Halduskultuur

Islamic Public Value and Governance Institutions

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Issue Editors

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Preface: The Governance aspects of Islamic Public Value

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The current theme issue of *Halduskultuur* is one of the publications emerging from "Islamic Public Value" (IPV), a John Templeton Foundation grant based at University College London's Institute for Innovation and Public Purpose (UCL IIPP), of which the co-editors, and the authors, are members. The project aims to uncover, and present as legitimate, the perspectives of otherwise underrepresented and underexplored Islamic institutions undertaking polycentric governance and administration and creating public value to better the lives of their constituents and neighbours, and this is the publication with a specific, one might even say classic, Governance focus.

The authors investigate, to this end, sometimes centuries-old autonomous indigenous institutions "still" operating across the Islamic world. What is specific about them, and what thus makes this pursuit special, is that they are not NGOs – a common-enough model – but institutions that are to various degrees part of the state sphere – some as *Ersatz*, some as a secondary government, some semi-integrated with central administration, and some fully part of the government of the day. They form what we call Indigenous Cooperative Institutions (ICIs), and they do so in an Islamic, and in particular in a Sufi, way.

This theme issue publication follows, in a chronological sense, the main book of the project (Drechsler, Chafik, and Kattel, eds., *Islamic Public Value*: *Theory, Practice, and Administration of Indigenous Cooperative Institutions*, Cheltenham: Edward Elgar, 2025), and another, previous *Halduskultuur* issue with a regional focus on Southeast Asia (vol. 24, no. 1). The concluding essay of the IPV theme in this issue, "Where we are (headed): Knowledge, Social Cohesion, and Public Value in Islamic Public Administration," by Massey, not only preliminarily sums up the project, but it also entails an insightful and sophisticated, original advance review of this book.

The three first essays are by authors who have contributed to the said book as well, and on similar topics. However, the respective chapters only overlap to a small extent, as necessitated by addressing similar or related phenomena. Indeed, one of the reasons to have a theme issue on Governance, to begin with, was precisely to give authors the opportunity to further develop key case studies or theoretical aspects that would have exceeded the scope of the

book, yet that are crucial to what after all is a central argument of the project, namely the contemporary existence of well-working alternative Islamic Governance models.

"*Vakuf* Administration in Bosnia and Herzegovina: A Closer Look at the Case of Sarajevo's Gazi Husrev-Begov *Vakuf*," by Kaminski, Krupalija and Preljević, addresses, then, the specific case of one of the most important specific Islamic systems of how to – permanently – fund institutions involved in providing what would today be generally considered government tasks, an arrangement which has attracted copious scholarly attention over the last decades.

The "Comparative Analysis of Shura Councils in Qatar and Saudi Arabia: Islamic Public Values in Governance" by Abdulfatah Said Mohamed, even more directly, deals with what is arguably the one governance institution explicitly mandated in the *Holy Qu'ran*, the advisory council necessary to be heard when making governance decisions, and it does so by looking at and comparing two cases existing and arguably flourishing today.

As both *vakuf* and *shura* council are both specifically Islamic and working today, they convincingly – we trust – support the project's abovementioned contention that alternative Islamic governance institutions exist, and that they work well and beneficially for all.

"Exploring Islamic Public Administration: Ethnographic and Socio-Legal Approaches" by Urinboyev continues, on the other hand, the author's important and impactful theoretical exploration of the wider IPV topic, augmenting the argument by being grounded in social sciences outside public administration or even governance proper, disciplines that however need to inform and scaffold research on subjects such as the present one.

Finally, this issue of *Halduskultuur* also contains a section called "Is it worth reforming PA? The 'Statesmen's Panel' at KosovaPAR 2024," a moderated conversation among four scholar-statesmen with a special focus on public administration that took place as a panel discussion at the 2nd International Public Administration Reform conference in Prishtina, Kosova, in September 2024. This discussion is not part of the IPV theme, although Kosova is, with Albania, Bosnia and Herzegovina, and Turkey one of the four indigenous Muslim-majority countries in Europe, and although most of the contributors to this section are also involved with the IPV project: Van den Berg and Dobra as members of the Advisory Board, Prasojo in the same capacity and as a research stream leader, and Drechsler as Principal Investigator. But while this discussion does not address potential issues of Islamic governance in and of Kosova, or even aspects thereof, other elements are of direct relevance to the IPV conversation, and so it may be said that if one is interested in the issue theme, the Kosova panel will be of relevance as well.

These contributions demonstrate not only the historical depth and contemporary resilience of indigenous institutions, but also affirm the central thesis of the IPV project: That some well-functioning and socially cohesive models of governance happen to be normatively grounded in a sacred tradition, and yet or perhaps therefore, they are worth taking seriously. Indeed, in a world where the equivalence of mainstream or global governance with its Western version is an increasingly quaint matter, this issue underscores the need to broaden our understanding, both in scholarship and practice, of what good governance can be.

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Vakuf Administration in Bosnia and Herzegovina: A Closer Look at the Case of Sarajevo's Gazi Husrev-Begov Vakuf

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Abstract

This article first offers a historical overview of *Vakuf institution* in the land known today as Bosnia and Herzegovina. It then briefly outlines the role that the *Islamska zajednica u Bosni i Hercegovini* (Islamic Community of Bosnia and Herzegovina) and *Vakufska direkcija* (Vakuf Directorate) have played in the oversight of the Bosnia and Herzegovina's *vakufi* (pl. of vakuf). The final section of this article offers an original case study of the Gazi Husrev-Begov Vakuf where, via original document analysis and oral interviews conducted with the administrative leadership of the Gazi Husrev-Begov Vakuf, we discuss its leadership structure, unique rules and regulations, and overall functioning within the context of Bosnia and Herzegovina's broader Islamic institutional apparatus. We will conclude by arguing that, by and large, *vakufi* have been effectively managed in Bosnia and Herzegovina's over the years and that they share both Weberian and distinctly non-Weberian traits which make them a unique case to further explore when looking at non-Western models of administration.

Keywords: Bosnia and Herzegovina, Islamic Community of Bosnia and Herzegovina, *Vakuf* Directorate, Islamic Public Administration.

Introduction

Islamic charitable endowments, also known as *waqf*s (pl. *awqāf*) played a critical social and economic role throughout the various Islamic empires and Caliphates that emerged over the centuries (Ghazaleh 2011, Dallh 2023). A *waqf* – or *vakuf* (pl. vakufi) as they are known as in Bosnia and Herzegovina – can be understood as "an unincorporated trust established under Islamic law by a living man or woman for the provision of a designated social service in perpetuity [whose] activities are financed by revenue-bearing assets that have been rendered forever inalienable" (Kuran 2001, 842). In order for a *vakuf* to be established, Muslim jurists established four minimum criteria that all *vakuf* deeds needed to fulfil in order to be valid:

> [...] first, a written declaration recorded as an official document; second, the wealth or property endowed had to be designated for a particular purpose; third, a beneficiary

or beneficiaries had to be named, whether a person or persons, a category of people (orphans, the poor) or the public; and fourth, a living benefactor/founder of the waqf had to be named (Dallh 2023, 24).

Vakufi were also integral to the administration and development of the Ottoman state, including those territories held in the Balkans, between the 14th to 19th centuries. *Vakufi* were so prevalent in the Ottoman Empire that, according to some estimates, by the beginning of the 19th century, *vakuf* endowments constituted almost two-thirds of the land in the Empire (Pianciola and Sartori 2007, Dallh 2023).

From their earliest beginnings, *Vakufi* were always connected to a higher purpose. They were described by the renowned Islamic historian Marshall Hodgson (1974, 124) as "the material foundation of Islamic society." According to Fariba Zarinebaf (2005, 90), *vakufi* provided "the framework for the realization of […] important Qur'anic individual and communal obligations to help the needy, the orphan, and the weak." Up to the present time, *vakufi* still continue to shape Bosnia and Herzegovina's social, economic, cultural, and urban landscapes.

This article will first give a brief overview of the history and legacy of *vakufi* in Bosnia and Herzegovina. It will then look more closely at two important institutions that have helped maintain *vakufi* in Bosnia and Herzegovina over the years: *the Islamska zajednica u Bosni i Hercegovini* (IZBiH) and the *Vakufska direkcija*. The articles final substantive section will offer a more detailed case study of Sarajevo's largest and most famous *vakuf:* the Gazi Husrev-Begov *Vakuf.* The article concludes by arguing that, by and large, *vakufi* have been effectively managed in Bosnia and Herzegovina over the years and that *vakuf* administration in Bosnia and Herzegovina shares both Weberian and distinctly non-Weberian traits. This fact alone makes Bosnian *vakufi* a unique case to further explore when looking at non-Western models of administration.

Vakufi in Bosnia – A Brief Overview

The presence of *vakufi* in the land that is today known as Bosnia and Herzegovina dates all the way back to the Ottoman conquest of the region in 1463. Over the next 400 years, their growth spread steadily to the point that by 1878, "it was estimated that nearly one-third of all usable land in Bosnia was owned by vakufs" (Malcolm 1994, 146). During these four centuries, numerous different types of *vakuf* properties dotted Bosnia's picturesque landscape. The different *vakuf* property types that were commonly found in Bosnia included: *hans* (inns), *bezistans* (marketplaces), bridges, and building complexes (Obralić and Ćorović 2021, Halilović 2022).

During the period of Ottoman rule, unlike in other parts of the Empire, *vakufi* functioned as independent institutions in Bosnia and were largely left free to pursue their own desired ends with little state interference (Karčić 1999, Halilović 2022). As the 19th century drew to a close however, the institution of *Vakuf* began to lose its autonomy, most specifically, after the Hapsburg Monarchy took control of Bosnia from the Ottomans following the 1877–1878 Russo-Turkish War. Soon after the war, the Bosnian population found themselves subject to new stipulations set forth in the Berlin Congress.

The outcome of the Berlin Congress – though jarring – was not all bad for the local Bosnian population. While Article XXV of the Berlin Treaty gave Austro-Hungary the right to occupy Bosnia and Herzegovina, "it did not explicitly get any international legal obligation pertaining to the administration and treatment of its population" (Karčić 2012, 251). As a result, the Austro-Hungarian monarchy was able to do whatever it wanted in terms of how it went about administering *vakufi.* It was not required to impose any specific taxes or meet any particular international demands regarding how the *vakufi* were operated.

In addition to not imposing any major changes regarding how *vakufi* in Bosnia were to be administered, the Berlin Congress also guaranteed religious freedom to the local Bosnian population. However, this freedom came at a price. The Austro-Hungarian government, as noted before – free to administer Bosnia however they pleased – ultimately did decide to limit the scope *Sharīʿa* and Ottoman *qānūn* law to personal affairs much to the dismay of many Bosniak Muslims.[1] The well-known Bosnian scholar Fikret Karčić (1999, 539), commented that during the period of Hapsburg rule, "the status of Islam dramatically changed. Instead of being the basic principle of social cohesion as it was in the Ottoman times, it now became one of several "recognized religions" within a non-Muslim state. The Bosniaks became a religious minority instead of being a part of the ruling elite."

Despite the new restrictions imposed upon Muslims, the Bosniaks living in the Bosnian Vilayet integrated into the Austro-Hungarian monarchy with relative ease and daily life, for the most part, went on as normal for the next couple of decades.

In 1882, while under Hapsburg rule, the IZBiH or Islamic Community of Bosnia and Herzegovina was officially founded and shortly after, in 1883, the monarchy established the *Zemaljska Vakufska Komisija* or Land *Vakuf* Commission. The Land *Vakuf* Commission's primary job was to register the numerous unregistered *vakufi* in the newly acquired territory (Omercic 2017).[2] Despite seemingly rather straight-forward, this task turned out to be a rather cumbersome procedure. For example, without the Commissioner for *Vakuf* Affairs' approval, neither a meeting nor a decision by the Land *Vakuf* Commission could be made which hindered *vakuf* autonomy and functionality (Durmišević 2011). In the end, the new commission, overall, had negative repercussions on Bosnian *vakufi.*

A little over a decade later, in 1894, the Austro-Hungarian government established a new entity known as the Land *Vakuf* Directorate (*Zemaljska Vakufska Direkcija*). It was yet another formal state institution that was imposed on the local population that added an additional layer of centralized bureaucratic control over *vakuf* property. The Directorate's responsibilities were numerous and included establishing procedures for collecting *vakuf* taxes, creating models for *vakuf* rules and regulations, developing human resources, and disposing of *vakuf* income in ways that it sees fit (Omercic 2017). The Land *Vakuf* Directorate was viewed with disdain by the local Bosnian population because it notoriously excluded Bosnians from its day-to-day affairs. Due to pressure from local Bosniak religious leaders however, in 1909, the Austro-Hungarian Monarchy eventually adopted what was known as the *Statute for Autonomous Administration of Islamic Religious and Vakuf-mearif's Affairs.*

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1   *Qānūn* laws are those laws that were promulgated by Ottoman sultans that fall outside the immediate scope of *Sharīʿa* but at the same time do not contradict or go against it. They represent a significant body of administrative, economic, and criminal law.

2   Mustafa Hilmi-efendi Hadžiomerović was appointed by the monarch to be the first *Reis-ul-ulema* of the Islamic Community in Bosnia and Herzegovina in 1882.

This new statute gave the local population more direct control in *Vakuf* affairs since prior to the adoption of this document, The Land *Vakuf* Directorate was exclusively controlled by government officials. Following the statutes adoption, the *Vakuf-mearif* parliament became the supreme administrative and supervisory body for the management of *vakufi* in Bosnia and Herzegovina (Durmišević 2011). The *Vakuf-mearif Parliament* consisted of twenty-four lay members of society and eight members who possessed formal religious training. Included among these eight religiously trained members were the *Reis-ul-Ulema*, the Director of the *Vakuf-mearif*, and six *mutevellies* (trustees). However, despite this new, more inclusive form of *vakuf* administration, *vakuf* property continued to be confiscated and even destroyed by the ruling authorities. Eventually all of *vakuf* properties in Bosnia and Herzegovina came under Austria-Hungarian supervision which led to these institutions losing the autonomy that they had enjoyed for centuries.

Following Austria-Hungary's collapse in 1918, Bosnia was quickly integrated into a newly created South-Slavic state that would later come to be known as Yugoslavia. Between 1918 and the onset of Second World War (WWII), *vakufi* in Bosnia faced severe repression. During this time, "[m]any *waqf* properties were confiscated and distributed, mainly to immigrant Serbs, [and] the *waqf-mearif* statute was declared null and void" (Omercic 2017, 346). *Vakufi* faced even more difficult times in post-WWII Yugoslavia. Under the Communist rule of Josep Broz Tito (d. 1980 C.E.), especially during the early years of his rule, many *vakufs* were confiscated and nationalized.

Tito assumed power in 1945 and by 1958, the *Vakuf* Directorate of Bosnia was completely shut down due to the fact that almost all of its property had been confiscated and nationalized (Vakufska direkcija 2022). The Tito government made efforts to confiscate just about everything that had any material value during this time such as like *vakuf* plots, hotels, residential buildings and apartments, most *medrese* buildings, shops and businesses, mills, workshops, palaces, spas, and even cemeteries.[3] Between 1945 and 1958, over ten-thousand *vakuf* properties such as shops, houses, apartments, mosques, and buildings were confiscated amounting to an astonishing loss of over thirty millions square meters of land. Hundreds of *vakuf* properties including *tekiye* and imam residences were either confiscated or demolished altogether (Vakufska direkcija 2022). Entering into the 1960s the IZBiH controlled only a few explicitly religious sites, mosques, *imams'* residences, *mektebs* (Islamic weekend schools), *turbeta* (mausoleums), *tekiyes* (Dervish monasteries), and one *medresa* (religious high school).

During this period, legal cases were routinely brought before the Yugoslav courts against the Tito government regarding *vakuf* confiscation and destruction, however they were rarely successful (Vakufska direkcija 2022). Not only were these cases rarely successful, during this time numerous laws were passed that made it even easier for the government to seize other properties.[4] Things like this continued for the next three and a half decades until the dissolution of the Socialist Federal Republic of Yugoslavia in 1992 and the onset of the Bosnian War.

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3 As a result, neither the *Vakuf* Directorate nor the *Vakuf* as an institution were mentioned in the IZBiH Constitution in 1959. However, in 1969, a new constitution was adapted that once more designated the *vakuf* as its property. This was note-worthy since it suggests that several additional endowments may have been gifted over the previous ten years, thus making it necessary to acknowledge the *vakuf* in the IZBiH Constitution.

4 For example, see, The Law on Agrarian Reform and Resettlement of 28 August 1945, The Law on the Use of Apartments and Commercial Premises of 17 February 1945, The Law Governing the Nationalization of Private Enterprises of 6 December 1946 (with amendments from 29 December 1948), The 1947 Basic Law on Expropriation, and The Law on Nationalization of Buildings for Rent and of Building Lots of 28 December 1958.

During the war, Bosnia and Herzegovina was almost totally destroyed. By 1995, its Gross Domestic Product (GDP) per capita had plummeted to approximately 19.8% of its pre-war level; production and exports virtually ceased, and much of the country's already aging and dilapidated infrastructure lay in ruins (Hukić 2000). Numerous vital facilities crucial for the normal functioning of the state, such as buildings, roads, bridges, tunnels, water supply and sewage systems, power grids, and telecommunications were either completely destroyed or severely damaged to the point that they were no longer serviceable (Silber and Little 1996).

In addition to the loss of civilian lives, Bosnian cultural heritage was systematically dismantled; the War saw the wanton destruction of priceless Bosnian cultural and religious artefacts, including *vakuf* properties (Preljević 2017). In total during the War, one thousand three hundred and eleven *vakuf* buildings, six hundred and fourteen mosques, two hundred and eighteen *masajid* (mosques without minarets), sixty-nine *mektebs*, four *tekiyes*, and thirty-seven *turbeta* were destroyed. In addition, four hundred and seventy-two other buildings owned by the Islamic Community were also severely damaged. Many of these demolished mosques were significant parts of Bosnian cultural heritage and were protected by the United Nations Educational, Scientific and Cultural Organization (UNESCO).[5]

Following the War's end in 1995, the institution of *vakuf* came back to life despite all the tragedy and destruction that transpired during it. Most of the religious sites that were destroyed were eventually restored. Many new *vakufi* were also established after Bosnia and Herzegovina achieved its independence (Vakufska direkcija 2022). The nascent Balkan nation-state's newly found independence also meant that older *vakuf* property was no longer subject to state seizure. Some *vakuf* property that was unlawfully confiscated during the socialist Yugoslavia era was even finally returned to the IZBiH through restitution requests derived from the provisions of a 2003 state-level law on religious freedom.

However, it is important to point out here that many Bosniaks remain unsatisfied with the slow progress regarding the return of previously confiscated *vakuf* properties; many of these properties remain under government ownership. Since 1996, the Islamic Community's endowment in this region has suffered significant financial losses due to its inability reclaim its assets, with the total damage reaching upwards of 1.3 billion BAM (Bosnian konvertibilna marka) or just under 665 million Euros (Durmišević 2011).

About the IZBiH in BiH

As referenced earlier, the IZBiH is over 140 years old and is the formal institutional representative of the broader community of Muslims living in Bosnia and Herzegovina, as well as of Bosniaks living abroad (Salkić 2001). It follows the *Ḥanafī madhhab* – one of the four Sunni Islamic schools of Islamic jurisprudence – along with the *Māturdī* school of theology (ʿaqīda).[6] Today, the IZBiH is an independent, self-financed entity that is approved by the state but is not under

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5 Several of the oldest mosques in Bosnia and Herzegovina that suffered destruction or damage during the 1992–1995 war including the *Gazi Husrev-bey Mosque* (1532), the *Emperor's Mosque* (1565), and the *Ali Pasha Mosque* (1561), and the *Sheikh Magribija Mosque* (1766), all located in Sarajevo. Additionally, the *Aladža Mosque* (1551) and the *Emperor's Mosque* (1483) in Foča, as well as the *Ferhat Pasha Mosque* (1579), and the *Arnaudija Mosque* (1595) in Banja Luka. Furthermore, the *Emin Turhan Bey Mosque* (1448/9) in Ustokolina, the *Karađoz Bey Mosque* (1570) in Mostar, the *Sultania Esma Mosque* (1745) in Jajce, and the *Sultan Abdul Aziz Mosque* (1862) in Brčko were also destroyed (Walasek, 2015).

6 For more information, see the IZBiH's official website, https://islamskazajednica.ba/

its control; it is led by its own elected leader and possesses its own elected assembly. It is financed by other *vakufi*, membership fees, *zākat* (a form of almsgiving treated in Islam as a religious obligation), Ṣadaqāt ul-Fiṭr (a form of almsgiving specifically during the Islamic holy month of *Ramaḍān*), other gifts from external donors, and revenue from its profit-generating agencies and investments (Alibašić 2007, Alibašić 2015).

The IZBiH has multiple levels of organization. It is composed of eight *muftiluks*, which are district-level organizational units of the Islamic Community, as well as a ninth military *muftiluk* that specifically works with Bosniak Muslims serving in the Bosnian Armed Forces. *Muftiluks* are further divided into *majlises* which can be understood as local organizational units of the IZBiH that typically include at least seven *jamaats* that form a whole. *Jamaats* represent the smallest organizational unit, typically organized at the individual mosque level. The upper body of the IZBiH incorporates the *Rijaset* which is the main executive body of the IZBiH, the *Reis-ul-Ulema* or the President of the *Rijaset* (who is also the Grand Mufti and is considered the supreme authority of the IZBiH), the Assembly of the IZBiH, and the Constitutional Court of the IZBiH (Karčić 1999, Alibašić 2015).

The IZBiH's main purpose is to help its members to live a good life in accordance with the values of Islam (Alibašić 2007). At a more fundamental level, this means ensuring that Muslims under its purview have the necessary material and infrastructural means to meet their basic Islamic religious obligations. The IZBiH is also a steward of Islam's *Sharīʿa* and assists in its legal interpretation and formal application. On the economic front, the IZBiH organizes and supports activities that are aimed at improving the social and financial living conditions of Muslims. Finally, in accordance with its constitutional mandate, it "establishes and maintains contact and cooperation with Islamic communities, institutions, and organizations worldwide and cooperates with other religious communities and organizations promoting peace, justice, and good will among all people" (Alibašić 2015, 441).

The Newly Re-established *Vakuf* Directorate

In 1996, shortly after the bloody war in Bosnia had officially ended, the Assembly of the IZBiH enacted Decision no: 2486/96 which formally brought back the previously defunct *Vakuf* Directorate which had ceased operations nearly 40 years earlier back in 1958. In addition, shortly after the war's end, the IZBiH gained absolute autonomous control of all *vakuf* operations in Bosnia and Herzegovina (Vakufska direkcija 2022). Article 28 of the IZBiH's 1997 Constitution declared that all *vakufi* are property of the IZBiH, while Article 32 gave authority to the *Vakuf* Directorate to oversee all the *vakuf* property while conforming to the instructions from *vakufnamas* or official documents bequeathing a *vakuf* property for charitable purposes.[7]

In 2004, another important law was adopted known as, the Law on Freedom of Religion and the Legal Status of Churches and Religious Communities, which granted religious communities exclusive property rights over their own assets. Alibašić (2015, 437) contends that "the Law can safely be said to uphold the principle of separation with cooperation between state and religious communities." Additionally, this law ensures that religious communities possess the

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7   See,   1997   IZBiH   constitution,   https://www.islamskazajednica.ba/component/content/article?id=43:ustav-islamske-1997

right to reclaim any property that was previous confiscated, regardless of its location within the state's jurisdiction at time it was confiscated.

The aforementioned legislation helped better integrate religious communities into society by granting them the opportunity to engage in a range of socially advantageous endeavors. These new opportunities included new possibilities for establishing new business enterprises, institutions, and associations that would have the same rights as institutions founded by the state or other authorized entities. Furthermore, apart from the matter of restitution, this legal provision facilitated in the establishment and sustenance of new relations between churches, religious communities, and other entities. Moreover, it stipulated that religious communities possessed the right to solicit and obtain voluntary contributions. The *Vakuf* Directorate is permitted to collaborate with various institutions, particularly those from the Islamic world, to initiate and complete projects that would normally be impossible to complete due to the unique geopolitical and economic context in which Bosnia and Herzegovina is situated (Vakufska direkcija 2022). Even though the newly created legal provisions partially facilitated in the implementation of restitution, a comprehensive law specifically addressing this matter was never enacted.

It is worth pointing out here that process of restitution is also critically important for Bosnia and Herzegovina's EU accession prospects. In 1995, the EU addressed denationalization and restitution through the *Resolution on the return of plundered property to Jewish communities* (Official Journal C017, 22/01/1996, 0199), however restitution issues remain unresolved in Bosnia and Herzegovina but will eventually appear under Chapter 23, related to the rule of law, during the accession negotiations.[8] However, when resolving one religious community's issues, such as Bosnia's Jewish community which is the primary concern of this particular resolution, other religious communities' restitution issues will also have to be resolved since the Law has to be applied equally to everyone.

In 2009, the Faculty of Economics at the University of Sarajevo studied property value and restitution, estimating confiscated property at a staggering 53 billion BAM (or slightly more than 27 billion Euros). Senaid Zaimović, director of the Islamic Community's Endowment Directorate comments that:

> When we talk about the usurpation of *waqfs* by municipalities, we mean the adoption of new legal or by-law solutions aimed at the usurpation of what is already in the hands of municipal structures or completely new *waqf* real estate for which we are filing protests or conducting court cases. Unfortunately, there are many such cases throughout BiH, and that is why we believe that the law on restitution, or denationalization, is necessary for the state of BiH to correct all these historical injustices somehow and satisfy all those whose property was illegally taken away.[9]

In the present context, the *Vakuf* Directorate has made great efforts to establish a legal framework that facilitates in the restitution or compensation of properties, thereby allowing

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8 Waqf Directorate BiH (20 September 2023). Restitucija, stanica na putu ka EU na kojoj mnogi u BiH decenijama čekaju. https://vakuf.ba/bs/aktuelnosti/restitucija-stanica-na-putu-ka-eu-na-kojoj-mnogi-u-bih-decenijama-cekaju/2092

9 Kemal Zorlak (28 October 2024). Konferencija u Sarajevu: Zakon o restituciji nužan je Bosni i Hercegovini kako bi se ispravila historijska nepravda. *Anadolu Agency*. https://www.aa.com.tr/ba/balkan/konferencija-u-sarajevu-zakon-o-restituciji-nu%C5%BEan-je-bosni-i-hercegovini-kako-bi-se-ispravila-historijska-nepravda/3376960

for the proper restoration and revitalization of previously confiscated *vakufi*. A consensus was reached among the various religious communities in Bosnia that the year 1945, which predates the Tito regime's emergence, shall serve as the designated starting point for the enactment of the Law on Restitution (Vakufska direkcija 2022). Currently, the *Vakuf* Directorate primarily focuses on engaging with local community bodies since they possess the authority to facilitate the restitution of confiscated assets (Mehmedović 2017).

These days, the *Vakuf* Directorate's primary activities are mostly related to the management, maintenance, revitalization, and establishment of new *vakufi*, and the restoration of previously nationalized *vakuf* property (Vakufska direkcija 2022). In order to ensure maximal efficiency, the *Vakuf* Directorate, by means of its Statute, has delegated the authority to administer and dispose of these assets to the *mejlis* (regional bodies), representatives of specific *vakufi* who possess equivalent obligations and rights as the *mejlis* (Special judicial *vakuf*), and to *vakuf mutevellis*. The *mejlis* are responsible for several fundamental duties, including the maintenance of property records, the negotiation of contracts pertaining *to vakuf* property in collaboration with the *Vakuf* Directorate, the oversight of the *Mutevelli*'s activities, the approval of the *vakuf* budget to ensure that it falls within the limit of 10,000 BAM (or approximately 5112 Euros), and the submission of a comprehensive report to the *Vakuf* Directorate regarding the status and operations of *vakuf* property (Vakufska direkcija 2022). On the other hand, the *mutevellis* assume the responsibility of overseeing and ensuring compliance with the stipulations outlined in the *vakufnama*. The aforementioned institutions serve a specific function as a subsidiary of the *Vakuf* Directorate (Hrvačić 2001).

Since its re-establishment, the *Vakuf* Directorate has made significant efforts in various other important areas as well. These efforts include the inventory and registration of *vakuf* property, the digitization and centralization of data, the development of an information system for *vakuf* real estate, the identification and registration of *Vakuf* property, and the organization of educational programs, seminars, and scientific gatherings focused on the topic of *Vakuf* (Vakufska direkcija 2022). These endeavors have been ongoing and will continue to be a priority for the *Vakuf* Directorate in the years to come.

The Gazi Husrev-Begov *Vakuf*

We will now look in greater detail at the most well-known *vakuf* in Bosnia and Herzegovina: the famous Gazi Husrev-beg *Vakuf*. Gazi Husrev-beg (d. 1541) was an Ottoman Bosnian *Sanjak-bey* (a high-ranking district-level officer) who served as the governor of the Sanjak of Bosnia during the periods of 1521–1525, 1526–1534, and 1536–1541.[10] He gained wide-spread recognition for his successful military endeavors that helped expand the Ottoman Empire's reach into Croatia and Hungary (Malcolm 1996, Kuran 2001). During his lifetime, Gazi Husrev-beg endowed several properties in Bosnia and Rumelia, an area which corresponds to present-day Greece. He personally acquired the property in Bosnia, whereas he inherited the endowed properties in Rumelia from his father, Ferhat-beg. The assets and possessions originating from Rumelia were eventually lost, while land holdings within the territory now recognized

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10 *Sanjak-bey* literally translates to 'lord of the standard' and is a high ranking position within the Ottoman bureaucratic structure that entials being responsible for the military and administrative command of a particular district within the Empire. However the rank of *Sanjak-bey* is usually lower than that of *Pasha*. A *Sanjak-bey*, in Arabic, is equivalent to the title *'amīr liwā'*.

as Croatia were forfeited when they found themselves situated beyond the newly defined boundaries of Bosnia and Croatia as legally articulated a few centuries later (Malcolm 1996).

Gazi Husrev-beg's most significant legacy however lies in his substantial contribution to the city of Sarajevo's development along with its surrounding areas (Obralić and Ćorović 2021). Indeed, he allocated most of his wealth, through his testamentary disposition, to the ongoing maintenance and financial sustenance of religious and educational establishments in Sarajevo. In the words of noted Bosnian historian Noel Malcolm (1994, 68), regarding the *vakufi* in Bosnia, Gazi Husrev-beg's "was the richest of them all."

Gazi Husrev-beg's *Vakuf* was established based on three *vakufnamas* (written agreement that formalizes the conditions of the *vakuf*) issued over a 6-year period that are directly attributed to him (Husić and Lavić 2013). The first *vakufnama* was issued in November 1531 and called for the creation of the famous Gazi Husrev-beg Mosque (*Gazi Husrev-begova džamija*) which actually first started being built in 1530, one year prior to the first *vakufnama's* issuance. The 1531 *vakufnama* also called for the creation and continued maintenance of an *imaret* (a charitable communal kitchen), a *musafirhana* (a traveler's guest house), and a *hanikah* (residence for dervishes and sheikhs). The second *vakufnama* was created in January 1537 and called for the establishment and construction of the Kuršumlija *medrese*, along with the acquisition of new books and other publications in order to furnish its library. The third and final *vakufnama* pertaining to Gazi Husrev's *Vakuf* was issued only few months later in November 1537 and made a substantial contribution of additional resources to ensure continued financial support for the mosque and its various associated facilities (Husić and Lavić 2013).

Gazi Husrev-beg's particular *vakuf* is unique due to how well-preserved its original legal documentation is; much of it can still be read today despite originally being compiled several centuries ago (Husić and Lavić 2013). Another thing that makes it particularly unique among other *vakufi* is the fact that there have only been modest changes – due primarily to necessity – regarding the services the *Vakuf* has provided over the years. The *hanikah* and *imaret* serve as good examples illustrating how the Gazi Husrev-beg *Vakuf* has adjusted to the challenges of changing times while simultaneously making its best efforts to remain as consistent as possible with the three *vakufnamas* earlier stipulations.

The *hanikah* that exists today was reconstructed in 2000 and is a part of the larger Gazi Husrev-beg *medrese* complex. It has a rectangular base with dimensions of 31.60 x 16.60 meters and "originally consisted of an entrance portal, an open courtyard with a portico, dervish rooms, a *semahana* [space for religious ceremonies] and a *shadrvan* [outdoor public foundation used by people to perform ritual ablution before praying]" (Commission for the Preservation of National Monuments 2006). The Gazi Husrev-beg *hanikah* was originally created to house the dervishes from the Halveti *ṭarīqa* (Sufi order), which Gazi Husrev-beg himself followed. However, this particular *ṭarīqa* never ended up establishing a strong presence in Bosnia and Herzegovina. As a result of this reality and in keeping with the spirit of the endowment's original purpose as best as possible, the *hanikah* eventually transitioned into a space aimed at meeting the needs of the nearby *medrese*.[11]

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11 See, https://www.vakuf-gazi.ba/sluzbenici/

The *imaret,* on the other hand, operated largely unchanged from how its function was initially outlined in the 1531 *vakufnama* until 1943, when World War II forced its closure. *Imarets* were widely built throughout the Ottoman Empire between the 14th through 19th centuries and provided food, free of charge, to certain travellers and destitute locals, as well as *medrese* students, special visitors, and the officials responsible for managing *vakuf* properties (Singer 2004). Gazi Husrev-beg's first *vakufnama* even stipulated the portions of food to be served to each person working for the *vakuf*: "From this *imaret*, the *Vakif* determines that all officials of the *imaret* mosque, except for the *mutevelli*, should be given 2 *kevci* soups a day, one for morning and one for evening, and four loaves of bread."[12]

Today, many of the *imaret*'s functions are conducted within the premises of the Gazi Husrev-beg *medrese* which also functions as a boarding school and "has been working continuously for over 486 years."[13] The *medrese* possesses a modern kitchen that can provide meals for many people. In the spirit of the *imarets* original charter, during the holy month of *Ramaḍān*, the local *Vakuf* Administration organizes as many public *ifṭārs* (meal that breaks the *Ramaḍān* fast at sundown) as possible in the *medrese* kitchen. One *imaret* adjacent service does remain completely unchanged from original *vakufnama* however: the public toilet. Except during short periods of maintenance and upkeep, the public toilet has been in continual operation since 1529, two years prior to the official signing of the first *vakufnama*.

As noted earlier, Gazi Husrev-beg's original endowment was incredibly specific in detail. It originally called for seventy-five employees to help maintain the mosque, *hanikah*, *medrese*, *mekteb*, and *imaret*, eventually raising this number to seventy-eight by time the second *vakufnama* was issued.[14] The number of *Vakuf* employees over the centuries has remained remarkably stable. Today, Gazi Husrev-beg's *Vakuf* employs sixty-six full-time employees. The Gazi Husrev-beg mosque alone employs a total of thirty-five individuals – the exact number specified in the original 1531 *vakufnama* – including a *khaṭīb* (a lecturer), an *imam* (leader of group prayer), a *muezzin* (one who calls to prayer), a head *muʿallim (Islamic trained teacher) who is* responsible for overseeing teaching in the *medrese*, an assistant to the *muʿallim*, and five *ḥuffāẓ* (people who have memorized the entire Qur'an) who recite passages from the Qur'an on Fridays prior to *salāt al-jumuʿa* (Islam's congregational Friday afternoon prayer).

The *vakufnamas* also articulated comprehensive employment requirements and specific individual incomes for each position that the *vakuf* funds. Additionally, they outline all responsibilities assigned to the endowment as well as the establishment of facilities to host specific activities. In the context of the mosque, supplementary religious rituals are observed in conjunction with the five daily prayers. As per the stipulations outlined in the initial *vakufnama,* these rituals have been consistently practiced since the time of Gazi Husrev-beg's death up until the present day. One of the most interesting stipulations of the *vakufnama* is a requirement that a recitation of the *hatma* (recitation of the complete Qur'an) on the soul of Gazi Husrev-beg occurs on a daily basis following the midday prayer. This recitation is conducted in a synchronized manner, wherein thirty reciters simultaneously read their respective Qur'anic *juz* or section of the Qur'an and subsequently engage in collective prayer.

According to the *vakufnamas, Vakuf* facilities and activities are to be maintained by income

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12 Cited from the 1st *Vakufnama*. See, https://www.vakuf-gazi.ba/sluzbenici/.
13 Quoted from Gazi Husrev-beg's Medrese's website, https://medresasa.edu.ba/
14 See, https://www.vakuf-gazi.ba/sluzbenici/

generated from other endowment properties. It is explicitly specified that these properties should be competently managed in a manner that will increase their value and productivity (Husić and Lavić 2013).[15] The old *imaret* building serves as the *Vakuf's* administrative office building today. The *Vakuf's* administrative office consists of a *mutevelli*, *nazir* (*vakuf* custodian), *džabija* (debt collector), and scribe, all of whom work under the supervision of the *Rijaset* of the IZBiH. In addition, in order to ensure transparency, an individual serving as an external collaborator oversees the acquisition and processing of documentation pertaining to all *Vakuf* property. During the periods of increased tourist activity, the administration employs two additional individuals at the reception desk who are either students or alumni of the Faculty of Islamic Studies at the University of Sarajevo.

The *mutevelli's* enduring role within the Gazi Husrev-Begov *Vakuf* aptly illustrates how the directives outlined in the earlier *vakufnamas* continue to be regarded as the fundamental principles governing the operations and activities of the endowment. In the initial *vakufnama*, Gazi Husrev-beg entrusted the administration of his *vakuf* to "his best freed slave, the leader of his chosen people, vojvoda Murad, the son of Abdullah" (cited in Zlatar 2007, 104). The person this is in reference to was Gazi Murat-beg Tardić, one of Gazi Husrev-beg's commanders and closest confidants. According to the 1537 *vakufnama*, the designated successors to Tardić's position were to be his "best sons, his grandchildren, and so forth, from generation to generation, the best of the best; then the sons and daughters, then the sons of their sons from generation to generation, as long as they have progeny and as long as they are able to inherit" (cited in Gazić 1985, 61). The principle outlined in this statement and the subsequent tradition that followed established that the *mutevelli* for Gazi Husrev-beg's *Vakuf* should be one of Gazi Murat-beg's descendants (*evladu-I-utekai*). However, the primary criteria for selecting *mutevellis* that are emphasized in all the *vakufnamas* is that individual appointed should be well-known amongst the community for their trustworthiness, competence, and piety. The selection process today for *mutevelli* involves conducting an open call among all individuals who ostensibly satisfy the requirements specified in the earlier *vakufnamas*.

Like all *vakufi* in Bosnia, the Gazi Husrev-Begov *Vakuf* faced formidable new challenges in the 20th century. Following World War II, a significant amount of the Gazi Husrev-beg *Vakuf's* income-generating assets – similar to the other *vakufi* in Bosnia and Herzegovina – were confiscated via Communist nationalization efforts and were done so without any financial renumeration (Alibašic 2007, Karčić 1999). Despite the new challenges faced by the *vakuf*, the central area of Sarajevo still saw the construction of new residential and commercial structures alongside a hotel, a new *medrese* and a new *mekteb* building later in the 20th century.[16] These new developments were made possible through the utilization of funds derived from *vakuf* collections along with proceeds obtained from the sale of *vakuf* properties that had not been confiscated by the state. The ultimate survival of the Gazi Husrev-beg *Vakuf* can be largely attributed to the IZBiH's shrewd dealings with a hostile Communist government along with its effective administrative organization even during the hardest of times. It is also worth mentioning here that the Gazi Husrev-Begov *Vakuf's* administrators have always taken fiscal responsibility and budgetary oversight seriously. It has remained similar in size and scope for

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15 By 1537, Gazi Husrev-beg himself felt that seventy-eight employees would be sufficient to effectively manage the entire *Vakuf*.

16 Alibašić (2007, 2) notes that "In the late 1960s the political and economic situation in Yugoslavia generally improved and religious communities and believers regained some of their freedoms." It was during this time that mosques were rebuilt, Gazi Husrev-beg's *medrese* expanded, and the Faculty of Islamic Theology was opened at the University of Sarajevo.

much of its existence and has avoided the dreaded administrative bloat that contemporary public administration scholars regularly warn about (Ford and Slocum 1977, Aucoin 1990, Boon and Wynen 2017). This has allowed it to remain focused on providing the services that the original *vakufnama* called for and has helped it avoid falling into corruption or disrepair.

Conclusion

For centuries, *vakufi* have provided essential spiritual and moral guidance to Bosnian Muslims and continue serve as critical nodal points of social interaction for the people living in Bosnia and Herzegovina and beyond. However, it should be noted here that their function was never meant to be limited to spiritual affairs – or even only Muslims for that matter. Bosnian *vakufi* have always tried to help all people in need, regardless of their confessional background. Indeed, *vakufi* augmented state welfare capacities, and as noted by Edib Smolo (2019, 103), "played a tremendous role in [Bosnia and Herzegovina's] socio-economic development" and very often helped the government to provide "social services that, otherwise, may not [have been] available." Despite periods of severe repression, ethnic violence, and war during the 20th century, the ecumenical spirit of the *vakufi* in Bosnia and Herzegovina never wavered.

Therefore, all things considered, it is reasonable to conclude that *vakuf* administration in Bosnia and Herzegovina has, by and large, been a success story. Ahmet Alibašić (2015, 443) contends that "the Bosnian model of Islamic religious affairs administration [still] seems to be performing better than alternative solutions" and "is an asset that needs to be further developed and theoretically legitimized in order to ensure its sustainability against the challenge of other concepts and models." This resonates with Wolfgang Drechsler's (2018, 1039) more recent contention, namely, that "Islam in BiH has a form of institutionalized, semi-government-affiliated self-administration that is often singled out as superior to any other one in the Balkans." This leaves us with the question: Does *vakuf* bureaucratic administration in Bosnia and Herzegovina operate more or less the same as what Drechsler (2018, 1043) calls "the global-Western model [i.e., Weberian] prevalent in Europe" or are there some notable differences?[17]

The answer is complicated. Turning back to the case of the Gazi Husrev-Begov *Vakuf*: we can clearly see from our discussion above that its administrators have always been deeply concerned with adhering to the original *vakufnama* as best as possible (and within reason). Such a concern with both practicality and procedural fidelity, in many ways, parallels Max Weber's (2015) claim that effective bureaucratic organization entails a fixed hierarchical structure for an organization along with clear rules, regulations, and lines of authority that regulate it. When looking closer at the Gazi Husrev-Begov *Vakuf*, it is clear that there are many elements of effective Weberian bureaucratic proceduralism and good-governing present.

However, not all aspects of the Gazi Husrev-Begov *Vakuf's* administration are exactly Weberian nor have any real parallels with the global-Western model prevalent in Europe. For example, as per the *vakufnama*'s original mandate, the Gazi Husrev-Begov *Vakuf* is to always

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17 Drechsler's (2018, 1043) full quote contends that, "From a scholarly perspective, it would be so interesting to have Islamic PA [public administration] in Europe, but while there are Muslim-majority countries, Islamic PA in Europe hardly exists. But even if it did—if we look at the tiny vestiges that are there, as well as at the multifaceted, often reformist legacy of the Ottoman Empire—it [Islamic public administration] would probably not be the radically other of the global-Western model prevalent in Europe, nor even of the EU itself."

be administered by someone ideally from within the lineage of one particular family who is viewed within the community as morally adept and intellectually qualified. The personal character and public perception of the *mutevelli* overseeing the *Vakuf* has always been of primary importance and is one of the keys to maintaining what one would call *the equilibrium of the organization* (Simon 1997, 140).

Herbert Simon (1997, 164) also famously argued that "the survival and success of organizations depend on their providing sufficient incentives to their members to secure the contributions that are needed to carry out the organizations' tasks." While Simon was primarily talking about material incentives, *vakuf* maintenance also comes with a distinctly *immaterial*, spiritual set of incentives that for the true believer far outweighs any possible worldly material benefits. The sense of communal obligation – what in Islamic terms can be roughly understood as a *farḍ al-kifāya* or collective obligation of the broader Muslim community – along with the trust and honor that comes with being chosen to oversee the historic *vakuf* have been among the main drivers that have allowed for it to successfully carry out its tasks and duties for nearly five centuries. These non-quantifiable, distinctly spiritual incentives along with an enduring sense of communal obligation rooted in divine precepts most certainly is a departure from the Weberian model prevalent in Europe and the United States.

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Comparative Analysis of Shura Councils in Qatar and Saudi Arabia: Islamic Public Values in Governance

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Abstract

Shura, a Quranic principle rooted in mutual consultation and accountability, serves as a foundational element of Islamic governance, embodying values such as justice, inclusivity, and collective decision-making. This paper conducts a comparative analysis of the Majlis Al-Shura in Qatar and Saudi Arabia, examining their structures, roles, and alignment with Islamic public value within the Gulf Cooperation Council (GCC) states. Recent constitutional amendments in Qatar, following the November 5, 2024, referendum, have significantly altered the structure of its Shura Council. Qatar formerly used a hybrid system with partial elections before shifting to full appointment by the Emir. However, the new constitutional revisions abolished elections, making all members fully appointed by the Emir, aligning Qatar's governance structure more closely with Saudi Arabia's traditional model. Saudi Arabia's Shura Council has long followed a fully appointed model. Their approaches to lawmaking and public engagement reflect evolving interpretations of Islamic governance. The study draws on legal texts and stakeholder insights to explore how each council balances Islamic values with modern governance. The key challenges facing Qatar since the abolishment of elections include reduced public participation, limitations in legislation, and changing women's roles in governance. The study calls for greater transparency and civic engagement to align reform with Islamic values.

Keywords: Shura, Islamic Governance, Majlis Al-Shura, Qatar, Saudi Arabia, Public Consultation, Constitutional Amendments, Islamic Public Values, Legislative Authority, Governance, GCC.

Introduction

Prior to the constitutional amendments passed through Qatar's November 5, 2024, referendum, the Shura Council operated under a hybrid system, with two-thirds of members elected and one-third appointed by the Emir. The recent reforms abolished this system, shifting to a fully appointed council model. While two-thirds were elected, one-third came from appointments made by the Emir. With new revisions to the Constitution, the structure of the Shura Council became totally appointive, abolishing the previously electoral system. This means greater

authority and centralization in the hands of the appointed Consultative Assembly, by the Emir himself. The referendum marked a new path away from democratic electoral participation toward a type of governance closer to Saudi Arabia's fully appointed Shura Council. These changes to the Constitution show that it is the Government's intention to streamline governance through stability and further executive decision-making without direct intervention by any electorally allowed process.

Shura, derived from the Arabic word for consultation, is a cornerstone of Islamic governance deeply rooted in Quranic teachings and Prophetic traditions. It emphasizes collective decision-making, accountability, and inclusivity, serving as a guiding principle for governance in Islamic societies. Quranic verses such as Shura 42:38—"Those who conduct their affairs by mutual consultation-and Aal-E-Imran 3:159-"Consult with them in matters. After making your decision draw your confidence from God by heeding His divine directive for *Shura* which ensures justice and equity in your community (Sachedina 1988).

The initial Islamic concept has expanded throughout history to affect governance structures throughout the entire Islamic world including present-day Gulf states such as Saudi Arabia and Qatar. The teachings of the Prophet Muhammad (peace be upon him) form the base of *Shura* alongside Quranic instructions which show him regularly seeking advice from his companions in these matters. Throughout history the Rightly Guided Caliphs set up *Shura* as their decision-making system which simultaneously honored Islamic values and protected popular responsibility (Abd Razak et al. 2023). The first caliph Abu Bakr received his position via a centralized consultation among followers who had directly touched the Prophet's path. Past practices created *Shura* into a fundamental element that establish Islamic governance's framework. *Shura* evolved into institutional bodies which gained prominence in Gulf states because these countries integrate Islamic standards with the preservation of traditional tribal norms and aligning with contemporary public governance. The adaptations demonstrate how cultural legacy must conform with present-day administrative needs. The Advisory and Legislative Councils of the Gulf Cooperation Council states, which include both Qatar and Saudi Arabia, demonstrate Islamic principles being integrated into state governance systems (Sachedina 2006). Despite differences in structure and authority, both councils play vital roles in embedding Islamic public values such as justice, consultation, and accountability into the governance systems of their respective states. This paper asks: how do Qatar and Saudi Arabia's Shura Councils preserve Islamic principles of governance while adapting to evolving political contexts? Through a comparative institutional analysis, this study contributes to broader discussions in public administration and policy by exploring how religious traditions inform contemporary governance models. As Gulf states navigate constitutional change and demands for participation, understanding the role of *Shura* offers valuable insights into non-Western frameworks for legitimacy, consultation, and institutional design.

Shura in the Gulf States: Modern Context

In the Gulf region, *Shura* continues to play a pivotal role in governance, reflecting both Islamic and tribal values. The *Majlis Al-Shura* in Qatar operates as a semi-legislative organization through elected members accounting for two-thirds of its total membership, which represents growing public engagement. The king in Saudi Arabia has complete authority to select

members of *Majlis Al-Shura* despite following Islamic principles for consultation. The GCC framework enables these institutions to draw from Gulf unity but permits distinctive national variations in their procedures. Islamic cultural and tribal values have established themselves as fundamental factors which determine how governments are shaped. Gulf tribal traditions have always practiced collective decision-making together with elder reverence, which follows *Shura* principles of mutual consultation between leaders. Traditional beliefs from Gulf political culture determine how Shura Councils operate through their functions as venues for dialogue between modern state construction and Islamic cultural principles (Little et al. 1988). The research paper evaluates Shura legislative bodies in Saudi Arabia and Qatar by investigating legislative structures together with their public Islamic value alignment. These legislative bodies both place equal value on justice and both seek consulting public stakeholders, yet they maintain different structural frameworks because Qatar was allowing before 5 November 2024 elected officials to fill two-thirds of its council members while Saudi Arabia's council members are completely appointed (Drechsler and Chafik 2022). Through research into these councils' historical background combined with their constitutional foundation and present-day operational approaches the study illustrates Shura governance's ability to respond to contemporary political and social difficulties. This paper investigates how these councils can create open lines of communication without forfeiting their Islamic principles as well as their capacity to establish democracy and functions that break down gender barriers. This research explores how *Shura* represents a perpetual Islamic guideline, which today influences Gulf state government institutions, while showing how traditional values intersect with contemporary development.

The Concept of Shura: Islamic Public Value

In the context of Islamic governance, public administration derives its core principles from divine guidance, with *Shura* or mutual consultation serving as a foundational mechanism for ensuring accountability, justice, and inclusive decision-making. Islamic governance derives its fundamental principles from Quranic revelations together with traditional Prophetic practices which define strategic decision-making through principles of just systems and community-oriented responsibility. Through centuries, *Shura* developed its principles to address contemporary governance requirements, but it still maintains its Islamic foundations.

Quranic Foundations and Prophetic Traditions

The principle of *Shura* is explicitly mentioned in the Quran, most notably in Surah Ash-Shura 42:38, which describes believers as "those who conduct their affairs by mutual consultation." This verse underscores the importance of collective decision-making and positions *Shura* as an essential characteristic of a virtuous community. Similarly, Surah Aal-E-Imran 3:159 advises the Prophet Muhammad (peace be upon him) to consult his companions in governance matters, emphasizing the value of inclusivity and collaboration even within divinely guided leadership. Through his example the Prophet illustrated how consultation creates trust-based relationships while promoting inclusivity along with collective responsibility. *Shura* receives further legal support from Prophetic traditions in both authoritative governance systems and daily practice matters (Chandio and Chandio 2021). Through his practice of seeking input

from others, the Prophet presented how efficient leadership works by listening thoughtfully even though ultimate authority is retained by the leader. The essential foundation of *Shura* integrates sacred guidance with collective problem-solving to create an essential spiritual duty while also building practical governance structures.

Core Principles of Shura

Shura executes Islamic public principles through eight important characteristics which focus on accountable leadership and equitable justice alongside active citizen participation. According to Islamic governance principles leaders serve as stewards because they answer to both human community members and God. Through collective decision-making, *Shura* operates transparently while preventing autocratic decisions. *Shura* supports justice as a core value because it leads to fair decision-making that serves the complete community. The Quran explicitly associates justice with leadership, stating: "Indeed, Allah commands you to render trusts to whom they are due and when you judge between people to judge with justice (Surah An-Nisa 4:58). " The act of engaging communities remains essential in *Shura* because the collective wisdom of citizens demonstrates critical importance in their participation for governance. Islamic teaching mandates that community decisions need member-contributions to create inclusive governance, which represents every community interest. The concept matches Islamic teaching about community welfare since it prioritizes *Umma* (community) well-being instead of personal gain. Modern governance challenges demonstrate why these governance principles produce meaningful results. During a period when authoritarian rule and political centralization become stronger, *Shura* maintains value as a model for democratic governance and requires responsible leadership from political representatives.

Traditional components of *Shura* remain foundational in Gulf state governance systems even though institutions adapt this political practice to contemporary governance structures. *Shura* has evolved from traditional tribal meetings to formal state institutions where members of Qatar's *Majlis Al-Shura* and Saudi Arabia's *Shura* Council provide both legislative and advisory functions (Alshareef 2021). These bodies combine traditional Islamic doctrine with modern governmental methods to function as spaces for advising leaders about policies. America's Shura Council became fully democratic when they established elections to choose two-thirds of members according to modern presidential republic principles. The approach demonstrates both *Sharia* compliance and higher levels of public involvement. The Saudi Arabian Shura Council maintains full appointment power because its structure reflects both Islamic guidance from the kingdom's central leadership with an advisory council role. *Shura* demonstrates an ability to adapt its execution through political reforms according to the particular elements of each state's cultural settings (Uddin 2024). The slow implementation of *Shura* reforms stands as a major characteristic when adopting modern *Shura* systems throughout Gulf nations. Gulf states have adopted an evolutionary approach to governance reform by expanding their systems meticulously while keeping the reform by Islamic principles and regional custom. The method has enabled nations to create democratic political frameworks that match cultural identity and theological customs.

Recognition by United Nations Education Sciences Culture Organization (UNESCO)

Shura together with the broader *Majlis* (Council) system receives international acknowledgment as an intangible cultural heritage. UNESCO formally added the Majlis to its Representative List of the Intangible Cultural Heritage of Humanity in 2015. This accreditation validates the *Majlis* as a fundamental community space where Gulf societies perform consultative, conflict mediation and socio-cultural interactions. Through the recognition of traditional *Shura* processes, society recognizes their continuous ability to build governance systems and maintain social unity. UNESCO's declaration establishes Shura as a modern concept which actively influences Gulf region governance as well as public customs today. The Gulf states prioritize the cultural value of the *Majlis* as part of their heritage to demonstrate their cultural heritage link between Islamic elements and present-day governance institutions, which maintain *Shura* central to their political matter. *Shura* exists as an ancient Islamic public value which bypasses every framework determined by era and cultural variability. *Shura* attains its philosophical foundation from Quranic guidance and Prophetic customs while providing fundamental standards of justice operation through responsible leadership and active civic duty. In contemporary Gulf interpretations of *Shura* demonstrates the ability of traditional values to execute modern-day governance. Recent reforms, alongside growing global recognition, have helped Shura bridge Islamic traditions with contemporary governance, fostering public administration systems rooted in justice and inclusivity.

Historical Evolution of Shura Councils in Qatar and Saudi Arabia

The concept of *Shura* has deep roots in Islamic tradition, serving as a consultative mechanism for governance. In the Gulf region, it has evolved into institutionalized bodies like the Shura Councils of Qatar and Saudi Arabia, which reflect the fusion of Islamic values and modern statecraft. Both councils have unique histories and structures but share the overarching goal of aligning governance with *Sharia* principles and public values.

Constitutional Development and Establishment

Qatar's Shura Council is on a very different historical trajectory from its initial constitution date, the year 2004. That which began as no more than an advisory council gradually, through constitutional revisions, increased the level of power the body enjoys. In fact, the very first Shura Council elections of Qatar took place in 2021, as voters were permitted to choose two-thirds of its representatives while the remainder were appointed directly by the monarch. However, the 2024 constitutional amendments have rendered these electoral provisions null, and the council is now fully appointed. The new system brings Qatar's governance closer to the Saudi model, in which all members of the Shura Council are appointed by the ruler. This change would solidify national governance under the leadership of the Emir and make sure that state policies are in line with long-term national objectives without pressures from elections.

Islamic Public Value in the Council's Functioning

Public consultations, inclusiveness, and participatory governance have been an inherent part of the *Shura* system since its establishment in Qatar-a genuine reflection and practice of Islamic Public Value. Suffice it to say that without the election of members, the nature of public engagement with the Shura Council became different. While initially the electoral participation was one avenue to engage the citizens in the processes of governance, this council would function as a purely advisory organ where the public representatives were determined by appointments, not by direct elections. While the leadership believes this ensures stability and leads to governance along the lines of Islamic consultative traditions, the critics are anxious about reduced public direct influence on the legislative processes.

Qatar's Shura Council

Before Qatar's independence in 1971, governance largely revolved around tribal and informal councils, which acted as advisory bodies to the rulers. These advisory bodies drew from both Arab customs and Islamic principles to allow dispute resolution alongside the management of tribal business and Emir guidance about governance decisions. These native meeting spaces became the genesis of Qatar's contemporary Shura Council through which the government established a system of responsibility as well as justice alongside collective deliberation. Qatar started organizing its national governance system after achieving independence (Kay 2024). The Shura Council received its formal legislative start with the promulgation of the Interim Basic Law in 1970 which allowed for its establishment. The institution operated within advisory boundaries whereas its members received their positions through appointment by the Emir. The 2004 constitutional reforms in Qatar made historical progress because they officially positioned the Shura Council as an institution that aimed to create laws. Under Article 76 of the Constitution, the Shura Council received authority to draft legislation and to conduct oversight of executive power while finalizing national budgetary plans and government programs. Qatar achieved history when it staged its inaugural Shura Council electoral contest in 2021 allowing citizen voting that elected two-thirds of its Council members although the Emir maintained control over the appointments of the final one-third (Chandio 2021). The political change indicated substantial democratic development because it offered citizens the chance to participate more directly in running the government. Through the elections, Qatar demonstrated dedication to both political institutional transformation and cultural and Islamic values preservation. Core Islamic morality stands as the defining pillar which guides the operations of Qatar's Shura Council. All decisions follow the guiding illumination of *Sharia,* which directs policy creation through Islamic ethical standards and principles of justice. People have been prioritized as the council leads an ongoing public dialogue process while embracing inclusivity. The approach demonstrates dual goals: strict support for institutional validity and Qatar's targeted alignment of traditional values with present-day governance practices. Islamic values, which are thoroughly integrated into operations, demonstrate how the council serves as a link between historical heritage and progress toward an advanced future for Qatar.

Saudi Arabia's Shura Council

King Abdulaziz Al Saud founded Saudi Arabia's Shura Council during his reign in 1927. The council followed traditional tribal practices from Arabia to give advice to the monarch about state issues. Originally, the council maintained clarity through its core mission to advise monarchs and acquire knowledge about governance challenges and public affairs as well as tribal interactions. Parliamentary consultation originated among Arab citizens through hundreds of years under Islamic and tribal government systems before the inaugural Shura Council was formed. Saudi Arabia conducted multiple reforms aimed at developing its Shura Council into an institution that met present political and social development standards. When King Fahd enacted his Basic Law of Governance in 1992, the shura council obtained expanded power through its official responsibilities (Rifai 2021). After implementing legal reforms, the council obtained authority to both form new policies and assess public sector matters and fiscal operations, though it still functioned as an advisory body to the King. Permanent professional dialogue occurred between the council's representative selection through a system of four-year terms. In 2013, King Abdullah broke tradition by selecting 30 women to join the Shura Council for the first time in Saudi Arabian history. The groundbreaking move granting women council members resulted gender equality in Saudi Arabia, which ended prolonged male dominance of national institutions. The council maintains its essential position of value while actively participating in policy development for economic and social transformations. Official government selection processes combined with voluntary advisory services allow this forum to grow into an indispensable consultative body (Chandio 2021). The operational activities of the Saudi Shura Council proceed using *Sharia* law alongside Islamic principles. Legislation and policy recommendations require proof that Moral and ethical principles from Islam direct their approach. Inside Saudi Arabia the council applies tribal cultural practices with procedural steps to construct values stemming from sociohistorical Saudi norms. Through combining historic foundations with contemporary aspirations, the council connects Saudi Arabia's past roots to its future goals through logical reconciliations of modern administrative frameworks with Islamic traditions and tribal customs. Through historical research it becomes possible to analyze which aspects Saudi Arabia and Qatar share, and which paths they follow separately in managing their Shura Council initiatives. The implementation of Islamic doctrine along with native tribal traditions keeps the councils active in facilitating both public engagement through participation and community consultation. The Government of Qatar promote democratic principles by employing fragmentary electoral systems for expanding public engagement. The Saudi Arabian Shura Council differs from others as it operates without an electoral provision because its government follows a centralized structure (Drechsler and Chafik 2022). In spite of their dissimilarities, these councils stay true to fundamental Islamic values of justice together with accountability as well as collective decision making which demonstrates the timelessness of *Shura* as a governing system.

Comparative Analysis of the Shura Councils

Qatar's Shura Council together with Saudi Arabia's Shura Council emerge as fundamental institutions because they adhere to Islamic consultation protocols and merge public content into policymaking structures. The councils that stem from Islamic traditions show tremendous

dissimilarities regarding their organizational makeup as well as their power to pass laws and the levels of public input and their functions in governance and policy formation. A comparative examination exists which examines each dimension through their Islamic public value framework.

Structural Features

Recent constitutional amendments in Qatar have transformed its governance structure to have a fully appointed Shura Council, just like the Saudi Arabian model. Qatar used to have a hybrid system where partial elections were allowed to give citizens a say in choosing legislative representatives. This component has been taken away in the 2024 referendum, vesting all powers of appointment in the hands of the Emir. In contrast, Saudi Arabia has traditionally had a wholly appointed Shura Council whose members are handpicked by the monarch, while the structure of both countries has been centralized, with their executive leadership retaining full appointment and decision-making powers. This would be a structural change in Qatar that does not follow from any previously trodden path toward electoral participation or legislative autonomy. Saudi Arabia and Qatar use different design systems to establish distinct political frameworks alongside multiple approaches for representation. The Shura Council of Qatar combines officials chosen by government representatives with those who earn election through popular voting. The Emir selects each of the fifteen seats while Queens occupy half of those council positions. Direct democratic voting mechanisms through which citizens select 30 councilors comprise half of the 45 council seats. Through its combination of direct elections with appointed members assisted by Emir oversight Qatar demonstrates progress toward democratic principles of governance (Rifai 2021). In 2021, the council structure reform established elections to enable citizens both to choose their council representatives and their decision-making power. National policy objectives take shape through women council members appointed and elected as part of Qatari governance. None of the 150 members of Saudi Arabia's Shura Council have appointment power; all members are directly appointed by the King, who retains full authority over membership selection. The present system unites advisory functions with royal supervision while sustaining royal institutional frameworks (Drechsler and Chafik 2023). Saudi Arabia made a historic step in 2013 by adding thirty women members to the council thus setting the stage for a significant transformation of its social and future political directions. The substantial addition of female members to Saudi Arabia's government shifted the country's national debate direction toward a modern interpretation of traditional gender roles. Because the council does not have election powers citizens are unable to influence decision making through selecting their council members resulting in selected leaders coming from tribal or elite backgrounds. Saudi Arabia maintains appointed governance through feminized and Islamic appointments whereas Qatar provides mixed public engagement while still employing tribal formats.

Legislative Authority and Decision-Making

Each Shura Council has unique control over lawmaking yet Saudi Arabia applies different decision-making behaviors to its governance structure. Under the provisions of the 2004

Constitution the Shura Council in Qatar exercises major legislative authorities. According to Article 76, the council holds power to create legislative initiatives and maintain budgeting oversight for government operations and undertake executive control functions. Article 69 grants the council permission to extend martial law implementation yet Article 107 requires council approval before implementing a national budget. According to Articles 105 and 109, members of the council maintain the right to propose legislation while also possessing the ability to question ministers. According to Qatar's constitution, the Shura Council holds vital roles in governance because it acquires significant executive and reform powers through its constitutional framework. Constituted as an advisory institution, Saudi Arabia's Shura Council maintains minimal legislative authority (Drechsler and Salah 2023). The council reviews proposed draft legislation and reviews the annual budget along with suggesting governance recommendations, yet all its actions remain advisory only. Saudi Arabia grants its king the power to make all final legislative decisions because the country maintains centralized governance. The Shura Council performs advisory duties while contributing substantially to policy development, which supports the Vision 2030 development plan. The Shura Council in Qatar exercises full legislative powers; however, Saudi Arabia's council functions only as an advisory body. These divergent approaches to governance highlight Qatar's participatory approaches in contrast to Saudi Arabia's centralized system.

Public Participation

The abolition of elections in Qatar began to change the scope of public involvement in governance. At one time, voter participation helped to determine the composition of legislative representation and instilled a degree of civic obligation within the Qatari citizen. The new reforms have narrowed this public engagement to advisory functions and not as direct electors. Although this, for the Government of Qatar, is seen as a way of better governance, it yet again raises critical questions regarding accountability and transparency in general to the public. Traditionally, Saudi Arabia has depended on tribal consultation as a system of indirect representation by the people. Since Qatar has moved into a fully appointed system, in terms of structure of governance both the countries currently fall into an administrative system wherein the executive supervision is seen more viable than immediate representation through election. Public participation defines the Shura Council of Qatar while creating a distinct path from Saudi Arabia's Shura Council. The establishment of elections during 2021 in Qatar generated a pivotal moment for democratic community participation. The country's citizens exercise power to choose two thirds of council members with votes conducted by secret ballots to boost transparency and maintain accountability (Rifai 2021). The designed electoral system maintains secure voter participation reaching approximately 63.5% in the last 2021 elections. The democratic process enables direct citizen participation in political governance, thus promoting both national ownership and political responsibility in the system. Gender equality and inclusivity boost their commitment when women act both as electoral participants and political aspirants. Service participation in Saudi Arabia exists at limited levels. People lack the power to pick members of the Shura Council because the state does not organize electoral systems. The council parallels its power base to a representation framework which integrates various tribal alongside societal communities to achieve balanced policy considerations. Saudi political institutions rely on tribal consultation

as their fundamental governing principle because Saudi Arabia stands as a society built by its historical dependence on tribal frameworks (Batchelor 2014). Through its electoral process Qatar achieves a direct pathway for public engagement, yet Saudi Arabia depends more heavily on a framework built from consultation practices. Under Saudi Arabia's management system, the nation focuses on tribal representation while consulting with tribes because its political structure relies on centralized oversight.

Role in Governance and Policy Development

Similarly, the Shura Council plays a key role in governance and policy development by strengthening national decision-making and accountability. Qatar's governance framework enforces financial oversight and guides government decision-making processes through the council's advisory and regulatory functions. The national budget requires council review until authorized for government spending to be consistent with public requirements and national priorities. Thus, its oversight function the council requires information from ministers so they can maintain executive accountability. The Shura Council performs two essential duties as a guard of executive performance and law writing authority to act as the foundation that bolsters transparency and accountability for Qatar's governing system. Through its advisory duties Saudi Arabia's Shura Council maintains comprehensive policy control across all executive functions. Through its advisory capacity, the council develops proposals which target economic advancement in addition to adjustments in social programs and legal frameworks. The Council supports Vision 2030 execution by assisting the government to establish policies which advance economic development alongside social advancement goals. The council advises policy development but cannot compel government departments to adopt their recommendations. Formal governance authority allows Qatar's Shura Council to make specific decisions, while the Saudi Council mainly serves as an advisory institution.

Principles derived from *Sharia* that emphasize justice, consultation (*Shura*), accountability, and the public good, form the foundation guiding the Shura Councils of Qatar and Saudi Arabia in legislative and governance practices. The Shura Council working in Qatar functions under Islamic *Sharia* principles to ensure all decisions meet criteria of justice alongside accountability and public benefit (Islam 2012). The fundamental basis of legislative proposals and council decision processes uses *Sharia* to enhance public trust in the council's validity. When political systems embed Islamic values, governance becomes stronger because it connects policy development to neighborhood ethical and moral perspectives. The Shura Council in Saudi Arabia functions under Islamic guidance while *Sharia* maintains its role as the supreme source for legal regulations. Islamic values guide the council through its mission to deliver justice along with fairness and community welfare. Religious and cultural values called tribal values guide council members in their discussions to choose choices that suit Islamic principles and match local customs. Every council implements Islamic public values to establish their core operational principles. The implementation approach for these values differs between the two countries because Qatar uses collaborative methods while Saudi Arabia uses centralized tribal system consultations (Kay 2024). The comparative analysis between Qatar's Shura Council and Saudi Arabia's Shura Council shows their common Islamic heritage and their separate governance methods. The fully appointed council and advisory

function along with tribal consultation demonstrate Saudi Arabia's complete commitment to central governance. *Shura* functions through both councils as a governance framework within the Gulf region which implements justice alongside accountability while serving the interests of the public population.

Common Good and the Islamic Public Value in *Shura* Systems

The principles of justice and accountability are foundational to Islamic governance, deeply rooted in Quranic injunctions and Prophetic traditions. Surah An-Nisa (4:58) emphasizes justice, stating, "Indeed, Allah commands you to render trusts to whom they are due and when you judge between people to judge with justice." This Quranic verse highlights fairness as a divine mandate in governance. Similarly, Surah Ash-Shura (42:38) underscores consultation as a mechanism to ensure fairness and accountability (Chandio and Chandio 2021). The Shura Councils of Qatar and Saudi Arabia activate these principles through legislative forums that enable advisory and legislative interactions. The act of oversight from the Al Shura Council in Qatar appears explicitly in Articles 69 and 76 of its constitution (Bolatito 2019). The council's legislative authority establishes transparent governing practices which maintain public trust while holding accountable political processes. The Saudi Arabian Shura Council operates as an advisory body, advising the King with recommended *Shari'a*-compliant solutions. Besides, the mutual supervisory mechanisms upheld by the councils affirm that leadership actions conform to Islamic values for safe and equitable social well-being. *Sharia*-established accountability processes have continued to depict the commitment to maintain responsible governance systems. Justice plays a central role that maintains open governance because it protects the transparency of public institutions while ensuring that decisions fulfill both human and divine requirements. *Shura* represents one fundamental practice of Islamic governance because Quranic teachings require comprehensive inclusive decision-making between leaders and their followers. Surah Aal-E-Imran (3:159) indicates that leaders are mandated to consult with their community, as this action represents humility together with inclusiveness. The Gulf countries institutionalized this form of civic engagement by establishing a system that carried cultural and religious customs in which people place great importance on neighborhood involvement.

Similarly, the Shura Council of Qatar conducted its first parliamentary elections in 2021 through partial citizen participation, which enhanced direct citizen involvement in the governing process. From an Islamic doctrinal standpoint, this approach allows decision-making by incorporating multiple resource perspectives. The Shura Council in Saudi Arabia blends tribal society representatives because Islamic traditions emphasize community diversity representation. In Muslim communities' traditional gatherings, called *majalis,* function as basic elements for *shura* democratic systems, thereby enabling complete societal involvement (Bolatito 2019). Through such forums operational government systems can effectively solve community issues through active citizen participation based on resident needs. However, the Qatar and Saudi Arabia government systems incorporate modern institutional mechanisms as well as traditional structures to achieve holistic community development through citizen participation in addition to team responsibility mechanisms. Due to the Shura Councils of Qatar and Saudi Arabia, traditionalist cultural principles function in tandem with modern government institutions.

Therefore, Gulf countries depend on traditional Islamic values and their tribal norms to validate their existing governmental mechanism by the institutions based on a council, in retaining their political power. Thus, organizational working of the social groups jointly safeguards their consultative tradition through the activities which have built their democratic authority based on the heritage. In 2015, UNESCO finally gave official recognition to the traditional governing institution of *Majlis* by enrolling this organization on their official register, the International Organization for Education. Through the Al Shura Council of Qatar, Islamic social traditions combine with the real Qatari cultural customs in order to direct the state's governance as well as the country's modern development effort with preservation of traditional approaches. However, the council uses tribal traditions as its basic principle to create meaningful policies which support community practices involving religion and culture. The Shura Council of Saudi Arabia joins Islamic religious *Sharia* principles to tribal customs for maintaining Saudi Arabian cultural heritage alongside traditional practices. The councils advance Islamic principles in all matters of public governance by means of their established legislative activities and policy development processes. The governance structures maintain religious cultural tradition preservation for the Gulf region and guarantee active performance requirements. Shura Councils integrate Saudi Arabian cultural heritage alongside contemporary development as they establish governance structures which unify native cultural values with Islamic beliefs.

Table 1: Comparative Analysis of Shura Councils in Qatar and Saudi Arabia

Aspect	Qatar's Shura Council	Saudi Arabia's Shura Council
Governance Structure	Previously hybrid, now fully appointed by the Emir	Fully appointed advisory body under the King
Appointment vs. Election	Formerly two-thirds elected, now fully appointed	All members appointed by the King
Legislative Authority	Has legislative authority under Articles 69 & 76	Advisory role only, no direct legislative power
Public Participation	Public participation limited post-2024 reforms	No elections, relies on indirect consultation
Role in Governance	Enforces financial oversight and decision-making	Advises the King on Sharia-compliant policies
Use of Tribal Traditions	Integrates tribal customs into policies	Strong integration of tribal governance customs
Influence of Sharia	Sharia guides governance and policy decisions	Sharia is the primary framework for governance
UNESCO Recognition	Part of the Majlis tradition recognized by UNESCO	Part of the Majlis tradition recognized by UNESCO

Challenges and Opportunities in *Shura* Systems

In the absence of elections in Qatar, several aspects of governance point to questions of democratic participation and political involvement. There is a reduction in the influence wielded by the public in the making of legislation, with the disappearance of any opportunity for citizens to elect representatives. The previous hybrid system allowed, despite several

limitations, some levels at which participatory governance could take place. With a lack of electoral mechanisms, the people tend to disengage politically, decreasing public trust in governmental decision-making processes. Not to mention the effect on an eventual decrease of electoral competition, reduces chances for greater political debate or even reforming through the current concentrated power to be exercised under the executive. *Shura* systems in Qatar and Saudi Arabia face a major obstacle because they must strike the right balance between development and Islamic principles of governance. As highlighted in the uploaded documents, Shura Councils derive their legitimacy from Quranic principles and Prophetic traditions, which emphasize consultation (Shura 42:38, Aal-E-Imran 3:159) and justice. The demands of contemporary governance present challenges because it requires modernized structures that meet fast-evolving political forces even though these changes may contradict traditional governance frameworks (Drechsler et al. 2024). The electoral process of Qatar's Shura Council receives criticism because of its insufficient voter participation. The historical 2021 elections exposed both unusual voter participation rates and demanded more public involvement in democratic systems. The legislative jurisdiction of these councils represents a significant obstacle to their functioning. In Saudi Arabia, the Shura Council performs mainly as a consulting body because it does not possess comprehensive legislative capabilities to affect direct governance control. The restricted legislative abilities of these councils limit their capacity to produce meaningful policy reforms while depriving them of full public grievance engagement power (Ishak and Osman 2016). The inclusion of women and youth into government institutions faces considerable sensitivity in these systems. Both Qatar and Saudi Arabia now have women on their municipal councils, yet prejudice alongside deeply entrenched social customs block the realization of genuine gender equality. Complete implementation of these reforms moves at a sluggish rate because of broader community problems with achieving inclusive leadership representation.

Whereas the loss of electoral participation is a significant change, there are certain opportunities that come with the constitutional amendments. One such positive influence could be the efficiency with which the government operates. This is simply because the electoral constraints, which usually delay decisions will no longer be in place. Since an entirely appointed council means that the Emir still has full control over governance, this may well imply quicker times for passing legislation and implementing policy. Moreover, a fully appointed system might facilitate better governance based on expertise, as appointments can be made according to qualifications and experience rather than the results of electoral politics. In turn, it would put more onus on the government to ensure that the appointed members will represent diverse societal interests and enjoy public confidence. Despite these challenges, *Shura* systems in Qatar and Saudi Arabia present numerous opportunities for growth and innovation. One of the primary developments shows increasing numbers of women taking on leadership positions.

Thirty women received strategic positions at the Shura Council of Saudi Arabia when the government made its historic breakthrough decision in 2013. Similarly, the elected system reforms in Qatar continue to build opportunities to let women and younger citizens take part in government decisions. With increased inclusion of programs driven by the Shura Council, the positive outcomes at the level of society will also increase. Public participation is the fundamental way in which development takes place. According to the case research findings on Qatar, direct election system and representative selection in Qatar's 2021 political

elections succeeded in increasing representative accountability besides the citizen's political ownership. Thus, *Shura* systems require better outreach strategies because the new simplified voter registration will activate the political participation. The Shura Councils act as optimum models for Islamic government operations and their universal principles can work anywhere. This unique system merges Islamic social principles with current progressive techniques for the development of a unique mode of governance supporting the traditional Islamic teachings along with the modern development on progressive measures (Abd Razak et al. 2023). These systems of governance offer two important prospects: The route provides an avenue for Islamic nations to institute a system of governance based on the laws of *Sharia*, but still maintain democratic values. The leaders ensure that cultural and national values are protected through *Shura* systems by raising conscientious civil servants who then become the frontrunners of governance. The functional aspect of the council combines the current Muslim principles and tribal values, enabling the solution of present administrative challenges while upholding cultural heritage and community unity. In such a dual-function framework, the system is adaptable to current practices but also breaks free from global operating patterns

Conclusions

The comparative study of the Shura Councils in Qatar and Saudi Arabia highlights both similarities and differences in their structures, roles, and operations, reflecting their shared Islamic roots and unique political contexts. The transformation in the governance of Qatar after the 2024 referendum has represented a shift in the country's political landscape. Indeed, with no elections and an appointed Shura Council, Qatar comes closer to the Saudi model. Both have kept Islamic consultative principles enshrined for the councils; yet for Qatar, there has been an abdication of electoral participation that had formed a part of its earlier, however limited, democratic endeavors. However, such a shift means more than changes in the structures of governance: consequences in public engagement, political accountability, and legislative transparency. Several key recommendations can be identified in developing a model for new governance that will be effective long-term: increased transparency in the operations of the council, thus keeping the public trust. First, mechanisms should be established through which the government allows public consultations and more transparency with regard to legislation, so that even without the presence of elections, government and citizens' concerns are dealt with. Second, public awareness can be raised on understanding the role of the Shura Council and advisory engagement in governance. Community dialogue and structured mechanisms for public feedback can be compensatory measures for the loss of electoral participation of citizens. Lastly, increase the participation of women and the youth in governance to ensure varied contributions to decision-making at the national level. This will have to be reinforced with advisory roles and increased avenues for public participation to balance out executive authority against public representation.

By addressing these issues, Qatar is able to work through the various challenges presented by its constitutional amendments while still applying Islamic governance principles in a modern political context. These institutions implement fundamental Islamic public standards through Quranic principles, which contain justice across with consulting and accountability practices. *Sharia*-compliant institutions operate under present-day governance requirements through

their complete operational scope. Through its selection model, which combines chosen appointees with chosen members the Shura Council of Qatar demonstrates its dedication to public engagement. According to articles 76 and 107 of the constitution, the council receives power to direct national financial decisions and lead policy changes for the state. It functions exclusively based on King-selected appointees without any other structural membership within Saudi Arabian politics. Through the role of essential advisory position, the institution guides government policy-making and helps determine essential national governance decisions. In 2013, the council paved the way for female members to join its ranks, thus showing progress toward governance without paternalistic oversight. The primary technical implementation separates both of these entities but they jointly execute Islamic principles in their respective domains and uphold *Sharia* standards while maintaining community unity. The Gulf Region receives enhanced Islamic governance systems because the authorities maintain parallel priorities to protect cultural traditions. Similarly, by merging modern legislation drafting powers with their current transparency improvements Shura Councils can make stronger political contributions for both Qatar and Saudi Arabia. Operation transparency combined with additional legislative authority for elected council members results in greater governance impact by building public trust. A modern modelling approach to the Shura Council of Saudi Arabia should reconcile popular elections with the established consultative setup. The stated intention institutes two objectives: enhancing civic knowledge of decision-making processes while initiating activities to increase neighbor involvement in neighborhood concerns. Electoral participation in Qatar will increase due to vote education coupled with easier voting machinery. It will better provide Saudi Arabia with public inclusion, along with increased transparency in environmental dialogue within the local neighborhood communities. Councils have to strengthen the participation ability of women and youth in governance decisions because that would grow their authority in every decision-making process. Building gender equality informs momentum in extending female and youth representation in both development programs and reserved quota systems, leading towards diverse governance structures and new administrative practices. The measures would help both Shura councils unite essential Islamic principles along with advanced administrative practices to sustain the original Islamic foundation

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Exploring Islamic Public Administration: Ethnographic and Socio-Legal Approaches

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Abstract

This article aims to present and develop methodological tools and analytical insights for the empirical study of Islamic Public Administration (PA). To achieve this, it reviews some of the most common theoretical and analytical approaches in ethnography and socio-legal studies and highlights their relevance and contributions to research on Islamic PA. Specifically, it demonstrates how to (a) conduct ethnographic fieldwork on Islamic PA institutions and (b) analyze, conceptualize, and write about this type of ethnographic fieldwork within PA research. Theoretically, the article draws on socio-legal theories to construct a conceptual framework for analyzing living Islamic administrative traditions within local communities. The central argument is that employing ethnographic and socio-legal methods enables us to view Islamic PA as a living tradition, expressed through the mundane, everyday administrative practices and traditions found in various Muslim contexts. To substantiate this argument, the article presents empirical material from the author's ethnographic study of *Mahalla* institutions in Uzbekistan, illustrating how to conduct and write about Islamic PA research in practice. By doing so, this chapter aims to illuminate theoretical and methodological aspects of ethnographic fieldwork, with the hope of inspiring new empirically oriented studies on Islamic PA.

Keywords: Islamic PA, *Mahalla*, Non-Western Public Administration, Research Methods in Islamic PA, Central Asia, Muslim Societies.

Introduction

The collapse of the Soviet Union in 1991 led to a proliferation of Western-backed public administration (PA) reform initiatives in developing countries, especially in post-communist societies in Central and Eastern Europe and Eurasia (Raadschelders 2003, Pollitt 2015). In the 1990s, it was commonly believed that implementing a Western-style public administration system (i.e., Anglo-American PA) would be crucial for advancing the rule of law, market economies, and democratisation in non-Western societies (Alkon 2002, Carothers 2002, Lindsey 2007, Krygier 2019). These processes were particularly evident in how the new public management (NPM) discourse dominated the public administration reform agenda globally, being viewed as a panacea for market openness and governance improvement in developing

countries[1]. This rested on the assumption that public administration reform was primarily a technical and administrative task, and that transplanting Western-style models and institutions into the 'fertile grounds' of non-Western societies would lead to good governance, the rule of law, and economic development (Carothers 1998, 2002, Otto 2008). As a result, countries that did not adhere to or diverge from global Western standards were often seen as laggards in a transition process, with the expectation that they would eventually adopt Western-style public administration (Drechsler 2014). Over the past thirty years, Western governments, development agencies, and international organisations have devised and financed countless strategies and approaches to reform and modernise (i.e., Westernize) the governance and legal institutions of non-Western societies (Lindsey 2007, Beal and Graham 2014, Krygier 2019).

Despite the sustained efforts by international development agencies and the substantial financial investments directed towards the rule of law and good governance reforms, the task of establishing Western-style administrative frameworks in non-Western societies has consistently proven to be extraordinarily challenging. The initial optimism that fueled the spread of Western public administration models in the 1990s has been tempered by the rise of authoritarian regimes globally (Lührmann and Lindberg 2019). An analysis of global political developments over the last three decades reveals an ever-growing number of non-democratic regimes worldwide, a trend commonly described as a "crisis of democracy" (Freedom House 2022) or "authoritarianism goes global" (Diamond et al. 2016). Post-communist states in Central and Eastern Europe, such as Hungary and Poland—once hailed as "arguably the two most likely success stories, vanguard states, of 'transition' and liberal constitutional democratic reform of the '90s"—have experienced significant democratic backsliding and reversals in the rule of law (Krygier 2019). In many post-Soviet countries, Western-backed public administration reform initiatives have, paradoxically, strengthened and reinforced authoritarian governance (Alkon 2002, Sannerholm and Bergquist 2015). As a result, the current era is characterised by a rise in authoritarian leaders within democracies who use legal channels and economic regulations to coerce the population into adopting specific lifestyles and values. These leaders employ sophisticated tools, such as disinformation campaigns and continuous attacks on democratic institutions, to achieve their goals. At the same time, authoritarian regimes have embedded themselves in the global economy and become highly adept at managing their image and branding. They increasingly dismiss the significance of democratic norms, institutions, and multicultural values, which has facilitated their consolidation of power and bolstered their legitimacy.

Notwithstanding these outcomes, the mainstream PA reform agenda—dominated by Western-centric and neoliberal perspectives—continues to endorse a 'one-size-fits-all' approach, while disregarding the role of alternative (non-Western) public administration institutions and norms (Drechsler et al. 2023). Instead of exploring the strengths and functionality of existing non-Western traditional legal and governance mechanisms, Western-backed rule of law and good governance initiatives often proceed from the assumption that these institutions and norms must be disregarded due to their perceived failure to adhere to principles of human rights, democracy, and market economy. Some scholars view this approach as a new form of imperialism that imposes legal and institutional uniformity, thus structuring and regulating political, social, and economic relations (Newton 2006, Ikejiaku 2014).

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1 McCourt 2002, McCourt and Minogue 2001, den Heyer 2011, Dan 2014, Dan and Pollitt 2015

In light of these tendencies, there has been a growing call to reassess current approaches, especially within a growing body of literature on Islamic public administration, which argues that public administration reform in non-Western contexts should reckon with the underlying cultural norms, religious values, and traditional or Indigenous legal and governance structures[2]. This rests on the understanding that Western-backed PA reform initiatives often fail to recognise that legal and governance institutions do not operate in isolation; their effectiveness is shaped by historical legacies and surrounding social forces that endorse alternative forms of social behaviour distinct from state law (Tamanaha 2011, Tutumlu 2016, Urinboyev 2023). Consequently, externally imposed legal and institutional frameworks often lack local legitimacy and authority in non-Western societies and are frequently manipulated, adapted, or rejected by local actors (Ahmed 2007, Otto 2008, Yilmaz 2016).

Accordingly, there is no single global (i.e., Western/Anglo-American) best practice in public administration; rather, there are various governance and public administration paradigms that can be effective and ethical according to their own normative standards. This alternative approach highlights the importance of recognising indigenous institutions, everyday religious practices, micro-level orders, and informal community-based welfare and service provision, which can compensate for the state's shortcomings. Studies have demonstrated that local conditions and norms are critical factors in determining the most suitable path for legal and institutional reform. They argue that laws and institutions developed indigenously are less susceptible to corruption compared to transplanted foreign legal models (Grajzl and Dimitrova-Grajzl 2009, Urinboyev and Eraliev 2022). Ethnographically exploring key indigenous service-providing institutions in Morocco known as zawāyā, Drechsler and Chafik (2022) demonstrated the existence of an alternative public administration institution that is functional in its operation, delivers on its goals, and is markedly different from the global-Western mainstream on both counts. Hence, a lack of Western-style institutions does not necessarily imply an absence of alternative indigenous and traditional institutions and norms that can more effectively and creatively regulate everyday life.

Despite the growing calls for recognizing non-Western governance and legal institutions, there has been relatively little empirical investigation of alternative, non-Western public administration institutions. This is especially true for the empirical study of the legacy, context, and contemporary practice of Islamic public administration institutions. As Drechsler (2014) notes, if Islamic PA is mentioned in mainstream PA research, scholars usually refer to medieval Islamic times and institutions or discuss it as an obstacle to modern PA and to Europeanization, seeing it as a stumbling block on the way to good PA. With the exception of a few empirically oriented papers focusing on Islamic public administration institutions and practices in Uzbekistan, Morocco, Turkey, and Malaysia (Deligöz 2014, Noh et al. 2014, Urinboyev 2014, 2023, Müller 2018, Chafik 2022a, Chafik and Drechsler 2022) , most research on Islamic public administration discusses historical trajectories (Kalantari 1998, 2005, Samier 2017, Hummel 2019) or critically reviews the state of the art while highlighting the need for a new research agenda[3] (Drechsler 2013, 2014, 2015, Drechsler et al. 2023). The paucity of empirical research on Islamic public administration can partly be explained by the limited presence of ethnographic and socio-legal perspectives in administrative sciences. The ethnographic

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2 Drechsler 2014, 2015, Urinboyev 2014, Hummel 2019, Chafik and Drechsler 2022, Drechsler et al. 2023

3 The Islamic Public Value project, based at University College London, is a promising endeavor focused on developing empirically grounded case studies of Islamic public administration institutions and practices across diverse regions, including the Balkans, Central Asia, South Asia, the Gulf States, Southeast Asia, the Middle East, and North Africa.

approach is rarely used within mainstream public administration research, which tends to focus on macro-level topics and state-centered approaches. While the ethnographic method is not new to public administration scholars (Rhodes 2005, Huby et al. 2011, Bierschenk and Olivier de Sardan 2019), it has not been widely applied to the study of Islamic public administration, a relatively new research field which continues to remain empirically and methodologically underdeveloped.

The above considerations have informed my position in this chapter, which aims to provide methodological tools and analytical insights for the empirical study of Islamic PA. To this end, I present some of the most common theoretical and analytical approaches in ethnography and describe their innovative contributions to Islamic public administration research. Specifically, I will demonstrate how to (a) conduct ethnographic fieldwork on Islamic public administration institutions and (b) analyze, conceptualize, and write about this type of ethnographic fieldwork in PA research. With that said, my aim is not to provide an exhaustive review of ethnographic approaches in relation to PA literature but rather offer the essential aspects of socio-legal ethnographic approaches that can serve as a methodological tool for scholars seeking to conduct ethnographic fieldwork on Islamic PA institutions. Thus, this chapter sheds light on some of the theoretical and methodological aspects of ethnographic fieldwork, which will hopefully inspire new empirically oriented studies on Islamic PA.

The remainder of this chapter is organized as follows. The next section will provide a brief discussion on Islamic PA, depicting it as a living tradition. After that, I will develop a conceptual framework by engaging with relevant socio-legal theories, which will serve as a theoretical lens for analyzing living Islamic administrative traditions within local communities. Following the theoretical foundations, I will discuss the role of ethnographic and socio-legal methods in studying Islamic PA, emphasizing the importance of on-the-ground research for uncovering covert mundane administrative traditions in Muslim contexts. I will then present the results of my ethnographic study of *Mahalla* institutions in Uzbekistan, exemplifying how to do and write about Islamic PA research in practice. Finally, the concluding section will outline the implications of this chapter for broader methodological and empirical debates within Islamic PA research, highlighting key contributions and suggesting avenues for future exploration in this field.

Understanding Islamic PA as a Living Tradition

Before discussing how to conduct ethnographic fieldwork on Islamic PA institutions, it is necessary to provide a brief overview of family and community life, state-society relations and administration in Islam. In this regard, the statement below by Al-Farabi (870-950 CE), the preeminent political philosopher of the Islamic Golden Age, captures the basic features of administrative and communal values in Islam:

> By nature, every person's life is organized in such a way that for his own existence and achievement of the highest perfection, he needs many things that he cannot provide for himself alone. He needs a certain community that can provide each individual with things from the common good. That is why it is only through associations of many people helping each other, where each provides another with some share of what is

necessary for existence, that a person achieves that level of perfection to which he is destined by nature. The activities of all members of such a community collectively provide each of them with everything that they need to exist and achieve perfection.[4]

Al-Farabi's assertion reflects the Islamic administrative ethos prioritizing collectivism, mutual support and communal/social responsibility, which are observable across various Muslim societies. His statement also aligns with the concept of *Tawhid* (Oneness), a fundamental Islamic paradigm positing a holistic view of existence (Shariati 1980). Within this paradigm, society is perceived as an intricate network of interconnected social structures, institutions, family, politics, culture, economy, and individual and communal ethics (ibid.). Although Islam has been highly adaptive and flexible to local cultures and social circumstances across various Muslim societies (Hummel 2019), its holistic nature has cultivated similar political and administrative practices rooted in collectivist and religious orientations (Samier 2017). This interconnectedness suggests that material and spiritual pursuits are intrinsically linked, with all actions carrying religious significance (Mahmood 2006). Active engagement, ethical conduct, and social responsibility in all life spheres, including public administration, are thus seen as religious acts and enactments of faith (Ali 1998). Consequently, Islam emphasizes ethical conduct and social responsibility within public administration and business (Halstead 2007). Research has shown that Islamic values serve as a "unifying force" (Weir 2003), an integrating framework", (Weir 2003) or a "moral filter" (Rice 1999), thereby shaping organizational and management practices.

Accordingly, the values, attitudes, standards, and behaviors of people within Muslim societies, across both formal and informal domains, are predominantly rooted in collectivist and religious tenets. While Western societies often prioritize individual autonomy and nuclear family structures (Hofstede 2011), Muslim cultures exhibit collectivist tendencies, characterized by communal values of neighborliness, in-group loyalty, interdependence, mutual support and reciprocal obligations. Individuals within these collectivist contexts can expect support from extended family or the wider community in exchange for adherence to religious and social norms. Resting on this understanding, as Kalantari (2005) observes, many societal problems in Muslim societies are attributed to the prioritization of individual desires over collective well-being, resulting in a disregard for the rights of others. Islam cautions against such self-centeredness, as it distorts judgment and fosters corruption within governance. Thus, Islam provides a holistic framework and general way of life, encompassing spiritual beliefs, cultural values, and ethical guidelines applicable to governance and administration (Kalantari 2005, Egel and Fry 2017).

The preceding analysis suggests that Islamic public administration (PA) can be viewed as a living tradition and a general way of life in Muslim societies, observable through people's reasoning, moral judgment, choices, decisions, and behavior within the flow of everyday life and social relations. However, these processes are not easily discernible when analyzing the operation of formal PA institutions at the macro level. Given the dominance of Western PA paradigms, traditional Islamic PA institutions and practices often operate at the grassroots level, coexisting with the larger state apparatus in meso- and micro-level arenas. These institutions frequently deliver co-produced services (Chafik 2022a, Chafik and Drechsler

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4 Abu Nasr Al-Farabi. 1972. "Filosofskie traktaty (Philosophical treatise)." Almaty: Nauka, , 303. (author's own translation and interpretation from Russian into English)

2022) or serve as an alternative welfare structure when the state fails to meet the basic needs of its citizens (Urinboyev 2014, Mumtaz and Whiteford 2021). Building on Peters' (2019) notion of "governing in the shadows," which suggests that governance and public administration extend beyond the state to include alternatives such as markets, experts, social actors, and institutions, Chafik and Drechsler (2022) advocate for recognizing the presence of alternative and context-specific public administration paradigms operating alongside or beneath the dominant global-Western PA models.

Based on the above considerations, this chapter argues for the necessity to move beyond the conventional state-centric understanding of PA, which largely confines it to formal governmental institutions. Instead, I propose an ethnographic and socio-legal lens that encompasses traditional and non-state entities, norms, and practices operating at the meso- and micro-levels of society. These structures, often characterized by hierarchical order, routinized procedures, and decision-making processes, may function informally yet significantly influence daily life and contribute to social order. To effectively conceptualize and analyze Islamic PA, we must adopt socio-legal and ethnographic approaches that delve into everyday life and social relations beyond formal state structures. This requires a meticulous examination of power dynamics, the formation of normative patterns and social meanings, the specific local discourses shaping these elements, and their interaction with broader societal changes.

Conceptualizing Islamic PA through the Socio-Legal Theories

As mentioned in the previous section, Islamic PA should be viewed as a living tradition deeply embedded in social and cultural practices, observable through everyday life and social relations in Muslim societies. This perspective suggests that PA should not only be seen as "an aspect of the modern state that makes state functioning possible" but also as a key arena for "social life and political action" (Bernstein and Mertz 2011, 7). This approach challenges classical assumptions about PA developed by Weber, who viewed bureaucracy as "the very embodiment of impersonal rationality" (Graeber 2012, 110) and "rule by disinterested bureaucrats" (Heyman 1995, 262). Instead, aligning with Müller's (2018) anthropological work on the bureaucratization of Islam in contemporary Southeast Asia, I emphasize the importance of daily interpersonal relations and the collective efforts of Muslim groups and how these interactions produce informal administrative practices and bottom-up law-and-order-making. A relevant example of this could be a case study on how people in Muslim societies, particularly those with weak state capacity, establish and maintain social order, cope with risks, economic uncertainties, challenges, and conflicts in everyday situations, and the role of Islamic knowledge, meaning-production, and values in regulating these processes. Another pertinent example could be a case study on how Islamic values and norms trigger and facilitate alternative service delivery and welfare provision initiatives in meso- and micro-level social arenas, especially when the state fails to secure the basic needs of its citizens.

Accordingly, the scholarly treatment of Islamic PA as a living tradition necessitates a shift from a narrow focus on formal institutions, policies, and laws. Instead, we should also place emphasis on informal and multiple forms of normative ordering that produce routinized

practices, determine the main parameters of social behavior, and ensure order and stability in everyday life vis-à-vis or alongside the formal state institutions. This means that a social practice or normative pattern should be defined as an institution not by its official recognition or legal codification, but by its significance, legitimacy, and functional role within society. In this sense, PA is a "social phenomenon" (Herzfeld 1992) that may take on different social and symbolic meanings and forms depending on the context.

Eugen Ehrlich was one of the first scholars to fully recognize the plurality of normative orders, and his living law theory remains a useful tool for studying traditional and unofficial governance institutions inherent in different social settings. In Fundamental Principles of the Sociology of Law, Ehrlich (1912) distinguishes between law created by the state (juristic law and statutes) and informal norms produced by non-state social associations (living law). Ehrlich claims that a 'living law' is not directly linked to the state or its legal system, but to the inner order of various social associations. By 'the inner order of social associations', Ehrlich means society's reflexive web of expectations that grant power and meaning to norms. Thus, for Ehrlich, it is not state law, but the 'living law' of various social associations that dominates everyday life itself even if it is not codified or formally recognized/endorsed by the state (Banakar 2008, Urinboyev 2013). In this way, Ehrlich designates the entirety of law dominating everyday life and social relations as the living law, whereas he refers to a law created/codified by a state as state law or juristic law. He advises us that if we seek to better understand the coexistence of and clashes between different normative orders, we should attentively observe everyday life, the relations of domination, and actual habits of people, and enquire into people's thoughts regarding the opinions of those relevant to them in their surrounding environment and related to proper social behaviors. Thus, Ehrlich's emphasis on the law as it is lived and practiced in various non-state social associations, rather than merely codified by the formal legal system, provides a valuable framework for the plural forms of governance beyond formal state structures.

Ehrlich's idea that state law is not the only regulator of social, economic, and political life is also reflected in the scholarly literature on legal pluralism[5]. Legal pluralism emphasizes the coexistence of and clash between multiple sets of rules or 'legal orders' molding people's social behaviors: the law of the nation-state, indigenous customary rules, religious decrees, moral codes, and the practical norms of social life. From this perspective, law may consist of any rules (written or unwritten) that influence social behaviors and are acted upon by certain groups as binding obligations. In other words, law should be defined by its function and social recognition, not by its form. Thus, state law is merely one amongst many other legal orders within a society. As such, a society is a place of legal and institutional pluralism where a wide range of normative orders, including both official laws and informal norms, coexist and/or clash. Classic legal anthropology studies and the more recent legal pluralism scholarship have described the emergence of 'semi-autonomous social fields' or 'non-state forms of normative ordering' with their own forms of regulation and informal norms, many of which contradict state law (Moore 1973, Tamanaha 2001, Roberts 2005, Pirie 2006). Seen through the legally pluralistic lens, Islamic PA institutions can be said to exist and operate alongside formal PA institutions, offering context-specific solutions to daily challenges and uncertainties in Muslim societies.

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5 Moore 1973, Griffiths 1986, 2003, Merry 1988, Tamanaha 2001, von Benda-Beckmann 2002

There is strong support for the legal pluralism framework in the field of law and economics, where Robert C. Ellickson (1991) argued that large segments of social life are located and shaped beyond the reach of the state and its legal system and that his concept of "order without law" provides useful insights for understanding how and why people cooperate, establish order, and regulate daily social and economic relations in the absence of/without resorting to the state law. Ellickson contends the commonly held view that the state and its legal system are the only source of law and order. Rather, order arises spontaneously, and one may observe in everyday life situations many patterns of non-hierarchical and informal processes of law-and-order-making. Based on his empirical observations of how Shasta County, California, neighbors apply informal norms, rather than formal legal rules, to resolve most of the issues that arise among them, Ellickson argues that there is a multitude of informal norms and informal social-control mechanisms in society that enable people to achieve order and stability without law. Ellickson, in this sense, emphasizes the importance of considering informal forms of normative ordering, a postulate that is highly relevant to examining Islamic public administration (PA) as a living tradition.

Researching Islamic PA through Ethnographic Techniques

In this section, I will explore ethnography's essential features and how they align with the conceptual framework presented earlier. More specifically, I will demonstrate how ethnography can uncover the everyday practices and institutionalized routines (i.e., everyday law and order-making) that are regulated and sustained by Islamic principles, concepts, values, and references.

Ethnography explores how daily activities in a society are conditioned by various rules, habits and norms (Sjöberg 2011). It is a naturalistic method that relies on material gathered from a fieldworker's firsthand experience within a particular setting. It must be carried out using the expressions and categorizations of the people and groups studied. Those who are being studied are considered actors rather than passive objects. Ethnographer views activities she/he observed as social actions embedded within a socially organized context and carried out through the daily practices of participants (Atkinson et al. 2001). This requires the ethnographer to depict life as perceived and understood by those who inhabit the environment being studied. The most central aspect of ethnography is 'thick description' – a term popularized by Geertz (1973). "Culture", Geertz describes, "is not a power, sometimes to which social events, behaviors, institutions, or processes can be causally attributed; it is a context, something with which they can be intelligibly – that is, *thickly* – described" (1973, 14). As Merriam (2009, 28) writes, "Immersion in the site as a participant observer is the primary method of data collection. Interviews, formal and informal, and the analysis of documents, records, and artefacts also constitute the data set along with a fieldworker's diary of each day's happenings, personal feelings, ideas, impressions, or insights with regard to those events." In this connection, participant observation involves going out and living in the field with an open mindset and participating in mundane activities in the field site (Bernard 2002). Informal interviews (talks) are a natural extension of participant observations since they frequently occur as part of ongoing participant observation fieldwork and rely on spontaneous social interactions between the researcher and informants (Patton 2002). By being in the field

site and directly observing everyday activities, the participant observer can come closer to understanding what activities mean to the people who carry them out (Geertz 1973).

When doing ethnographic studies – the researcher should be 'open-minded' and flexible to various 'discoveries' she/he might encounter during the fieldwork; as in David Silverman's words, the researcher sees "the remarkable in the mundane" (2007, 13). Therefore, in many situations, the primary challenge lies in grasping unfamiliar complexities and mundane activities, where individuals collaborate in informal and unexpected ways and where social and interpersonal dynamics play a crucial role. Good ethnographers are known for detecting such subtle social and interactive cues, often leading to valuable findings and discoveries (Hammersley and Atkinson 2019). Sjöberg (2011, 164) maintains that the field is not an absolute concept but rather is constructed by the ethnographer as the study process proceeds. As research progresses, the specific focus and questions are likely to evolve. While initial inquiries provide a starting point, researchers should anticipate refining their research direction as they delve deeper into the subject matter. Thus, ethnography is both a process and a product (Merriam 2009).

During fieldwork, researchers may employ various data collection techniques, including (1) developing an understanding of how information flows within the setting. This involves uncovering the types of information exchanged, the channels through which it is communicated, and the coordination techniques actually in use; (2) exploring what the individuals and groups being studied believe the researcher needs to know about their daily lives in order to fully comprehend them; and (3) comparing what the individuals and community members think they do or aspire to do with what is actually observed in practice. By juxtaposing the researcher's observations with the participants' own perceptions of their daily lives and social interactions, a more comprehensive understanding is formed.

Additionally, researchers may utilize different field strategies, such as (a) following/going along with informants during their mundane activities or when completing tasks of specific interest (Kusenbach 2003), (b) 'hanging around' at different places in the field at different points of time; (c) identify and follow the rumors, gossips and conflicts centered around the "people of influence/power" in the fieldwork setting. Ethnography is well-placed to capture the 'slices, glimpses and specimens' of such daily micro-political operations that other methodologies cannot, and (d) identify the 'war' stories that people are eager to share. These narratives shed light on the issues that are deemed important and problematic by the individuals being studied. These stories offer insights into the prevailing politics and culture within the field site.

Building on Peters' (2019) notion of "governing in the shadows," I argue for a shift away from the conventional state-centric view of PA. By employing ethnographic methods, we can empirically examine the informal, grassroots, and non-state dimensions of Islamic PA institutions that often operate outside of official structures (Chafik 2022b). In so doing, I propose an analytical heuristic – "living law-informed ethnography"– to attend to the subtle and intricate ways people and communities in Muslim contexts establish and maintain social order, cope with risks, economic uncertainties, challenges, and conflicts in everyday situations and how they use Islamic frames and values to regulate these processes. Deploying "living law-informed ethnography" allows us to see these micro-level processes not just as haphazard efforts of

people in informal ad hoc groupings but as highly coordinated, routinized and institutionalized practices, with established power geometries and enforcement infrastructure predicated on Islamic values and codes of conduct.

Thus, when conducting "living law-informed ethnography" in Muslim contexts, it is essential to focus on local meso- and micro-level institutions, norms, actors, practices, and dynamics. Emphasis should be placed on exploring how ordinary people navigate between ethics, legality, religion, and other evaluative frameworks when making judgments about their own and others' actions. By examining these interactions, we gain a deeper understanding of how social norms, religious values, gender identities, and ethical reasoning shape the logic and meaning of everyday life and social relations. This approach requires close attention to the local socio-legal context and cultural repertoires – daily interactions, meanings, cultural values, social norms, religious discourses, and networks of reciprocity and exchange – that contribute to constructing a locally legitimate governance order. These meso- and micro-level orders, distinct from the formal laws, regulations, and policies of state institutions, provide stability and order in everyday life. This form of "living law" often governs daily interactions in the absence of or as a substitute for state law.

Mahallas in Uzbekistan – An Embodiment of Living Islamic PA Tradition

In this section, I will illustrate how I utilized the "living law-informed ethnography" to study and visualize Islamic PA as a living tradition that unfolds within the flow of everyday life and social relations. In undertaking this task, I will present the results of my ethnographic study of *Mahalla* institutions – an indigenous governance structure originating from Central Asia's Islamic past and administrative traditions. Before presenting the ethnographic material on *Mahallas*, I will give brief reflections on the fieldwork process.

I conducted my ethnographic fieldwork in rural Fergana, Uzbekistan, between April 2009 and July 2022 (for a total of 22 months). During the fieldwork, I relied on my unique 'ethnographic toolkit' (Reyes 2020) , which included extensive fieldwork experience in a Central Asian context, my background as a native of Uzbekistan, local language skills, and lived experience within Central Asian culture and society. The main methods of data collection were observations and informal interviews. I conducted observations and interviews in the *Mahalla*'s social spaces and at events where most residents regularly gather to exchange information. Specifically, I frequently visited I regularly visited key gathering places such as the *guzar* (community meeting space), *masjid* (mosque), and *choykhona* (teahouse), as well as life-cycle events and rituals, including weddings, births, circumcision ceremonies, funerals, and the *Mahalla* residents' monthly get-togethers (gap). These gathering places are public and accessible to all *Mahalla* residents and guests. Being a native with cultural competence and extensive social networks at the field site, I had direct access to these hotspots, allowing me to gather a wide range of narratives and stories about everyday *Mahalla* life and social relations. My informants represented a diverse group of people holding various social positions, including 'people of influence' – *Mahalla* leaders, religious leaders, wealthy families, and local state officials – as well as ordinary residents. Meeting more than ten *Mahalla* members daily made it possible to collect different perspectives and experiences on the role of *Mahalla* in people's

daily lives. These strategies allowed me to collect rich ethnographic material on *Mahalla*, the role of Islamic values and practices in daily life, and state-society relations in Uzbekistan. Therefore, the ethnographic material I collected can be viewed as a compilation of the voices of the hundreds of *Mahalla* residents I encountered during my daily visits to these social hotspots.

In contemporary Uzbekistan, the term '*Mahalla*', derived from the Arabic word '*mahali*' (local), is widely used to refer to a local residential neighborhood community that unites residents through shared traditions, language, customs, Islamic values, and the reciprocal exchange of money, material goods, and services (Urinboyev 2013). Most Uzbeks identify themselves through their *Mahalla*. For instance, when asked where they live, a native might respond, "I live in *Mahalla* X" (Noori 2006). This indicates that everyone in Uzbekistan is technically a member of a *Mahalla* (Sievers 2002). Currently, there are 9,361 *Mahallas* in Uzbekistan (Urinboyev and Eraliev 2022), with each *Mahalla* typically housing between 500 and 10,000 residents (Noori 2006).

When doing fieldwork, I reckoned with the post-Soviet governance trajectories in Uzbekistan that resulted in the integration of *Mahallas* into the formal public administration system through legislative codification and institutional reconfiguration. Following the adoption of the "*Mahalla* Law – The Law on Institutions of Self-Government of Citizens" in September 1993, *Mahallas* were assigned to implement a broad range of state administrative tasks, including monitoring residents' religious practices, preventing divorce, allocating state subsidies and bank loans to low-income residents, assisting law enforcement with drug and alcohol abuse issues, job creation, fostering *Mahalla*-based small businesses, and rehabilitating former prisoners. However, by using ethnographic techniques, I found that, despite the Uzbek authorities' attempts to incorporate *Mahalla* into the public administration system, *Mahallas* continue to preserve their traditional nature in which people are tied to each other and maintain everyday relations through common Islamic values and administrative traditions.

Accordingly, *Mahallas* have evolved into hybrid institutions with both formal and informal features, which I have categorized as (1) administrative/formal *Mahalla* and (2) social/informal *Mahalla*. The formal *Mahalla* operates according to the *Mahalla* Law, functioning as an extension of the state within local communities. It serves as a sub-unit of local government and increasingly acts as a state mechanism for social control. In contrast, the informal *Mahalla* operates based on Islamic values and principles. It represents the collective interests of *Mahalla* residents, who mobilize around informal welfare and service provision activities to address gaps left by the state's retreat from service delivery. It becomes evident when observing how informal *Mahalla* practices and interactions gain moral significance within an Islamic framework. These dynamics are particularly apparent when ethnographically exploring everyday life, examining residents' reasoning and perceptions, their strategies to establish order and resolve conflicts, and the moral frameworks they apply to their actions and events.

Karvon, where I conducted my fieldwork, is a *Mahalla* located in the Fergana Valley of Uzbekistan. It comprises 120 households (*oilalar*) with a population of over 1,500 people. During my fieldwork, Karvon was administered by both a formal leader (*rais*), elected according to the *Mahalla* Law, and an informal leader (*oqsoqol*), chosen informally by the residents.

Before the Uzbek authorities' legal intervention, Karvon was led solely by the *oqsoqol*, who was elected informally during a gathering at the *Mahalla*'s mosque. Alongside the *oqsoqol*, the *imam* (a religious leader) played a crucial role in the *Mahalla*'s everyday governance, providing religious guidance and leading rituals during life-cycle events. The adoption of the *Mahalla* Law in 1993 introduced two parallel power structures within the *Mahalla*: (1) the formal *Mahalla* committee, administered by a *rais* and his assistants, who were state-salaried employees, and (2) the informal *Mahalla*, managed by the *oqsoqol*, who was elected by residents without local government interference. The *rais* operated from a small state-owned office within the *Mahalla*, while the *oqsoqol* used *Mahalla*-owned social infrastructure, such as the mosque, *guzar* (community meeting space), or *choykhona* (teahouse where residents gather daily), as his office. Residents viewed the *rais* and his assistants as the "eyes and ears" of the government, working on behalf of the local state administration (*hokimiyat*). In contrast, the *oqsoqol* and the imam, who worked pro bono, earned the trust and respect of the residents. They represented the interests of the community in dealings with the state, even when residents' actions sometimes contravened state laws. The informal leaders coordinated life-cycle events (such as weddings, circumcisions, and funerals), collected and distributed donations, mediated disputes, managed contributions for communal projects like irrigation and road asphalting, and organized *hashar* (community-based mutual assistance work) for maintaining *Mahalla*-owned infrastructure.

In Karvon *Mahalla*, social infrastructure and community events (e.g., *guzar*, *masjid*, *choykhona*, gap, weddings, circumcisions, and funerals) played a crucial role in fostering and promoting Muslim communal values. Since residents gathered daily in these spaces, they became vital social arenas where local politics, norms, and values were shaped, negotiated, and reshaped through conversations, rumors, alliances, and reciprocal relationships. At any given time, whether morning, afternoon, or evening, it was common to find 10 to 15 men sitting and talking in the *guzar*. Meanwhile, women's socializing and information-sharing usually occurred in the streets or within households. These regular, often daily, meetings created a strong sense of mutual dependence among the residents. The shared residence and constant interaction fostered an expectation that community members would support one another whenever needed. Residents who ignored these communal norms often faced social sanctions, such as gossip, ridicule, loss of respect and reputation, humiliation, or even exclusion from community events. Therefore, in Karvon *Mahalla*, money was not everything—upholding one's honor, respect, prestige, and reputation was equally important. As a result, give-and-take rituals were an integral part of everyday interactions in the *Mahalla*.

While conducting fieldwork in Karvon *Mahalla*, I was struck by the significant role Islamic values and sensibilities played in shaping everyday social life. These values provided a moral and regulatory framework for organizing welfare and service provision activities within the *Mahalla*. One notable example of these practices is the *hashar* tradition, where residents cooperate and pool their efforts and resources, often through the reciprocal exchange of free or non-compensated labor, money, material goods, and services.

An *oqsoqol* I interviewed noted that the post-Soviet economic decline had greatly increased the importance of *hashar* as a way for the community to collectively manage and mitigate livelihood risks. Residents organized *hashar* for various purposes, such as weddings, funerals, circumcision ceremonies, constructing irrigation systems, cleaning streets, asphalting roads,

building homes or mosques, and other services not provided by the state. Many *Mahalla* residents viewed their participation in *hashar* as part of their effort to be good Muslims and live according to Islamic principles.

Accordingly, examining everyday coping strategies within the *Mahalla* provides insight into how deeply Islamic values and sensibilities are woven into the fabric of daily life. The use of *hashar* to build Karvon *Mahalla*'s water and irrigation infrastructure is a relevant example. In rural Ferghana, agricultural production is a significant source of income, making water and irrigation a primary concern for residents. However, the local government did not allocate any funds for building irrigation systems, such as installing a pump to access groundwater during the agricultural season. Instead of addressing the water needs of the people, the government prioritized using a large share of the water supply for cotton and wheat production, leaving ordinary residents with limited access to water.

In response, one of the largest *hashar* projects in Karvon *Mahalla* focused on constructing a pump system to use groundwater for agricultural purposes. Due to the project's high cost, Nosir Rahmon, the *Mahalla*'s *oqsoqol*, collected monetary contributions from each household. The amount each household contributed was based on their financial situation: wealthier families provided larger sums, while low-income households contributed their labor instead. Despite these collective efforts, the funds raised were still insufficient to complete the project. Although there were several wealthy families in the *Mahalla*, only one, Aziz Hoji, chose to cover the remaining costs. During an interview, Aziz Hoji explained that his decision to finance the pump project was motivated by Islamic principles. He believed that providing water to people would earn him a place in *jannat* (paradise) after death. This example highlights the underlying role of Islam as a normative force in Uzbekistan, where Islamic values permeate not only religious rituals but also the everyday life of the *Mahalla*. It aligns with social scientists' interpretations of Muslim societies, which suggest that everyday interactions gain moral significance when framed within Islamic values (Bowen 1993, Lambek 1993, Rasanayagam 2011).

Another example of Islamic values shaping everyday life in the *Mahalla* is a road-asphalting project where residents successfully paved the roads without any financial support or oversight from the local government. Once again, a significant portion of the expenses was covered by wealthy *Mahalla* residents who believed that their contributions would earn them *savob* (spiritual merit) and help them become better Muslims. In this way, Islamic values and principles create a strong moral foundation in the social life of rural Ferghana, where an individual's social status and standing as a "good Muslim" are often linked to their contributions to *Mahalla* projects.

During mosque gatherings and visits to the *Mahalla*'s *choykhona* (teahouse), I observed that residents viewed the donations made by wealthier members of the community as acts of piety and charity. According to the residents, sharing one's wealth with the broader community, giving *zakat* (Islamic income tax), and practicing *ihsan* (doing good deeds, such as helping the poor) were essential to being considered a good Muslim. These observations align with the findings of Johan Rasanayagam, who, in his book Islam in Post-Soviet Uzbekistan (2011), also illustrated that being a good Muslim is not just an internal, personal matter but is also expressed through actions and relationships with others.

Islamic values significantly shaped local business practices in rural Ferghana, particularly among *Mahalla*-based groups of traders and entrepreneurs known as *rassiychilar*, who exported Uzbek agricultural products to Russia. In Karvon *Mahalla*, almost every household had a small plot of land used for growing fruits and vegetables like cucumbers, grapes, peaches, apples, cherries, and apricots. The *rassiychilar* purchased these products from the residents to export them to Russian markets. What stood out about these business practices was the absence of immediate payments. Instead, the *rassiychilar* collected the produce from the residents based on a debt-and-trust system, exporting the goods to bazaars and supermarket chains in Russia. The payment was deferred until after the products were sold in Russia, which could take two weeks to a month. Despite the sizable economic scale of these *Mahalla*-based businesses, there were no formal, written contracts to regulate transactions between the residents and the *rassiychilar*. Instead, both parties relied on mutual trust and Islamic business ethics, rooted in values such as *insof* (justice) and *halol* (permissible/lawful in Islamic law).

Because these business relations were based on Islamic principles, there was a strong incentive for all parties to comply with the terms of the agreement, reinforced by the dense social interactions and social control within the *Mahalla*. Deviating from the agreed-upon terms was not just seen as a breach of contract but as an immoral act, labelling the transgressor as a bad Muslim. Such behavior would be condemned by the community, especially during prayers at the *Mahalla*'s mosque, illustrating how Islamic values intertwined with both economic transactions and social accountability in Karvon *Mahalla*.

The example of *rassiychilar* and their debt-and-trust-based business practices in Karvon *Mahalla* illustrates how Islamic values functioned as a regulatory framework for economic transactions, even in the absence of formal state law. Many of those I encountered during fieldwork stated that the cooperation between *Mahalla* residents and the *rassiychilar* led to significant improvements in the standard of living in rural Ferghana. With their financial situations improved, *rassiychilar* actively participated in acts of piety and charity, adhering to Islamic principles such as *ihsan* (doing good for others) and *zakat* (the Islamic obligation to give a portion of one's wealth to those in need). For instance, Aziz Hoji, a rassiychi whom I previously discussed, regularly gave *zakat* and contributed to *Mahalla* projects as part of his commitment to Islamic values.

These empirical examples demonstrate that the foundational social policy principles of Islam – *zakat*, *ihsan*, and interest-free business ethics – remained deeply embedded in everyday *Mahalla* life in rural Ferghana, despite decades of Soviet atheism policies. The survival and vitality of these Islamic values highlight the continued influence of Islam as a moral and normative force within the community, motivating individuals to engage in charitable acts and maintain a sense of social responsibility. This aligns with Shahrani's (1991) argument that rural Muslims in Central Asia cannot be simplistically depicted as being ignorant of Islamic teachings. Instead, local knowledge of Islam should be understood by examining how various social groups and actors incorporate it into their daily lives and discourses. These values provide an administrative framework for regulating behavior, fostering cooperation, and ensuring social welfare, functioning as an alternative to state law in the governance of everyday life.

Conclusions

This chapter has sought to address a significant gap in the field of public administration by focusing on the empirical study of Islamic PA institutions through the lens of ethnographic and socio-legal perspectives. Despite the increasing recognition of non-Western public administration paradigms, empirical research into Islamic PA remains sparse and underdeveloped, largely confined to historical and theoretical discussions rather than contemporary, empirically oriented studies.

The limited empirical investigations, primarily concentrated in a few countries, underscore the need for a broader and more nuanced understanding of Islamic PA institutions today. The ethnographic approach, while established in some areas of public administration research, has been underutilized in the study of Islamic PA. By conceptualizing Islamic PA as a living tradition, this chapter has illustrated how ethnographic approaches (e.g., living-law-informed-ethnography) are well-positioned to produce valuable insights into the lived experiences of Islamic PA in Muslim contexts. Hence, I aimed to illustrate how researchers, by integrating socio-legal and ethnographic approaches, can uncover covert and mundane administrative practices that traditional macro-level PA studies may overlook.

In conclusion, addressing the empirical and methodological shortcomings in Islamic public administration (PA) research is essential for advancing a more nuanced and pluralistic understanding of governance and public administration across diverse cultural and religious contexts. It is my hope that this chapter's exploration of ethnographic and socio-legal approaches will inspire future research, opening new avenues for inquiry that deepen our understanding of Islamic PA institutions and their roles within the broader global landscape of public administration

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Where we are (headed): Knowledge, Social Cohesion, and Public Value in Islamic Public Administration

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Abstract

This article addresses issues explored in the research project, funded by the John Templeton Foundation, and published in the book, 'Islamic Public Value: theory, practice, and administration of indigenous cooperative institutions,' edited by Wolfgang Drechsler, Salah Chafik and Rainer Kattel. This special edition of Halduskultuur, is another of several outputs from the work. This article engages with a range of observations regarding the role of Islam in historical, cultural and political terms in public administration. We begin by asking, 'How do we know what we know?,' and link it to the growing competition to Western Public Administration posed by other perspectives and understandings, in particular the wider concept of Islamic Public Value from a range of countries, comprising the world's largest Muslim country (Indonesia), some of the smaller European Islamic populations (including Kosova), and, a range of post-Soviet Islamic republics. The work in this research project, including in the book, returns the notions of context and temporality to the study and understanding of Islamic Public Administration; the history and impact of Islamic governance on Europe and the rest of the world especially from the time of the capture of Damascus onwards and the halt of the eastward expansion of Arab armies after the battle of the river Talas in 751. Though trade along the Silk Road continued to expand Islamic influence. As Ruskin Bond observed, 'The past is always with us, for it feeds the present,' The work that has emerged from this project explores and expands our knowledge of the interaction between different systems and cultures in a refreshing and instructive way.

Keywords: Public Value, Islamic Public Administration, Participatory governance, Knowledge, New Public Service Bargain.

Introduction

Epistemology is a curious thing; how do we know what we know? The process and understanding of acquiring knowledge are contested in many ways; the post-modern belief in the 'lived experience' often eclipsing empirical research and the scientific pursuits of the Enlightenment as a policy dynamic. This is frequently accompanied by debates regarding the clash of civilisations (Huntington 2002), 'fake news' and often bizarre 'post-truth' manifestations of the online world now mixed in with artificial intelligence. Does AI produce new knowledge or simply recycle what we already know? This is an interesting side debate; is knowledge like energy,

something that can never be destroyed, but simply transformed? And how does knowledge differ from 'belief', if at all? As Thorpe (2023) recently argued, "In the broader information environment, there will be a steep rise of deepfakes, scams, pranks, political mischief and spammy internet content. It will become, in the next couple of years, quite difficult to know what's real and what's not. Especially in the absence of regulation".

In his reflexions on the foibles of humanity, the Anglo-Indian writer, Ruskin Bond (1994) observed that even the past is not past, it reemerges in different ways, "the past is always with us, for it feeds the present" (Bond 1994). This brings us to the current debate of the research project on Islamic Public Value and its position in Non-Western Public Administration (NWPA), as led by Drechsler, Kattel and Chafik (2023) and explored in their article, *Islamic public administration and Islamic public value: Towards a research agenda'*. They investigated "whether religion has a place in addressing public challenges, particularly in the context of Non-Western Public Administration paradigms such as Confucian, Buddhist, and Islamic." They especially focus on "Islam as a case study and highlight the need for real-life cases to build a grounded theory," (2023, 1). The forthcoming book (2025) brings together a range of case studies from across the Islamic world in an attempt to illustrate and understand Islamic Public Administration and draw common themes as well as highlight different traditions from within the overarching Islamic understanding of what it means to govern a state and deliver services to its citizens. They argue that:

> The old standard perspective of PA is the position that there is one global way of doing PA, that PA is not contextual, and that what is now global PA is without alternative. Moving beyond this perspective requires acknowledging that different, valid PA paradigms exist. This, in turn, implies that there is not one global best (practice of) PA, but that what we call global PA is actually Western PA (2023,3).

In this, they draw upon the wealth of literature exploring the background to Islamic Public Administration (IPA) and especially the *shari'a*, and the often misinterpretation of this as Islamic law, when it is actually the articulation through revelation and prophesy of God's expectation or will. The wider understanding of the concept of public value, therefore, must also draw upon Islamic concepts of public value, alongside Western notions, such as those explored by Moore (1995); and Connolly and Zwet (2020). In IPA history and context cannot be ignored and in this it is a lesson for Western PA (WPA); context is everything, especially since more than a quarter of the world's population follow Islam (Pew Research Central 2024).

Complexities of Understanding Islamic Public Administration

These points are explored and discussed in the various chapters in the forthcoming book by Drechsler et al. (2025). For example, Xiaokun and Chao (2025) argue that in the Peoples' Republic of China, "In the current era, it is increasingly evident that the supposed universality of "good" public administration models is encountering and will continue to face challenges when applied in diverse local contexts characterized by volatility, uncertainty, complexity, and ambiguity."

And in discussing the development of sectarian divisions within the Chinese Islamic traditions they note how these are overlaid with cultural and historical traditions that have had to come to terms with co-existing within a one-party state. This is a discussion regarding the accommodations Muslim communities have made (alongside Confucian communities) over the last one hundred years, though in practice we can trace these tensions and adjustments back to the very early days of the eastward expansion of Islam into China (Cunliffe 2015). During the seventh century, there were civil wars within Islam as the Muslim world advanced both west and east, capturing all of North Africa, much of Spain and the old Persian Empire's Lands and the Levant. But at this time the schism between the Sunni and Shia began to emerge (Cunliffe 2015). The Chinese and Arab armies began to clash in what is now Uzbekistan (historically Transoxia), near Samarkand. Seizing on their chance in 751 after the Arab advance stalled, Chinese armies marched through the Tian Shan and a battle took place on the river Talas. Both sides claimed victory, but the Chinese retreated to the defensible Tarim basin and the Muslims made no further attempt to expand their empire to the East. "The battle of Talas was one of the most decisive in the history of Eurasia" and after this time although Muslim influence continued in China along the routes of the Silk road, it was at the express invitation of the Chinese government to come to China as traders and not as conquerors, which structured Muslim-Chinese relations over the following centuries (Cunliffe 2015, 343-349).

During this period, we can also observe the development of IPA, especially after the capture of Damascus, when the city surrendered without a fight and (as with the Berbers later) the *dhimmis* (protected subjects who paid a poll tax), but were otherwise unharmed, began to convert to Islam. These were a spread of Christian, non-Arabic peoples, including Persians, some Jews, Greeks, Turks, Bulgarians and Albanians. Observing the benefits of peace, the conversions continued apace under the Umayyad and later caliphates as all Muslims, whatever their ethnic or cultural background were accepted into the *ummah* (Cunliffe 2015, 344-388). Different authors describe the reluctance some early rulers had in accepting non-Arabs into the faith, not least because it meant the loss of tax income. But also because with the rapid advance in terms of territory and populations, the need to protect, control, tax and feed armies and civilians became crucial. Dead peasants don't pay taxes or grow crops to feed soldiers. From this background evolved early notions of IPA and because of the vast distances and numbers involved, it was from the beginning reliant on strong guiding (Islamic) principles, but also devolved authority and a recognition of different cultures, histories and contexts. It is within this early context that Islam and the State emerged in what we now refer to as IPA.

The variances between contemporary different groups is nowhere more obvious than in the former Soviet Union. Although often suppressed and dormant under the Soviet Empire, countries including Uzbekistan and Kazakhstan, identified with Islam in ways reflecting their historical conversions and also as parts of the old Tzarist and Soviet empires. While Kosovo, formerly part of communist Yugoslavia, and before that, the birthplace of the Muslim Albanian Republic, following the fall of the Ottoman Empire, experienced governance and public administration in its own European-Islamic way, as did Bosnia (Preljević, Krupalija, and Kaminski). Kazakhstan, especially illustrates this. Formerly part of the Golden Horde, the country is the home of the original Horsemen and is the location of the domestication of horses on the Pontic-Caspian Steppe sometime in the fourth or fifth millennia BC, converting

the animals from being a source of hunted food into the foundation of cavalry, farming and transportation; it is one of the cradles of modern civilisation (Cunliffe 2015, 77). Kazakh contact with the Tzarist Empire in the eighteenth and nineteenth centuries was in the form of military raids, with both sides seeking territory and often slaves as well. The annexation of Kazakhstan by the Soviet Union changed the relationship and although Islam had been an influence on the country for hundreds of years:

> Kazakhs are often regarded as "bad" Muslims. An informal saying in Uzbekistan goes "If you want to become Russian, you should first become Kazakh," hinting at the crowding out of the Kazakh values, language, religious and cultural practices through "Russification" or becoming Russian. Compared to their Central Asian neighbours Kazakhs may be less intensely and less frequently engaged in Islamic traditions and practices (Mussagulova, in Drechsler et al 2025).

This reflected the nomadic traditions of the Kazakh peoples, as well as the large number of Christian and orthodox Russian and German people within the borders of the country. There has been a long tradition of adapting Islam to the nomadic people on the steppes, including *Biy Soty,* a version of customary law and peripatetic courts that fitted in with the chiefs and Khans and acted as a check and balance on their absolute power (after the death of Genghis Khan and his immediate descendants) through interpretations and applications of Islamic law.

As Urinboyev demonstrates, however, Uzbekistan, although also a former Soviet central Asian state is different again. There was a concerted attempt under Soviet rule to eradicate religion generally, and in Uzbekistan, Islam in particular. It remains a secular republic. For example:

> Following the onset of Soviet rule in Central Asia, there were numerous interventions by Soviet policymakers to eradicate religious and traditional structures….these interventions were driven by the understanding that only a homogenous set of institutions across the entire space of the USSR could create the supranational Homo Sovieticus. This approach signalled the end of traditional and religious structures, such as nomadism, Sharia-law courts, mosques, and waqf institutions. As a result, the Soviet government attacked and eradicated many religious and traditional practices and structures, replacing them with state courts, law enforcement structures, schools, hospitals, and baths. However, as an exception to this modernization campaign, mahalla was not targeted for dissolution, thereby remaining as the last fortress of an Islamic public administration in Central Asia (2025).

Mahalla, being the locality or community in which people live, is in tandem the centre of civil and religious life. Urinboyev maps how the impact of Sovietisation has been laid across the *Mahalla* and indeed all of the country, but post-Soviet structures have used both pre-Soviet (Islamic), Soviet and current economic, cultural and religious dynamics to apply a complicated range of public administration roles and activities in what is effectively a developing resource-rich economy.

Although the name varies, the Ottoman/Islamic approach in Central Asia, was similar to that in Europe, as well as North Africa and the Middle East. While Uzbekistan was organised according to *Mahalla*, Western Europe's Islamic provinces were organised, at least in Bosnia in *Vakufs*:

> *Vakufs* have a long and storied history in Bosnia and Herzegovina dating all the way back to the Ottoman conquest of the region in 1463. The notions of Islamic universalism and Ottoman patriotism were central to the political identity of Bosniaks throughout the period of Ottoman rule… many Islamic and Ottoman institutions, such as *vakuf,* were warmly received by the local Bosniak population and soon became an integral part of the broader Bosnian cultural tradition. The different types of *vakuf* properties in Bosnia during the early Ottoman period included *hans* (inns), *bezistans* (covered marketplaces), bridges, and building complexes … Properties like this ended up playing a crucial role in developing the region…*Vakufs* functioned as independent institutions throughout the Ottoman period; during this time, there was no centralized *vakuf* administration in the Bosnia Vilayet and each *vakuf* was largely left to its own devices (Kaminski et al 2025).

As with its fellow Muslim-majority province, Kosovo, the Muslims in Bosnia suffered discrimination after the fall of the Ottoman Empire, especially during the time of Communist rule. The breakup-up of Yugoslavia and following the brutal war in the 1990s, the Bosnian authorities have seen a limited return to the concept and fact of *Vakufs,* once again building on the rich mix of heritages that include IPA.

The paper by Drechsler et al. (2023) that noted the importance of consultation and wider forms of accountability in IPA, applies beyond Europe and the former Soviet Union. Pal and Abdulfatah (2025) observe the consultative role of the *majlis al-shura* in Qatar and other Muslim states and its consultative and semi-public gatherings and discussions, noting, the *majlis*:

> encourages communal participation and acts as a limited check on hierarchy. *Majlis* in particular (as simply a custom of gathering and discussion) are granular and constant mechanisms of discussion (and complaint), and provide possible discursive spaces in Arab and Islamic states (Pal et al. 2025).

Elsewhere in the Drechsler et al. book, authors point to similar fusion of earlier traditions, even within a secular state, with the powerful focus of Islam, increasingly informing structures and activities of IPA, for example in Pakistan and Indonesia. Indonesia is the largest (by population) Muslim state in the world and although governed by Islamic practice, it has combined cultural and historical attributes from its pre-colonial past within its rich mix of peoples, languages and traditions.

An Explanation as to how these mixed histories work in practice

Moore (1994) and those who have trailed his views on Public Value, have advocated and used Key Performance Indicators (amongst other things) to try to measure and chart public

value. Connolly et al. (2021) have noted the mix of tools used by those such as Barber (cited in Connolly 2021) to measure Public Value; the use and measurement of 'outcomes'; the use of co-production and co-delivery. All of these are valuable tools in modern public management, but the approach remains rooted in WPA and the measurement 'of things', something which although IPA certainly engages in, remains more than that. It is simply not the case in IPA that we can only manage what we can measure and more enlightened examples of WPA have, more in the past, taken that approach too. Three things are at play here and help us to understand it better:

1. Penumbra – the shadows and shading between light and dark. Public Policy and Public Administration is rarely binary, it is often a series of trade-offs. We don't suddenly travel from the light into the dark or the dark into the light. The core to democratic public administration is accountability in its many manifestations and it is this that enables stable and progressive economic and social development of society. But that development as it takes place is rarely linear and often not obvious. Governments have to deliver policies using civil society and the private sector, so it is not so much governing through government, but governance (Massey 2019). There is a long history of this in Islamic Public Administration, as noted in this article and the authors referred to.

2. Palimpsest – nothing in society begins on a plain piece of paper or velum. We overwrite laws, customs and practices from earlier ages. We need to be aware of these and even if we have moved on, traces of earlier ages remain and influence what we do in unexpected ways. There is often a layering of public administration reforms (Drechsler 2015). For example, the redress of grievance before the granting of supply, from early public administration and governance practice remains, but so also history, culture, language, religion and ethnicity remain part of this 'layering'. This much is very clear in Kosovo (Massey 2025). But it is also clear in the examples we have explored in this article; in all the societies discussed the process of public administration may be likened to a palimpsest.

3. Egregore – this is more than a paradigm, it is the collective mind of a community within which paradigms, data, customs, laws and history are understood (Massey 2019). It builds on the evolutionary scientist, Richard Dawkins' development of the concept of the meme. What we see with the idiosyncratic use of stories, myths and paradigms, however, goes beyond a meme and mimetic isomorphism and is in fact a kind of 'egregore'—a psychological entity that is constituted by and influences the thought process and understanding of groups of people. It can be in private sector businesses and public sector management. It may be influenced by ideologies, but it also influences the way in which ideologies are operationalized and may be transferred across sectors and groups and institutions. If we think of New Public Management and Public Value as egregores containing the perspectives and myths of a particular approach to governance (public and private) it may assist our understanding of why reform occurred in the way that it did. Such an egregore not only structures our approach to issues, it conditions our understanding of them and is intolerant of

dissent. Indeed, it does not recognise different world views; the world is either flat, or it is flat. We can see this in terms of the culture wars in the US and elsewhere and also in returning to my earlier statement regarding 'knowledge'. To explain some elements of this I refer you back to the overwritten palimpsest of history (Massey 2019, 10). But we can also think of powerful religious approaches in terms of a kind of egregore. A Muslim will always think of themselves as a Muslim in ways non-Muslims do not. Furthermore, it links that person to the way they will approach issues, problems and constraints in public administration.

New Public Service Bargain?

As noted in a previously published paper (Johnston and Massey 2024), there have been continuous paradigm shifts in our understanding of the state since 1945:

- Traditional Public Administration
- New Public Management
- New Public Governance, including public value

All of these are what Drechsler et al. (2023) have referred to as WPA. This typology has led to the development of a range of theoretical perspectives to explain the change and its impact on governance. These include hollowing-out of the state and public services (Rhodes 1997). Alongside this is a hollowing out of human resource capacity in many North American and European jurisdictions. Pollitt (2005) noted when measuring results little attention is paid to human resource issues such as equity, staff morale and motivation. These are more fruitfully addressed with the kind of collaborative, bottom-up approach favoured by IPA; at least in theory. Hood and Lodge (2006) addressed these developments with the elaboration of public service bargain: politicians normally expect a degree of loyalty and competence from bureaucrats and in return bureaucrats expect a mixture of tangible and intangible rewards such as a permanent career and good renumeration. This was a paper that was addressing WPA and in particular, UK and US versions of it, but given what we know about Islamic Public Administration, it may be that we have a good fit here as well, perhaps more so.

In asking why people are attracted to public administration, a study by Henstra and McGowan (2016) found that Canadian MPA students were attracted to public service

Because they:
- witnessed other people's disadvantage or hardship
- being personally exposed to discriminatory treatment
- desiring meaningful employment experience
- wanting to serve as change agents
- hoping to work towards solving social problems and address inequalities - improving government programs and services
- enhance the lives of the next generation of Canadians.

There is nothing in this Canadian list that is exclusive to WPA and indeed we may interpret it to also apply to the motivations of those engaged in Islamic public administration. Indeed, the five pillars of Islam encapsulates a public service ethos. For example, one could argue that *shahadah* and *salah* and *haj* are all a form of community or social cohesion and development. *Zakat* is a voluntary contribution of income to the benefit of others in the community and *sawm* is a sacrifice for others as much as orienting oneself towards higher goods.

Conclusion

We can summarise the concept of a paradigm shift in New Public Service Bargains in the table below.

New Public Service Bargain? A Paradigm Shift

Paradigm	Theoretical Roots	Nature of the state	Focus	Emphasis	Resource allocation mechanism	Nature of the service system	Value Base
Public administration	Political science and public policy	Unitary	The political system	Policy creation and implementation	Hierarchy	Closed	Public sector ethos
New Public Management	Rational/public choice theory and management studies	Regulatory	The organization	Management of organizational resources and performance	The market and classical or neo-classical contracts	Open rational	Efficacy of competition and the marketplace
New Public Governance	Institutional and network theory	Plural and pluralist	The organization in its environment	Negotiation of values, meaning and relationships	Networks and relational contracts	Open closed	Dispersed and contested
New Public Service Bargain	Human relations theory	Empowering	Organization for effective public service delivery	Meaningful and rewarding work	Fair and decent employment contract	Open	Public service capacity

Adapted from Osborne (2010, p. 10).

If we glance back to the opening remarks on epistemology, the question set, how do we know what we know? The answer quite often is that we don't. It is a mix of scientific method, for the educated; what Bovens and Wille (2017) have called the members of the diploma democracy that is those with certificates and diplomas from higher education institutions who can fully understand and engage with the technocratic world. But Islam and indeed other religions and egregores allow an understanding and engagement with governance for the less informed, thereby supplying meaning to public service and public administration that is deeper and more culturally evocative. It gives a meaning to life and social cohesion lost to many engaged in western public administration. It may become a New Public Service Bargain. We live in a penumbra and our laws and cultural norms are written in the form of a palimpsest; we need to read and understand what has gone before in order to inform where we are now and understand (perhaps) where we are going.

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Is it worth reforming PA?
The "Statesmen's Panel" at KosovaPAR 2024

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LUIS SOLARI, UNIVERSIDAD CATÓLICA SEDES SAPIENTIAE, AND FORMER PRIME MINISTER, REPUBLIC OF PERU

CASPAR VAN DEN BERG, UNVERSITY OF GRONINGEN AND PRESIDENT, UNIVERSITIES OF THE NETHERLANDS

We publish here the moderated conversation among four scholar-statesmen with a special focus on public administration, introduced in the text, that took place as a panel discussion at the second international Public Administration Reform conference in Prishtina, Kosova, on 26 September 2024. Based on the actual transcript, all participants edited their remarks for publication and were free to expand or even delete, but the colloquial panel style had to be retained and no notes were added, but – given the nature of the panelists – still not all answers actually address the questions asked. Nonetheless, we believe that this unique constellation of experts in at least three dimensions makes the discussion and its contents both relevant and interesting for readers of Halduskultuur.

Wolfgang Drechsler: This plenary panel addresses the question, "Is it worth reforming PA?," and if that strikes you as a rhetorical question, that's correct, but it gives a nice framework to what has been variously called the "practitioners' panel" and the "statesmen's panel." But what I think distinguishes the panel that I have the honor to chair this morning is the presence of four scholar-statesmen, that is, people who have held or hold eminent political positions, and who at the same time are reflective Public Administration (PA) scholars in some way. That is quite unusual; even at much larger conferences, assembling a team like this is rare.. As you may observe, while the gender balance remains a challenge, the spatial representation of the global South is significantly better than what we typically see..

I will now briefly introduce the panelists, and then we will proceed to a guided set of questions.

So, to my immediate right, there is our host, the Deputy Minister of PA of Kosova, Mr. **Bardhyl Dobra**, and – to quote my London director, Rainer Kattel – if you don't know who he is, what are you doing here? The one thing I want to mention about him is that many of us met him in his capacity as the executive director of IASIA, one of the five global PA associations, and one with a truly global reach, and this is something that has produced an amazing network. If you run a big PA organization like that and much of the magic of the networking is due to

you, you can create a conference like the current one. I would also like to encourage those of you who haven't done so yet to read the publications of Deputy Minister Dobra about PA in Changing Times, co-authored together with Professor Michiel de Vries, whom we welcome to the audience this morning.

On my "unimmediate" right, there is the most senior member of our panel, **Luis Solari**, who is often framed not as a scholar-statesman but as a physician-statesman or a physician-politician, that is, somebody whose primary calling, as I think we can say, his original calling at least, has been the medical professional; someone who has been a practicing physician but also the founding dean of an eminent health school at one of the classic universities of Peru. But for many of us, he is truly known for being the former Prime Minister of Peru. He was also one of the founders of an important political party that then won the elections, after a long era of corruption one can say, and in the same cabinet, Minister of Health. So, he held these two appointments together, because in Peru, the prime minister is the chair of the Council of Ministers – I think I'm right in saying so. Later, he was also chairman of the economics committee in parliament, of which he has been a long-standing member, and he, I think it is very fair to say, is still heavily involved in politics. But we must also emphasize that this Prime Minister has been and is a distinguished PA Scholar, who has just written an essay about PA in South America generally. So, Luis Solari is among other things a doctor, a prime minister, and a PA scholar.

To his left, we have **Caspar van den Berg**, who is likewise combining three careers, namely that of academic, academic administrator, and statesman in the Netherlands, which is important for us in PA since the Netherlands is one of the three leading countries as far as output is concerned. Professor van den Berg has been a very distinguished Dutch PA scholar, writing about multi-level governance and similar topics, and located at his academic home, Leiden, where he retains an adjunct professorship. But his chair is at the famous University of Groningen, one the classic schools, and where at their Campus Fryslân he served until very recently as dean.

But in parallel, Professor van den Berg also has been a Dutch Senator, that is, a member of the first chamber of the Dutch Parliament, and that is how he is still listed in the program, but he just resigned two weeks ago. Professor van den Berg was also head of the Dutch delegation to the Parliamentary Assembly of the Council of Europe, and of course, I need not tell my friends from Kosova the importance of that institution. You know that Professor van den Berg not being there anymore is definitely a loss. The third aspect that needs to be mentioned is that Caspar is the President of the Dutch Association of Universities, and as such the representative of Academia toward the government, and he just started this position, I think, at the beginning of July. Finally, I think I'm abusing my position by saying that a week ago, Professor van den Berg received an honorary doctorate from TalTech University.

And if ever the phrase "last but not least" is appropriate, it is now, when at last I am able to introduce Professor **Eko Prasojo**, who has often been called the face or the main representative of Indonesian PA. As you know, Indonesia is one of the four largest countries in the world, it's the largest Muslim country, and it is – depending on how you count – either the second or third largest democracy in the world. He is also a main PA scholar in the area and a very eminent functionary of Southeast Asian and indeed Asian PA – he is President of AGPA, which is the

Asian version of EGPA, whose President, M. Jean-Michel Eymery-Douzans, I also welcome in the audience this morning.

Prof. Eko, as he is university called, is not only an important PA scholar, but he has also been intimately involved in the PA reform in Indonesia. As a highlight, I would mention that he was Vice Minister of PA, so in that sense, we could almost call Bardhyl the Prof. Eko of Kosova. Prof. Eko is currently serving as the Executive Secretary, a position which has a vice-ministerial rank, to the PA Reform Commission of Indonesia. Indonesian PA reform is linked to the Vice President's office, it's in the Vice President's Palace.

This was perhaps a longer introduction than usual, but I believe it is important to explain the type of panel we are hosting here. From this perspective, we are engaging with very senior policymakers who have reflected and continue to reflect, on PA reform. We have dedicated this morning to hearing their thoughts on the pressing questions we all share.

One point of note, as highlighted in the announcements for this conference, which gained significant attention on social media, is the core theme of this panel: implementation. There is a saying I really like – although it is not always correctly understood – and that is that a good public policy and four euros will buy you an espresso. This implies that, while you can indeed purchase an espresso for four euros, a good public policy, on its own, is essentially worthless. Anyone can draft impressive policy papers, but such efforts are meaningless if they are not implemented.

This raises a fundamental question: Is this true? What is your perspective on that? This is the question I would like to begin with, and I invite all our panelists to address it. I will start by giving the word to Deputy Minister Dobra.

Bardhyl Dobra: Experience in office has proven that implementation is the most important part of policy. The international community has largely contributed in terms of drafting strategic documents and legislation in Kosova; we probably have some of the most advanced strategies and legislation in the world, but when it comes to implementation, we are stalling behind, because of a lack of human capacities or lack of will from decision-makers and civil servants. In fact, if you do not have the right capacities to implement, translate your legislation and your public policy into concrete and tangible results that your citizens can see, feel, and benefit from, it is rightly considered that you have not done much. Drafting legislation or strategy is not the most difficult part, implementation is. In the end, citizens are not interested in whether you have approved a strategy or a law, or whether you lack capacities, the only focus they have is seeing their daily lives improved.

The Kosova case is different from many others in several aspects, as its PA was built from scratch 25 years ago. What makes it an even more special case is the fact that it has been built by the United Nations (UN), an organization that is not known to be the most effective, or effectively run, organization itself, let alone implementing policies and building institutions elsewhere. Having said that, the UN has built a good basis for many institutions which then were further developed by locals, but there is also a price that we are now paying for some of the mistakes that have been made back in time. Such mistakes or missteps need to be corrected to have fully functional institutions. It is our duty now to change this reality, to reform and deliver on what has been promised and what is expected by the citizens.

Wolfgang Drechsler: Exactly. The next answer will be from Luis Solari.

Luis Solari: Thank you Wolfgang! I want to thank Bardhyl, representing the Government of Kosova, for bringing me here together with you, this huge PA community, and also to be in this panel of four people who have an interest in practice and who are academics in PA, especially in this time when the world is changing so fast, that decisions can change almost every day. I met with Bardhyl when he was the Executive Secretary of IASIA, and we became friends; this is the intangible reason why I am here. This year, the association gave me its 2024 Donald C Stone Award, and I want to share it with you, dear Bardhyl, because you were really the main commander of that institution.

Let's go to the answer. The cornerstone of any PA is effectiveness, which means that public policy is changing life for families and people. To reach this goal, and that includes implementation, it is necessary to use a virtuous triangle.

- At the top of it is the principle of the supremacy of reality, which shows the PA what is needed to change, to improve. This is the way how public policy is founded on truth.

- But, who knows the details of reality? The people! So, it is indispensable to use another corner of the triangle: Civil Society. It is a must to include civil society to design public policies that are going to be applied to the people. Later, civil society will adopt the oversight role during and after implementation.

- The third corner of the triangle is the Public Service, indispensable for implementation and for successful mid- or long-term policies.

The acceleration of history requires PAs that make decisions in the present, but 100% of them will be applied from the next day: they are for the future, always for the future. Analytics, intentional design of the future, strategic intelligence, and anticipatory governance, among others, are indispensable for managing the acceleration of history. In these times, implementation means to be one or several steps ahead of reality. Reality is the present history; steps ahead mean learning to design the future.

There are countries in the world that don't have a public service or, worse, don't have a strong civil society. How can they deliver public policies on time? Civil Society as a spectator? Wrong way! Civil society must play the main role in a democracy!

In each country without a designated public service, the government can change the whole public service as it wishes. Every minister is allowed to replace public servants as he wishes. Obviously, the new ones will be partisans or friends without expertise. And again, civil society as a spectator. Results: Lack of democracy and poor public policies and, in the end, social conflicts and a failed government.

Reality is synonymous with the truth. If you use reality to build public policies, you are using the truth to change reality. In that way, you are building a truth culture and, consequently, justice as an essential social flag in a democracy.

If some injustice is there, then you go there and talk with the people who are suffering from injustice. To solve the problem, you create a public policy with them, for them. In this way of building policies, you will need to create systems of dialogue with civil society. At this point, it

is clear that a public policy created using the abovementioned triangle will have a marvelous effect on social capital that is made essentially by intangibles: The country becomes everyone's task; the country starts living in a culture of truth and justice; both produce unity, and unity is the most powerful force a country can have to achieve progress for all.

The world is changing so fast, so deeply, that we can talk about the acceleration of history. This means that we need a new way to observe, to think, to make decisions, to do our job. In short, a new PA. For this is what my dear triangle is.

The main objective of politics is justice; also, for each policy, the main objective is justice. Achieving justice is synonymous with effectiveness. And effectiveness is the determinant of a government's success.

If you don't work that way, you will fail and you will become harmful to families and people, and nobody will vote for you for a new term. And the worst consequence will be a decline of trust in politics and subsequently the emergence of minority-elected governments, as is currently the case in Latin America. The right-left political pendulum is being replaced by the effectiveness–ineffectiveness one.

Governments do not like to be watched or controlled. But it is a fundamental element of democracy that there are checks and balances. Although it is true that there is institutional political control by parliament, social-political control by civil society is indispensable. A truly democratic government should encourage the strengthening of civil society through a public policy of promoting philanthropy and the constitution of non-profit civic associations, such as those of taxpayers, consumer protection, or parents' associations, among others.

It is essential to monitor non-profit associations that receive funds from abroad, as their actions could be aligned with the interests of the cooperating country and not with the country where they operate. Civil society works for its country.

The mentioned triangle is also useful to evaluate the non-implementation of a public policy. Is the problem an error in the application of the principle of supremacy of reality, or is it a problem of inclusion or non-inclusion of civil society in the reading of reality or in the design of public policy? Or is it a problem in the civil service: Lack of analytical skills, difficulties to visualize what is at the end of the tunnel, or lack of capacity for dialogue or empathy to include the civil society in the design of a public policy? If you have a public policy that is not implemented, the main reason is that you didn't use the right tools.

In 2015, the Latin American Development Bank published a study about the effectiveness of governments. In territories where civil society is strong (EU, Oceania, US, and Canada) and has a leading role, the effectiveness index of government is high. But in territories with a lack of Civil Society (Africa, Latin America), it is low.

This is a very important issue because, first, Latin America and Africa are the two less-aged territories. That means that demographically, they are the main territories of the 21st century, despite a lack of governance. Second, the huge development of the Pacific Basin, where around 65% of the world GDP is produced, has generated a new geopolitical valorization of Latin America, which has gone from a geographic bi-oceanity to a strategic bi-oceanity by becoming the "middle earth" between the Atlantic and Pacific Oceans.

I hope that some of you can come to Peru during the next government to help us to redesign the PA.

Wolfgang Drechsler: If we would have better things to do than to listen to you this morning, I would be surprised. So, thank you very much for your statement. And now, Professor Caspar.

Caspar van den Berg: Thank you very much to the organizers of this wonderful conference for having all of us here. The question that we are reflecting on is indeed what good reform is if we don't focus on implementation, and I think this is a very important question. It is a theoretical question that gets considerable attention in PA literature, but I think also in all of our practical experience, we know many examples where publicly announcing a PA reform is actually the biggest performative act of the whole thing. And this is something from which we need to move away. Of course, from a political point of view, we can understand how announcing the reform is so important because it makes the politician look modern, on top of things, change-oriented, all of those. But what is the plan behind it, and what is the road to implementing it? I think that PA reform, by definition, is a long game, and therefore, by definition, there is a tension between the political mindset, which is usually, as the Prime Minister just said, a shorter-term one. I like the metaphor of the espresso very much, but maybe there's also another metaphor to bring in here, and that is the one of the architect and the builder, because, as the question also suggests, the architect who designs the house, who designs the reform, can think that if you design a house, if you make the architectural drawing, you have done your work. But at this point, the house is there only in your own mind or only on paper, but in the end, nobody can live in an architectural drawing. We need to implement it.

However, I'm not part of the school that says implementation is everything. Because let's stick to this metaphor: When a given PA reform fails, we often hear, "It's all due to bad implementation." The builder is at fault, we made the perfect drawing, but the construction people didn't build the house right. And that in my view is also a dangerous thing because, however, convenient it may seem for a politician to blame those responsible for implementation, policymakers have to ask themselves the hard questions, too: Was that drawing really so perfect? Did we think everything through to the extent that we should? And didn't the policy hold some inherent flaws already at the design stage? So even though there's nothing without implementation, implementation is not everything. We also need to be very critical and be very careful at the design stage of PA reform because if a reform has inherent flaws, you can do anything you want during the implementation phase, but it will remain a not-very-solid house.

Wolfgang Drechsler: A very important point. I'm tempted to follow up on Caspar with Kant's point that practice without theory is not practice at all, it's just doing things because practice is the application of theory. So, thank you so much for this key statement that implementation is not everything either. And now Professor Eko, for the same question.

Eko Prasojo: Thank you so much, Professor Wolfgang. I am very grateful to the Kosova government for allowing me to share the Indonesian government's experience in carrying out administrative reform. Every government must ensure that administrative reform programs can be implemented effectively in practice. A good public policy is a policy that can be implemented effectively. If it is only a policy, then the impact of the policy will not be felt by the community.

There are several lessons I can share here. *First*, it is very important in administrative reform to prepare change management. This is intended so that everyone in the organization understands and is aware of the importance of the reform and can be actively involved in carrying out the various changes that have been planned. Although the goal is to improve the quality of public services for the citizens and the effectiveness of the organization, it is not easy to gain support and commitment from public servants and the community to make changes via administrative reform. In addition, change management is needed to reduce, if not eliminate, resistance to administrative reform. Public servants do not like change, especially if it will cause additional burdens, new competencies, and discomfort caused by the change itself. Likewise, for society, changes in the public service process often also require new competencies and culture.

Second, administrative reform requires commitment from political leaders and administrative leaders, in this case, ministers, directors general, secretaries general, and regional heads. These officials must set an example and be role models for change. Experience shows that we will not be able to make changes properly if there is no commitment from political leaders and leaders of change. This is easy to understand, especially in a bureaucratic system that is patronage-based in nature so that the public servants will see whether their leaders provide exemplary behavior within the organization.

Third, we must communicate the administrative reform agenda to all public servants, the community, and businesspeople because the changes we make are for their needs. To understand the essence of the changes expected in administrative reform, we must ask the public, especially businesspeople, about the difficulties faced in public services, as well as consider the image of the government in the eyes of the public. With good communication, we can obtain various inputs that can be used to sharpen the agenda of change and how to do it. In particular, the government can discuss with business organizations to obtain an overview of the difficulties in managing various business permits. Meanwhile, with the community, we will get an idea of their hopes and needs related to the quality of public services. Communication must also happen with the media because the good news about the success of administrative reforms will provide support from the public. A good image regarding the success of administrative reforms carried out by the government will be important capital for various subsequent changes. Likewise, administrative reform must receive support from academics and professional organizations in related fields, such as PA associations, public policy associations, and others.

Fourth, to support the implementation of administrative reform, we need agents of change, namely middle-level public servants who work every day to prepare policies and carry out various public services. The real impact of administrative changes can be felt by the community through improvements in public services and accountability of public servant performance. In the case of Indonesia, these agents of change are needed to create new work processes and new cultures in the bureaucracy. The public will see real changes in the practice of public service administration and anti-corruption culture. On the other hand, the presence of change agents at the middle level aims to create sustainable change due to the change of leadership in the bureaucracy.

Fifth, administrative reform at the national level and macro policy must be led directly by the

president or vice president. In parliamentary countries, of course, by the prime minister. Why should it be led directly by the president or vice president? Because differences of views and political interests between ministers must be able to be directed and decided by them as the highest heads of government. As has been the experience in the reform process in the US, Vice President Al Gore led directly based on a presidential mandate to make various changes in the administrative system. This is argued in *Reinventing Government* by David Osborne and Ted Gaebler. In the Indonesian context, administrative reform is led by the Vice President via a national committee whose members are the Minister of Finance, the Minister of State Apparatus Empowerment and Bureaucratic Reform, the Minister of National Development Planning, and the Minister of Home Affairs. For practical purposes, the various supports and commitments of the president and vice president can be expressed in statements to the public, such as we must make cultural changes, we must accelerate the public service process, and we must improve performance. The presidential messages in some opening ceremonies are very important for civil servants and citizens to win the reforms.

Finally, we must set priorities in administrative reform because we are often very ambitious to reform everything in government. However, we all understand that to make major changes to the government, often we only get a little support from parliament, society, and even from within the civil service because many of them are resistant to change. In practice, administrative reform is the process of moving civil servants from a comfort zone to a competitive zone, and not everyone wants that. That is why we must set a priority agenda. In my experience, when I was a Vice Minister, only three priority programs of administrative reform were selected, namely improving the civil service recruitment system to recruit the best graduates from the best universities transparently and competitively, building an open system for promoting high-ranking positions, and improving the quality of public services through various innovations.

Related to the improvement of the civil servant recruitment system, at that time, we built a computer-based recruitment system or what is known as the Computer-Assisted Test (CAT). For almost 10 years, this system has worked very well, although we continue to develop various improvements. This system directly informs the public about a candidate's passing and can prevent collusive, nepotistic, and corrupt processes that have occurred so far. Even the children of presidents and ministers cannot be accepted as civil servants because they do not pass the selection process. By establishing a transparent recruitment system, the government regained the trust of the public.

The second priority that we had at that time was to build an open and competitive promotion system for high-ranking leadership. The purpose of this open system was to break the chain of corruption that occurred between politicians and bureaucrats in the promotion of high-ranking positions, as had been the practice for a long time in Indonesia. In addition, this open system was also intended to eliminate sectoral egos that developed between ministries and institutions as well as regional governments. With this system, high-ranking officials could move from one ministry to another, as well as from regional governments to the central government. Through this open and competitive process, various positions in ministries and institutions could be filled by civil servants who met the job requirements. This open promotion was supervised by the Civil Service Commission.

The third priority reform program was to improve the quality of public services with the consideration that the public must get real results from administrative reform. We can claim to have carried out internal reforms, but the public will ask what impact it has on the quality of public services. Therefore, in 2013, we launched the "One Agency One Innovation Program," where every government agency must create innovations in public services. In 10 years, we have collected more than 23,000 public service innovations that have a real impact on the public. These innovations can also be easily seen in the information system at the Ministry of State Apparatus Empowerment and Bureaucratic Reform. With the OAOI program, Indonesia has won several awards in public service innovation competitions held by UNPAN. In addition, various efforts to improve the quality of public services can be replicated and further developed by other government agencies, even internationally by other countries.

Wolfgang Drechsler: Thank you so much, Eko, for that really impressive first statement. You've provided some excellent insights to kick things off.

So, where do we go from here? I see two big questions emerging from this discussion that are especially relevant for Kosova. The first is around advice and consultancy, and the second concerns "digital transformation."

Building on what we touched on earlier, I'd like to start with the digital transformation question. This is something we've discussed before, and the idea of "digitality" doing the heavy lifting for reform is still a strong and *prima facie* very compelling notion. It has this almost perpetual sense of novelty – even within circles like EGPA, where the digital government study group isn't just the largest, it's also the oldest. People have been seriously engaging with digital government for nearly half a century now, after all. DG, as we understand it today, has roots going back to the mid-1970s. Yet despite this long history, we still face familiar challenges – challenges I think Kosova can relate to as well.

There's often a tendency to look for a "magic bullet" to solve PA and PA reform challenges, and these days, that solution is frequently digitalization. The hope is that by embracing digital tools, we'll transform the public sector and solve its problems. However, as most leading thinkers on DG have clearly pointed out, digital transformation doesn't create a better public sector on its own. Instead, you need a well-functioning public sector first to make digital transformation possible.

In other words, before we can think about meaningful digital transformation – whatever that entails, and indeed whatever that means – we need to focus on solid public sector reform. Tossing iPads around and expecting democracy to materialize is wishful thinking at best. That early optimism around digital transformation hasn't held up over time. Or has it? And in 2024, we must ask: Could emerging technologies like AI change the equation?

One key issue we discussed at length yesterday within this conference was whether AI might somehow replace certain public sector functions or, conversely, whether it demands an even stronger, more capable civil service to implement and oversee it effectively. For example, using and monitoring AI requires high levels of expertise and robust capacity – and without a second level of oversight, nothing will function properly.

This brings us to the important and unique perspective this panel has – one that combines real political responsibility with an understanding of the technical challenges. I'd like to start by asking Caspar for his thoughts on this.

Caspar van den Berg: Yes, digitalization and working with AI are extremely topical issues in the Netherlands right now, as they are everywhere else. I would completely agree with the statement that is being brought to the floor here, that digitalization will never be able to replace good PA. I would even go a lot further in saying that, at least from my experience in the Netherlands, digitalization, and particularly the use of AI and machine learning in PA and public policy, has exposed weaknesses in our PA system, both in terms of its effectiveness and efficiency, but even more so on the value side, on the side of public management ethics. A good example, or actually a very bad good example, of this is the way in which, in the Netherlands, benefits for families who have children in daycare have been processed, where algorithms were used that turned out to be discriminatory and that have caused the biggest political scandal or biggest policy failure in the post-Second World War time. The government has collapsed over it, we are looking at billions and billions of reparations to families whose lives were destroyed. And this was all as a result of a policy about which everybody thought, "Now we're going to do this the state-of-the-art way, now we're going to make it impartial, we are going to make it efficient, we're going to save time, so that productivity is going up." And that is not to say that using digitalization or using AI *per se* would be a bad thing, but the experience is that if the civil service who is using it, and if the implementation bodies that are using it, are not operating on the basis of the right value system or are not aware of the risks in that, chances are it'll expose weaknesses in that part. So, coming back to the statement here, a good PA with the right legal expertise, with the right ethical considerations, with a deeper understanding of what this technology really means, is a precondition before you want to take drastic steps toward using digitalization, particularly AI, would be my response.

Wolfgang Drechsler: Thank you so much. I think that for this topic, it would also be very important to hear the Indonesian perspective, because the advances, also in Smart City governance, in Indonesia have been very important, and some of the main investments of the leading digital country in the world, Singapore, are actually in Indonesia. So, Prof. Eko, on this topic, please.

Eko Prasojo: Indonesia has carried out digital transformation since 2003. However, until now, the progress we have achieved is still far from the expectations and targets set. This is due to the size and complexity of Indonesia, a country with a decentralized government system. Public services are generally provided by local governments that currently have different capabilities. With the limited level of digital divide that we have, there are still many gaps between one local government and another. Smart cities can generally be implemented in urban areas on the island of Java. Meanwhile, in areas outside Java, many have not yet utilized technology optimally. Some local governments are even still very behind.

However, in 2021 we began to change the way we carry out digital transformation in government. First, digital transformation was carried out as an effort to provide the best services to the community through the Digital Public Services Mall, where the public can access various public services online. Second, we started building base transceiver stations (BTS) throughout Indonesia to strengthen the mobile network that allows the use of technology online. Third, we

also integrate data in a system called Satu Data Indonesia (One Data Indonesia) equipped with Digital Population Identity. Fourth, last year, we built Ina Digital as an integrated digital public service system. This system is managed by an institution that is specifically given the authority to accelerate digital transformation in Indonesia.

There are several problems related to digital transformation in Indonesia. First, there are too many applications currently in each government agency. For a long time, each government agency has built its applications that do not have interoperability. Most of these applications are currently no longer usable because they do not get good maintenance, and some are not used because they are no longer needed by citizens. Currently, there are approximately 27,400 applications, most of which have become technological trash. To overcome this problem, the Indonesian government has created a policy to validate various procurement plans for goods and services related to technology. Approval for procurement must be given by the Ministry of Finance, the Ministry of Communication and Information, and the Ministry of State Apparatus Empowerment and Bureaucratic Reform. The Indonesian government has also built several generic applications for public services that can be used by government agencies.

Another major issue in digital transformation in Indonesia is cybersecurity. Several Indonesian government sites have been attacked and hacked by third parties. Although a national cyber agency has been formed, the issue of cybersecurity is also related to the culture of caution of government officials in Indonesia. In addition, cybersecurity in Indonesia is also related to various applications created by third parties, which causes technological dependence on them. Integration of Data and applications will be very risky if it is not accompanied by adequate cybersecurity and digital knowledge of government officials and the public. To accelerate digital transformation, the Indonesian parliament is currently preparing a draft of a digital government bill. At the same time, various digital literacy development programs have also been implemented. Based on the experience we had in digital transformation in Indonesia, I can conclude that technology will accelerate the transformation of PA, especially public services.

Wolfgang Drechsler: Thank you very much. It remains fascinating to me that if you read the scholarly literature, a consensus on what digital transformation actually means, even among stakeholders, including senior bureaucrats, is essentially non-existent. For example, in one of the top countries in Europe in Digital Government, seven key stakeholders who drive digital initiatives were asked, "What is digital transformation?," and their answers were completely different and did not overlap. So, we always need to be clear about what exactly we are discussing.

Now, moving on, I would like to pose the question I mentioned earlier – one that is particularly important for Kosova but that is also somewhat sensitive. That being said, do we have the luxury of asking only non-sensitive or non-controversial questions? To me, such topics are unavoidable.

And this is the issue of international advice and international organizations. As you might know, in the scholarly literature, Kosova is often cited as an example where international assistance seems too heavy-handed and, at times, excessive. Indeed, this kind of help frequently benefits the organizations providing it more than the country receiving it. The challenge, not least, lies in the fact that many of these organizations view themselves as inherently good actors.

If you were to ask such organizations, "Are you not prioritizing your own interests over those of Kosova by pushing reforms like digitalization or PA reform?," it would become a difficult conversation. Often, these organizations come with resources that are needed, especially financial ones. Telling such an organization, "We appreciate the funding, but your advice is neither intelligent nor helpful," can be a very challenging position to take.

One unique feature of PA reform in Kosova, as you know, is that it has been conducted, led by the Vice Minister, with a particularly high level of legitimacy. This reform process has been part of a democratic deliberation, which is relatively rare and not something we see very often. In this context, anyone attempting to offer advice on how Kosova should proceed with reforms needs not only a significant amount of competence but also substantial legitimacy – something that is not always provided to the extent we would like.

So, how do we handle well-meaning international organizations that offer advice which is, let us say, less than insightful and sometimes tied to their own intentions? Many countries represented here have faced similar challenges, so I wonder: Are there best practices for tactfully dealing with such organizations that claim to have your best interests at heart? I think this is an important discussion, and perhaps Luis Solari would be an ideal person to address it first.

Luis Solari: Thank you, Wolfgang, and thank you for the question. According to my country's constitution, members of parliament can at the same time be ministers. During my second term as a congressman, I had the opportunity to be Minister of Health and later Prime Minister. While I was in the Ministry of Health, I was also Secretary General of the party that mainly overthrew the dictator and then won the elections to form a government.

It was as a parliamentarian and Secretary General of the Party that I had the opportunity to receive an important international organization related to the economy. My observation is that this kind of organization only knows our countries from the outside, they know the shell but not the thousands of processes that take place inside our countries. In the case of my country, Peru, whose provinces are 75% rural and poor and with high productive and labor informality, the speech of the visitors was focused on the macro economy. Nothing about rural development, nothing about clustering, nothing about poverty, nothing about anything like that.

They appear and nobody knows from where, like from a magician's hat, and they tell us that our problem is the infrastructure gap. Two years later, they came back with a new discourse: Now the problem is the deficit of institutions. Then they come back again, saying the problem is the educational system. But nothing of integral solutions for the Latin American countries.

The second story I want to tell is amazing. When I was Prime Minister, the Minister of Health came to me and said, "This country is pushing me to receive this money for this project, but a German corporation has recently funded a similar project and what we need are funds for health care of poor children." I then invited the ambassador and the cooperation officer of the offering embassy, as well as the Minister of Health, to the Prime Minister's office. I explained to the visiting ambassador about our real need. He responded by insisting on the funds for the project that the country was interested in. In other words, take it or leave it. So, I ended the meeting. Several months later, my President made an official trip to the offering country.

Among the documents that were signed was the donation for the project and not for what we really needed: Money to take care of the children of the two poorest quintiles, whose mortality was increasing.

These two episodes clearly show how the interests of others can prevail in practice over the real interests of a country. In the first case, the international bureaucracy tries to impose a country's goals without considering the real solutions to the problems of families and individuals. In the second case, the agenda of a donor country does the same.

There is no need to be afraid of "putting into their place" this kind of international officials, that treat our public servants as employees or servants. Stop them!

In today's world, episodes such as these must be repeated over and over again. That is why it is indispensable that the formation of the members of the Civil Service begins at home. It is in families where nationality, the sense of right and wrong, fraternity, and the value of others are learned. A PA must act always defending its country, seeking the good and looking and acting fraternally towards others. That is why I maintain that a substantial reform in our countries must be the alignment of family policy with educational policy and both with the other public policies. It is from families and schools that future public administrators will come. Depending on how you have these policies in place, you will get the next generation of PA.

Wolfgang Drechsler: Thank you for these stories and recommendations! And now Prof. Eko.

Eko Prasojo: Related to the role of international consultant assistance in development, I have several views based on my experience in Indonesia. First, regarding policy learning, including policy transfer, we adhere to the principle of adapting, not adopting. What is good and suggested by international consultants must be adapted to the context of each country because the context and ecosystem of a country are very important and matter in policy transfer. As policymakers and policy entrepreneurs, we must filter policy advice and adapt it to the system in our respective countries.

Second, I observe that many consultants sent by several international institutions are young scholars who may not have experience in a policy and its implementation. It has the consequence that advice given is often very textbook, also with a Western bias. In general, we should not be antipathetic to the assistance of international consultants, because one of their goals is to obtain information about good practices of public policies in other countries. In my opinion, that is very important in policy learning.

Wolfgang Drechsler: Thank you – and the obvious person to conclude this section is Bardhyl, so your words on this topic, please.

Bardhyl Dobra: I would say that there are positive and negative experiences with international consultants. I have been in office for three and a half years, leading a reform which has been promised during a political campaign. It is quite an unusual endeavor because it is not very popular to say that a painful reform will follow if you vote for us, yet the government received a majority of votes to deliver on such reforms, and we are now delivering.

In reality, domestic stakeholders and international organizations or consultants do not necessarily and always have the same agenda. Very often, governments do need support

from international organizations or consultants, and in the case of Kosova, we are very happy and grateful for the support that we have received all these 25 years, as it has helped us to build our institutions. However, sometimes we diverge on the roadmap or the objectives we want to achieve, as it sometimes was the case in these last four years. Four years later, Kosova is now leading in the Western Balkans region in all international indices – rule of law, democracy, human rights and liberties, etc. Such results prove that our determination to pursue our roadmap was the right one, even though the road is still long until we reach the development level of EU member states.

We have seen that the same model is often imported by international consultants from one country to another, without adjustments. International consultants should be aware that context matters, we cannot just copy-paste a model from Finland, Singapore, or Indonesia, and try to implement it here in Kosova without adapting it to the situation on the ground. During my time in office, we have had discussions with our partners, quite open and frank discussions on the reforms, the tools and the roadmap to follow. On some points, we did not agree, but our government had promised to the citizens that we will deliver on our promises, and that is what we have been doing: The PA reform that had been promised is now being implemented. To the question on whether what we have achieved until now is the optimal or expected PA, the answer is not yet, not the one we have set our goal to achieve. However, it is vital to note that our reforms are moving ahead, and some very positive results are already achieved.

During these three and a half years, quite challenging discussions have taken place with our international partners. We have been asked to withdraw legislation because it is not in compliance with what some of our partners would "expect" or sometimes what certain consultants would personally want or think is the best. Our modus operandi was simple. On the one hand, since there is no EU acquis on PA, we looked at the different models within the EU. For a specific issue, we identified different solutions in each and every EU country. At the same time, we built a matrix with our problems and the various solutions, and the policy choices we made were within the frame of what exists in Europe, within the grand principles of PA. Taking into consideration all the above, a logical conclusion emerged, the government of the Republic of Kosova was in its right to make such choices, and it appeared completely legitimate to implement what had been promised and decided. On the other hand, and this is a crucial part that helped us to make the best choices and have the legitimacy on our side, we surrounded ourselves with some of the best experts of PA in the world. The proposed solutions were tested and retested, discussed for a year before coming to a final well-informed decision.

Now, looking at the outcomes, but also the externalities, so far, the results are very good. Since the implementation of the law on public officials (LPOs) by the end of 2023, the recruitment of women and young people has significantly increased. We now have a PA that counts more women at all levels, and more young people who in our case are more tech-savvy, more result-oriented, and more flexible. We are currently working on improving the employment of people with disabilities, a process that has been facilitated with the new LPO. These are positive changes that came from a legislation that is being implemented, a legislation that was not fully accepted by some of our international partners. We had a structural problem, and we took measures to correct it. They did not agree with it, but our results proved them wrong.

The EU country reports on Kosova for 15 years depicted a difficult situation within our PA, especially regarding human resources. In fact, we had a system that was fully blocked with managers with life tenure in their positions – not life tenure as civil servants, but in the positions – and this disabled the entire system as promotions were inexistent or highly politicized. Accession to managerial positions was made impossible for women and young people. Such a structural problem was addressed with our reform. Despite the fact that some of our partners were not happy with the choices made, the governments had to be accountable to the more than 50% of citizens who voted in favor of reforms. In addition, accountability was also due to the rest of the citizens who did not vote in favor. Not only we are delivering on concrete daily concerns of citizens, but we are rebuilding citizen trust in government and democracy, very much needed in our current times when citizen distrust, built in the last decades, is bringing far-right parties into office.

Having talked about the differences with our partners, it is essential to note that the cooperation still continues with our partners, on other projects within PA reform and other sectors. They are supporting the institutions in other fields. The GIZ, for instance, is supporting administrative burden reduction; the European Union is supporting Human Resources, the USAID and World Bank digitalization and cybersecurity, etc.

What both governments and international organizations and partners need to do is think long-term and not be short-sighted. We must not focus only on very short-term goals. It is vital to grasp low-hanging fruits, but not at the expense of long-term goals and long-term progress. This is probably also the difference between IO advisors and domestic institutions and decision-makers, the latter have the responsibility of implementing and living with the consequences of a policy that is implemented. They have the responsibility to answer to citizens in case of bad results. International consultants will leave the country after a few months or maximum a few years, and this brings us back to what was mentioned at the beginning, the differences in agenda and goals between domestic and international stakeholders.

Wolfgang Drechsler: Thank you so much. That was still a fairly optimistic take on a difficult topic. However, since we are unfortunately nearing the end, let me say this: We all know that coffee breaks are not just fillers at international conferences. They are essential moments for project discussions, networking, and building collaborations. Cutting into coffee breaks is probably one of the worst things one can do, and so I am obliged to make sure that we finish in time.

As a final question, and to conclude on a positive note, I would therefore like to ask our three international representatives if there is one example from your country from which you think Kosova could learn. Considering that this is the first visit to Kosova for all three of you, and since you are not affiliated with any specific Washington-based financial institution, I do not expect you to know everything about the country before coming here.

Instead, as sympathetic outsiders, do you have one example you could share? Something along the lines of, "Here is what we are doing in our country, and it might be worth exploring." Of course, we all know that direct policy transfer rarely works, but policy learning – that process of observing and adapting – does have its merits.

With that, I think we will take this round in reverse order. So, let us begin with Prof. Eko.

Eko Prasojo: Thanks so much. Allow me to convey my impressions of the development of administrative reform in Kosova. I observe a very big commitment from the highest leadership of the government collectively, and I think that is a big modality in ensuring the success of PA reform. Second, the chosen reform agenda, namely civil service reform and digital transformation, are two main priorities that are very important in the foundation of changing the administrative system. Competency building and cultural change are key for this, while technology will be a widespread enabler to drive various others to quickly and impactfully reform.

Wolfgang Drechsler: Okay, thank you so much. And Caspar.

Caspar van den Berg: It's of course always hard to bring in examples from your own system that have worked particularly well. For me, for this question, this might be the creation in the Netherlands in the mid-1990s of an integrated senior Civil Service – a little bit along the model of the UK Senior Civil Service. The Netherlands never really used to have that. It used to be a very departmentalized Civil Service, also at the top.

And by creating one about 30 years ago – and I'm expressly giving an example of something that happened not three or five years ago, but something that has gone on for 30 years and has required continuous attention and continuous fine-tuning and developing further and so forth – this has helped to cut through compartmentalization between the different policy departments.

It has also created an identity for the top of the service. It has been a platform for management development, for sharing dilemmas about values and those kinds of things. And while in the beginning, it has for the first years served as a way to cut through departmentalization in the central government core departments, in recent years, it has also been extended to the top levels of the people working in implementation agencies.

So where the challenge was first seen was the silos of the policy departments, and also, of course, there are silos of policy and implementation. And cutting through that by making career paths more varied, sharing expertise in different substantive domains, but also the policy and implementation – that has been something that most people look back on as a positive development.

Not that it has been without any challenges. One challenge has been that the speed with which people were jumping from one place to another used to be very low, and then it increased to an extent where it was too fast. And particularly, the idea of substantive expertise was put under pressure.

So in recent years, a lot of work has been done to get that velocity down. And other challenges have come up. But on the whole, staying on track with a clear vision of where you want to go and knowing that it won't be realized within a 4-year political term, and also adjusting to changes in society – society requires that from central government – but keeping that course based on the same values to where you want to go did work very well in our country.

Wolfgang Drechsler: Thank you so much, and Dr. Solari.

Luis Solari: Thank you. In November 1989, 35 years ago, from Thursday to Friday of one week, the Berlin Wall fell down, and on Monday and Tuesday of the same week, the Asia-Pacific Economic Forum was created. Within five days, the world changed politics, power, and economics.

That was the start of a new world. The change is widespread: Everything is changing. The change is very, very fast. Third, it has a kind of chaos inside. That means inside this complexity, inside the change, we have other changes. And the fourth aspect is the best and the most difficult to handle: Non-sequential change. It's not a change like 1, 2, 3, 4; it's 1, 200, 540, 2000, 21.

That means you must be like a juggler, with 10 or 15 dishes spinning at the same time. This is a public administrator today. This new situation needs special training about multitask decision-making.

2024 is the most important election year in history. 51% of the world population will vote. And the main election will be the US election, which will change many things. We will not have a year like this again until 2038. So, this year, 2024, is a year of change. For me, it is as important as 1989 was.

What does this mean? For Kosova, if you are going to have a national school of PA in a time of acceleration of history, you need to put into the curricula new matters to handle this new world. Together with multitask decision-making, you will need two other things. We don't need brainstorming; we need brain typhoons, brain hurricanes to walk at the same speed as the new reality. It is an urgent need to learn future design as the cornerstone of the new PA studies. Focus on the future and focus on the future. The future is not far; the future comes in the next second. And the third one is the need to include geopolitics and trade geopolitics. Start looking at how the nation's smallest problems relate to the world and to the future world.

Wolfgang Drechsler: Regretfully, we only have a minute or two for the final response of our host, so, please, Mr. Dobra.

Bardhyl Dobra: Reform in general is not easy, let alone PA reform. However, reforms are necessary and useful. Prime Minister Kurti was very clear yesterday: We need to deliver on our reform agenda, we need to respond to our citizens' needs, and we need to do this together with our civil service, together with our PA.

It is natural that sometimes there are diverging interests and goals within domestic stakeholders as well. Nevertheless, it is crucial to remind everyone that the civil service is not the enemy of the government and vice versa – we work together to deliver something that is expected from both sides. And this is precisely what this government has been doing for these three and a half years. It is vital that we now increase the pace of delivery so that our citizens can benefit from good policies. The world is changing, geopolitics as well as disruptive technologies and AI are real, and we cannot afford to stay behind: Working together on reforms and preparing our citizens and civil servants for this new world is fundamental.

The Government of the Republic of Kosova must build the Kosova School of PA (Kosova Ecole Nationale d'Administration – KENA) which PM Solari just mentioned to prepare for our long-

term future. It is a long-term capacity-building project which has been widely discussed and prepared. KENA will help us to tackle the issue of lack of appropriate human capacities in sufficient quantity that is able to always deliver, with the same pace and quality, and without discrimination.

KENA will also help us to better train and educate current and future civil servants, combining it with research and also step-by-step replacing the international advice when it comes to tasks that do not necessarily need international advisors but can be delivered by locals. Such a move is the key to a proper and long-term development of Kosova's PA. In specific areas, civil service perfectly functions and delivers every day. In some areas, we can draft and implement policies, but it is essential to have the same results across the entire civil service. Our goal is also to prioritize local expertise as it exists and as it must be used appropriately.

Reforming PA is a long-haul task, is necessary, and must be a priority. We believe that achieving such a goal is possible and we are working toward it.

Wolfgang Drechsler: Thank you so much. So normally, it would be really interesting to have a discussion between the panelists and also to ask for some concise and direct questions from the audience. But unfortunately, we have completely run out of time, and I am sure that during the necessary break now following, all the distinguished panelists will be extremely happy to answer any questions you might have over the espresso. So, thank you to the audience for your attention this morning, the panelists for their participation, and Deputy Minister Dobra for the organization of the conference which enabled us all to meet here in Prishtina and discuss these vital matters.