalla.

benefits (Sievers 2002, 142). Therefore, mahalla have much discretionary power over whom to grant benefits, and welfare benefit can be awarded to any household which “has sound reasons for receiving it” (Micklewright and Marnie 2005, 434). The final decision of the mahalla remains discretionary, and no appeal mechanism is available (*ibid.*).

Uzbek authorities claim that the government’s legal intervention (the elevation of mahalla’s social norms to law) has greatly facilitated citizens’ self-government activities and provided mahalla with wider opportunities and autonomy (Karimov 1999; Karimov 1993; Karimov 1997). Mahalla has been announced as a national democratic institute, which can facilitate democratic transformations in Uzbekistan. However, many Western scholars and human-rights groups have pointed out the negative effects of those legal interventions on mahalla (e.g. Kamp 2004; Noori 2006a; Rasanayagam 2011; Kassymbekova 2003; Human Rights Watch 2003). In this regard, the case of mahalla appears to be an interesting case for studying the effects of the transition from “order without law” (the term is from Ellickson 1991) to “law from order” (the term is from Cooter 1997).

4.2 The effects of the legal intervention

Cooter (1996) claims that people obey laws that reproduce social norms and are prone to disobey laws that are not compatible with social norms. In this respect, the adoption of the Mahalla Law can be regarded as a transition from “order without law” to “law from order”. The state’s deployment of mahalla seems to follow this logic. By passing the Mahalla Law, the government assumed that this law will make mahalla even more efficient and legitimate in providing public goods to its residents. At the same time, the government tried to integrate mahalla into the PA system with the aim of expanding the state authority and nationwide presence. The architects of the Mahalla law implicitly assumed that the legal intervention did not affect local autonomy and traditional functions of mahalla (Sievers 2002). However, the legal intervention has considerably reduced the autonomy of mahalla. Sievers (2002) argues that the excessive legal intervention might lead to the erosion of traditional functions of mahalla, as social insurance and dispute resolution.

From a human-rights perspective, mahalla-based targeting of social welfare benefits could be regarded as stigmatizing, since the welfare cases are discussed and decided publicly. However, given the highly informal nature of the economy, the administrative expenses of targeting through specialized state agencies might be very expensive. Therefore, social policy-makers in Uzbekistan look at mahalla as an effective institution to determine those who are most in need of social welfare benefits. Micklewright and Marnie (2005) observed that mahalla, despite the absence of a formal set of rules, delivers benefits much more frequently to the less well-off than to the better-off. However, as the Human Rights Watch Report (2003, 21) indicated, sometimes mahalla committees use their discretionary power to pressure independent Muslims and women to change their behavior. Kamp (2004) also claims that many mahalla committees probably do not have much incentive to be fair or accurate in means testing, but rather would have an incentive for proving that their relatives need benefits more than other people do.

Due to the state's legal intervention, mahalla has become a powerful social control structure, which may regulate and touch upon even strictly private spheres of residents' life, ranging from dressing styles to husband-spouse relations. The failure to comply with mahalla norms might lead to non-legal sanctions, and therefore, every resident tries to conform to norms established within the mahalla. The state in Uzbekistan also makes use of mahalla's gossip tradition as a way to build an invincible and omnipresent force in society. Since most mahalla residents are highly influenced by public opinion, they always try to avoid criticizing the state and its failures. Thus, mahalla impose a wide range of legal and non-legal sanctions on those residents who fail to conform to the norms of mahalla life. The adoption of Mahalla law has also increased the scope of mahalla's social control activity. Now mahalla can also use legal sanctions to influence the behavior of their residents. In this respect, mahalla can effectively control the behavior of their residents through social norms, law and welfare benefits. The presence of both legal and non-legal sanctions enables mahalla to suppress anti-social behavior and promote pro-social behavior. Given the fact that they represent heavily integrated communities, mahalla can be regarded as a comprehensive system of a social control where the governmental (formal) and societal (informal) control mechanisms interact.

The adoption of the Mahalla law has drastically increased the responsibilities of mahalla. Most of mahalla's informal functions have become a formal responsibility of mahalla. Now the violation of mahalla decisions is punishable by law. The law created parallel power structures within mahalla. In fact, the activities of mahalla are heavily influenced by the district and city-administrative government authorities (*hokimiyat*) and in turn, they (*hokimiyats*) are directly accountable to the central government (Human Rights Watch 2003, 7). Although the chairman and members of the mahalla are elected by mahalla residents, as the Human Rights Watch Report (2003, 9) shows, the head of the administrative government (*hokim*) either nominates the candidates for elections, or the election results must be approved by the administrative government authorities. Sievers (2002, 119) claims that despite the existence of elections, district/city government is the actual power broker. In this regard, the current administrative structure of mahalla is likely based on the interplay between formal and informal leadership. Informal leaders of mahalla assume an informal leadership role in tandem with the formal mahalla leadership. This parallel power structure can be regarded as a form of mahalla resistance to state arrogation (Sievers 2002, 121). In this connection, it is becoming an increasingly difficult task to separate mahalla from the state.

5. Informal mahalla: Ethnographic study of everyday mahalla life in rural Ferghana

Since their inception mahalla have been very successful in maximizing the utility of their residents. The role of mahalla has considerably grown after the collapse of the Soviet Union, since newly independent Uzbekistan could not afford a Soviet-type welfare system. As Sievers (2002, 103) noted, "the economic significance of mahalla has shifted from being a vehicle through which to amass additional or dis-

posable wealth to a vehicle for basic survival.” As a result of these dramatic changes, mahalla quickly assumed the functions of the welfare state and adapted to new economic conditions, thereby developing their survival mechanisms. Mahalla replaced the state as the primary provider of social guarantees, and they provide extensive social services for community residents. Mahalla can offer public goods to their residents that the state is unable to provide (Sievers 2002, 93). Mahalla provide both monetary and non-monetary (cash benefits and benefits-in-kind) types of welfare. Mahalla’s welfare provision function will be described in detail in the next section with reference to ethnographic material collected in rural Ferghana, Uzbekistan. By providing the account of mahalla-based informal economic practices, the aim of this section is to illustrate the process in which economic transactions among mahalla residents are driven by Islamic values of welfare and solidarity. In other words, this section is an attempt to show how Islamic values and structures are embedded in the flow of everyday mahalla life.

5.1 Mahalla as an informal welfare structure in rural Ferghana

The province of Ferghana, where I conducted my field research, is one of the regions of Uzbekistan where the struggle for survival is the highest, due to its population density, and where rural unemployment has been reported as a problem for a long time (Lubin 1984; Broxup 1990; Dankov 2007). Moreover, Ferghana valley is also perceived as one of the most religious areas in Central Asia, where Islamic values and principles enjoy wide popularity among ordinary people (Rasanayagam 2011; Khalid 2014; Zanca 2004; Khalid 2003; Urinboyev 2013; Starr et al. 2011; Nunn et al. 1999). *Shabboda* village⁶, from which this mahalla case study is drawn, is a village in rural Ferghana, consisting of 28 mahalla, and has a population of more than 18,000 people. While doing fieldwork in several mahalla of this village, I was struck by how households have become increasingly dependent on the mahalla-based informal economic activities for meeting their livelihood needs, and how Islamic values and norms provide a moral framework for cooperation and solidarity among residents. The *hashar* tradition is one manifestation of such mahalla-based coping strategies, where mahalla residents see their free, non-compensated work as being good Muslim and thereby co-operate with each other by reciprocally exchanging labor, money, material goods and services. Income-generating activities of the mahalla residents are made up of multiple sources, ranging from cucumber and grape production, remittances sent from Russia and wedding-logistics work to construction work, fruit-picking jobs and brokerage. However, all of these mahalla-based poolings of efforts and income-generating activities are informal in the sense that they are not registered in the local-government records and they are not regulated by labor laws. Even employed people are compelled to supplement their income with alternative sources of income, since salaries from state jobs are not sufficient to secure basic needs. Therefore, looking closely at everyday mahalla-based informal practices allows us to obtain a sense of the texture of how Islamic

⁶ The name of the village has been changed to protect the anonymity of the informants.

values and traditions are embedded in the daily flow of mahalla life and how people cope with economic hardships in the absence of a protective welfare state. Hence, in this section I draw on mahalla-based informal economic practices that demonstrate the extent to which the mahalla-based pooling of efforts has become a truly genuine form of substitute for the public goods, services and social-protection system provided by the state.

An account of the collective efforts of mahalla residents to distribute the livelihood risks within the community is illustrative of the “informal” nature of income-generating activities and how the Islamic welfare values emerge in this experience. In rural Ferghana, the word “*hashar*” is generally used to refer to a non-compensated community project in which mahalla residents co-operate with one another by reciprocal exchange of labor, money, material goods and services. During my fieldwork I observed that mahalla residents arranged a *hashar* for a variety of reasons, for example the construction of irrigation facilities, street-cleaning, asphaltting of roads, the construction of dwellings or mosques, the organization of weddings, funerals and circumcision feasts, and many other services not provided by the state. The *oqsoqol* I interviewed said that post-Soviet economic decline has considerably increased the role of *hashar* in everyday life, because mahalla residents build irrigation facilities and asphalt mahalla roads through *hashar*. To illustrate the role of *hashar* in everyday life, I present some empirical evidence below, dealing with the most pressing issues in rural Ferghana: the construction of irrigation facilities and asphaltting of mahalla roads.

Since agricultural production is an important source of income in rural Ferghana, one of the main concerns of mahalla residents had to do with water and irrigation facilities. The local government did not build any irrigation facilities, such as drainage, to secure people’s access to water during the agricultural season. However, the local government used water for cotton and wheat production effectively leaving ordinary people without access to water. In this regard, one of the biggest mahalla-based poolings of efforts (*hashar*) in *Shabboda* village that I observed dealt with building an irrigation system. The *oqsoqol* of the mahalla collected contributions from each household in the mahalla. Wealthy households made bigger monetary contributions than other households, while those with limited financial means contributed their labor. Mahalla residents also met the electricity costs of the drainage. Nevertheless, despite the mahalla-based efforts, the money collected for building the irrigation system was far from being sufficient. There were several rich families in mahalla; however, only one of them, *Aziz hoji*⁷, decided to provide full funding for the irrigation. When I interviewed him, *Aziz hoji* explained his decision to finance the irrigation with reference to Islamic principles. As he states, his assistance to mahalla is driven by his belief that the one who provides water to people would definitely go to *jannat* (paradise) after death. The case of *Aziz hoji* is illustrative of the hidden role of Islam as a normative force in Uzbekistan, where Islam is incorporated not only in the posture of prayers and patterns of ritual intonation, but in the daily flow of mahalla life. These findings are also consistent with the common inter-

⁷ Hoji is a holy title which is given to a Muslim person who has successfully completed the hajj to Mecca.

pretation by social scientists studying Muslim societies, who argue that that everyday interaction is given moral significance when placed within an Islamic frame (Lambek 1993; Rasanayagam 2011).

Another relevant example is a road-asphalting project in one of the mahalla in *Shabboda* village, where residents succeeded in asphaltting the roads of mahalla without any financial assistance or supervision from the local government. I was struck by how mahalla residents were able to collectively implement such an expensive project, while the irrigation and road construction issues are mainly placed in the hands of specialized state agencies in Western countries. This time, again, a large part of the asphaltting expenses was covered by wealthy mahalla residents who decided to finance it believing that their donation to such projects would give them more *savob* (*spiritual merit*) and thereby make them better Muslims. Hence, Islamic values and principles create a solid moral framework in mahalla life and everyday social relations in rural Ferghana, where people's social status and "being good Muslim" is determined by their contribution to mahalla projects. Hence, while attending mosque gatherings and mahalla *choyhona* (teahouses) I noticed that the donation activities of mahalla's wealthy residents were regarded as "acts of piety and charity", and those who donated more than others enjoyed high prestige in mahalla. As I encountered in the words of mahalla residents, giving *zakat* (income tax) and *ushr* (monetary assistance to poor families) to needy families was an important symbol of "a good Muslim" in rural Ferghana. Johan Rasanayagam, in his recent book *Islam in Post-Soviet Uzbekistan*, also demonstrated that the sense of being "a good Muslim" is not solely interior and personal, but also produced and expressed in action and in relations with others (Rasanayagam 2011, 19).

Studies show that the similar patterns of Islam-driven charity activities can be observed in other parts of Uzbekistan, as well. Based on her extensive anthropological fieldwork in Bukhara, Uzbekistan, Maria Louw (2007) shows that Islam is an important marker for identity, a good ground for morality and a tool for everyday problem-solving in the economically harsh, socially insecure and politically tense atmosphere of present-day Uzbekistan. In this regard, Islam, both as a religion and a normative structure, provides a moral framework in everyday mahalla relations, encouraging people to engage in acts of piety and charity and catering each other's needs in times of economic hardships. The everyday experiences I encountered in rural Ferghana was one evidence of Islam's role as a governance structure guiding welfare activities and social relations in mahalla.

While mahalla was the main shock-absorbing structure, the image and role of the local government in rural Ferghana was almost invisible. The formal mahalla leader, *rais*, was also non-existent during mahalla negotiations over the irrigation and asphaltting projects. When I asked mahalla residents what role the local government plays in financing mahalla-based projects, their answers were very anecdotal. As one mahalla resident explained, mahalla-financed projects, such as the asphaltting of roads and irrigation-building, usually appear in the official records of the local government as state-funded projects, and the local government officials report them to the central government as the local-government project. Hence, these observations show that the mahalla has become a truly genuine self-help organization in rural Ferghana, while the state and its institutions are imperceptible in everyday life.

From my observations in rural Ferghana I learned that most foreign businesses in Uzbekistan are carried out by a local mahalla-based group of traders and entrepreneurs. The local population calls these groups *rossiychilar* – a group of traders that export Uzbek agricultural products to Russia. These groups mainly buy agricultural products (e.g. cucumbers, grapes, peaches, apples) from mahalla residents and export them to Russia. Since the price of agricultural products is quite low on the local market, all mahalla residents try to sell their agricultural products to the *rossiychilar*. Although the economic size of these mahalla-based transactions is quite large, these transactions are carried out through unwritten rules and giving your word counts more than written laws. People and *rossiychilar* often refer to Islamic terms such as *insaf* (justice) and *halal* when negotiating the price of agricultural products. Since the relations between trading parties are based on Islamic principles, the chances of dishonesty are quite low as the party who deviates from the trade deal is regarded as “bad Muslim” and is therefore subject to mahalla gossip. Many of those I encountered during the fieldwork reported that the co-operation between the mahalla residents and the *rossiychilar* resulted in significant improvements in the standard of living in rural Ferghana. What makes the case of *rossiychilar* relevant is that *rossiychilar* were also heavily involved in the acts of piety and charity through giving *ushr* and *zakat* from their yearly income. While observing everyday life in *Shabboda* village I was often part of mahalla discussions about people’s *zakat* and *ushr* activities. These examples show that the main social policy pillars of Islam, such as *zakat* and *ushr*, surprisingly survived long decades of Soviet atheism policy and still continue as an essential feature of everyday social relations in rural Ferghana. One important perspective I gained from my fieldwork is that Islam’s role as a moral and social force was quite obvious in rural Ferghana, despite the Uzbek regime’s zeal to secularize the rural areas of Uzbekistan.

However, when I returned to rural Ferghana in the summer of 2014 for follow-up fieldwork, I observed that the situation was changing. In my interviews then, most of the mahalla residents, including the *rossiychilar* expressed their strong discontent with central government’s attempts to control mahalla-based foreign businesses. As they reported, instead of facilitating, the state continues to hinder the development of mahalla-based foreign businesses through excessively high custom duties and frequent bans on the export of agricultural products. The negative effects of these state interventions were already being felt in the lives of mahalla residents due to declining prices for agricultural products and a decreasing number of *rossiychilar*.

Despite the despotic and corrupt nature of the Soviet system the majority of people in rural Ferghana I interviewed – especially the older generation – expressed nostalgia for the former Soviet Union. They frequently mentioned the availability of inexpensive food, jobs, healthcare, affordable housing and education during the Soviet era. Many people I met in *Shabboda* village voiced their strong dissatisfaction with the state’s economic and social policies, mentioning excessive declines in social services, a high unemployment rate, interference of tax officials in informal income-earning opportunities, high custom duties and tightened border controls. When I asked one of the mahalla residents how he perceived the role of the state in everyday

life, his answer was quite surprising. Referring to the state's inability to provide even basic needs such as affordable healthcare, he said that "*The state died shortly after the collapse of the Soviet Union.*" Hence, when talking with ordinary people in *Shabboda* village, I felt that the ruling elites' narrative of the "great future" is losing its credibility in light of these problems. The role of the mahalla as a shock-absorbing structure was being strengthened, while the state and its symbols were almost non-existent in everyday life and socio-economic relations.

As I spent more time on the field site, I gradually came to realize that the mahalla in rural Ferghana also fulfils the function of a labor market by providing people with seasonal and casual jobs. Informal channels of mahalla are so extensive and comprehensive that residents can quickly get information about available job opportunities. Mahalla-based entrepreneurs and traders very often provide their co-residents with casual jobs, especially during the summer and autumn. The labor relations between mahalla-based employers and residents are regulated on the basis of informal rules. Women derive income from sewing clothes for residents of the mahalla. Residents also exchange various goods and products. The mahalla is also a place where people get information about jobs in Russia and Kazakhstan. When people try to get jobs in Russia, they often rely on their mahalla networks rather than the state's labor-recruitment agencies. According to mahalla residents, if someone from the mahalla gets a job in Russia, he acts as a channel for other mahalla residents to get jobs there. Thus, most Uzbeks succeed in finding jobs in Russia due to their mahalla networks. In this regard, the mahalla in rural Ferghana, serving as local markets, provide a large number of job opportunities and facilitate the income-generating strategies of their residents.

As shown above, mahalla have assumed the role of social welfare providers, thereby absolving local governments of their social welfare obligations. Likewise, Sievers (2002, 103) notes that "with the collapse of the state's ability to provide even subsistence employment, the economic significance of mahalla has shifted from being a vehicle through which to amass additional or disposable wealth to a vehicle for basic survival." Collins (2003) also notes that mahalla in Uzbekistan has assumed most of the practical functions of governing daily life, functions performed by state or district administrative institutions in modern states. Thus, one of the important findings of this section is that mahalla-based welfare activities are not regulated by the state and its legal system; rather, they are based on Islamic values and ideals, which emphasizes the mutual help and solidarity as a pre-requisite for being a good Muslim. The mahalla, by enforcing Islamic principles, distributes the livelihood risks within the community and catalyzes these institutions to produce welfare.

6. Discussion and Concluding Remarks

The aim of this paper was to examine the role of the mahalla system, which is anchored on Islamic traditions, in the process of revamping PA in the post-Soviet era. The attempt was made to understand how mahalla has evolved and responded to the changing political landscape in Uzbekistan. One of the central arguments of the paper was the need to make a distinction between "formal" and "informal"

mahalla, and the relevant literature and field data from the rural Ferghana was utilized to demonstrate this distinction. Moreover, it was also argued that mahalla institutions were largely overlooked in the scholarly literature as the legacy of Islamic PA, and the reasons for re-analyzing mahalla as an Islamic PA legacy was highlighted and shown throughout the paper.

When talking of the effects of the state's legal intervention, the first thing that comes to mind is that it resulted in the formation of two separate power structures in mahalla: the formal mahalla committee administered by state-salaried employees and informal mahalla governed by an informal leader who is informally chosen by mahalla residents. Due to the state's legal intervention, formal mahalla has become a powerful social control instrument, which contributed to the expansion of the state's authority and reach at local arenas. This was a major outcome of the incorporation of mahalla into the PA system. Formal mahalla is now a universal institute in post-Soviet Uzbekistan, since they can provide public goods, reduce the crime rate, offer alternative dispute resolution, act as an agent against the radical Islamists and preserve Uzbek cultural values. Mahalla has become a place where initial interaction between the individual and the government occurs. As the findings of this paper indicated, the principle of self-governance of mahalla is rarely fulfilled in practice. Conversely, legal interventions have transformed mahalla into a system of social control. Thus, formal mahalla became an instrument of social control and an extension of the authoritarian regime, which is now the subject of harsh criticism in both academic and policy communities.

Using the field data from Ferghana it was shown how the incorporation of mahalla as a formal structure into the PA system transformed the nature of mahalla into an instrument of coercion, as well as how ordinary mahalla residents responded to state intervention, namely by creating an informal mahalla-based administration system which is based on Islamic values and principles. The reasoning of most of the people I interviewed during my fieldwork was based on Islamic values, where they stated that every Muslim is expected to share his or her economic resources with relatives and neighbors. As my informants explained, this is a precondition for a "good Muslim". Hence, informal mahalla continues to function along Islamic values and rituals, serving as an informal social safety net.

While the state has not been able to secure the basic needs of its citizens, the mahalla-based informal economic practices have become an alternative coping strategy in post-Soviet Uzbekistan. The results of the study clearly reveal that informal mahalla make up for the incapacity of the state and prevent possible political instability. When looking at the magnitude of *mahalla*-based informal coping strategies, it becomes obvious that the state has not been able to valorize its laws and symbols, while Islamic welfare values have developed into a parallel system of social welfare. In this connection, mahalla are still a largely Islamic PA structure in which people increasingly refer to Islamic values and ideals in their everyday life and social relations.

Hence, in post-Soviet Uzbekistan, what we might think of as "Islamic PA" emerges through the daily flow of (mahalla) informal norms and expectations, moral values, traditions and reciprocal exchanges. The legacy of Islamic PA can be found by observing everyday social interactions, how people behave in mahalla, people's

coping strategies and how people “get things done”. It can be also seen in the way how the *mahalla*-based normative order produces the networks of solidarity that are based on kinship, strong social hierarchies and patron-client relations. By creating alternative (to the state) forms of social safety nets, mahalla in one way or another revives Uzbekistan’s Islamic values and PA legacy. Thus, one important finding of the paper is that mahalla structures are the main carriers of Islamic PA legacy in post-Soviet Uzbekistan.

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