

LIVING LAW AND POLITICAL STABILITY
IN POST-SOVIET CENTRAL ASIA

A Case Study of the Ferghana Valley in Uzbekistan

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Rustamjon Urinboyev

Coverphoto

Itchan Kala, the walled inner town of the city of Khiva, Uzbekistan

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Rustam Urinboyev
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Abstract

Central Asian countries are facing multidimensional political stability and security challenges in the post-Soviet period. Current scholarly discussions of political stability in post-Soviet Central Asia continue to revolve around the issues of Islamic upheaval, ethnic conflicts, civil war or inter-clan struggles, and how the authoritarian regimes in this region deploy coercive strategies and penal sanctions to cope with political instability. There is a lack of research, though, that addresses the relationship between welfare structures and political stability. It is evident that political and coercive strategies are crucial variables, but insufficient when trying to understand the complexities and dynamic nature of political stability.

This thesis, through a case study of the Ferghana Valley in Uzbekistan, investigates the relationship between welfare and political stability, and thereby aims to contribute to a better understanding of the post-Soviet transformations in Central Asian societies. Another equally important purpose of the thesis is to contribute to theory development in the sociology of law. The thesis seeks to answer the following overarching research question: *Given the three suggested means of political stability (coercion, welfare, and informal institutions) that states have at their disposal, what are the possibilities to promote legitimate and long-term political stability in post-Soviet Central Asia?*

The thesis employs multiple research methods, consisting of an ethnographic method, a literature review, a socio-legal method, and an historical method. The first-hand data comes from three periods of ethnographic fieldwork conducted between 2009 and 2012 in the Ferghana Valley, Uzbekistan. The thesis draws on the concept of 'living law', the 'state-in-society' approach and the concept of norms to provide a theoretical framework, and model for analysing the empirical data.

The research findings show that due to the obvious failure of the Central Asian governments to address the structural inequalities and market defects, informal welfare structures such as *maballa* have come to serve as an alternative source of job creation and social safety nets, and thereby prevent the occurrence of political instability. However, these developments have had far-reaching repercussions for state-society relations and political stability in Central Asia, leading to a crisis of state legitimacy. As a result, the informal structures are quite omnipresent phenomena in Central Asia, while the laws and image of the states have limited

meaning in everyday life. Due to this crisis of legitimacy, the political stability in Central Asia has become very shaky, which is why the states in this region increasingly rely on coercion and intimidation as an exclusive means of social control. As the findings indicate, informal welfare structures can provide only short-term solutions to political stability, and thus there is a need for more extensive state-driven welfare measures. Hence, the thesis suggests that strong welfare measures can serve as a legitimate pathway for building long-term political stability in Central Asia.

This is a compilation thesis in sociology of law, which includes four articles, published or forthcoming in international and peer-reviewed journals or scientific anthologies, and an introductory summary containing theoretical, methodological, results and analysis chapters.

Keywords: political stability, welfare, living law, social norms, sociology of law, law and society, *mahalla*, Uzbekistan, Central Asia, Ferghana Valley, post-Soviet societies, ethnography, socio-legal studies, corruption, informal economy, public administration, informal institutions, legitimacy, state-society relations.

Note on Transliteration

Throughout the thesis, Uzbek words are spelt according to the 1996 Uzbek Latin alphabet and follow the standard literary form. Uzbek words are used based on the following two criteria: (1) if an Uzbek word or phenomenon is central to the study; (2) if an English translation does not fully capture the meaning of the Uzbek word or phenomenon. Uzbek words are presented in italics and the Russian spelling of Uzbek words is avoided. The principal exceptions are Uzbek (not O'zbek), Uzbekistan (not O'zbekiston), Ferghana (not Fargo'na), since these spellings are widely familiar and consistently spelt in English. Only the following words reflect dialectal particularities of the Ferghana region: *dasturhonchi* (women ritual specialist), *domla* (religious chanter), *rossiychilar* (group of traders that export agricultural products to Russia) and *ustalar* (wedding logistics coordinator). I also use a hybrid spelling of *toi* (wedding) rather than the Uzbek transliteration *toy*, to avoid confusing English-speaking readers. Words that relate to Islam, if they are commonly used in English, are spelt in their simplest transliteration from Arabic, for example, Qur'an and imam.

The Book and the Central Problem

1. Introduction

This is a compilation thesis in sociology of law, which includes four articles, published or forthcoming in international and peer-reviewed journals or scientific anthologies. It starts out with this introduction chapter where I present the central problem of the thesis and provide the basic information the reader will need to understand the text that follows. This includes my personal observations, the analysis of political stability and security in Central Asia, a review of relevant literature, and a brief overview of the four articles. The rest of the thesis is organised in the following manner. *Chapter Two* presents the theoretical framework, building a bridge between the concept of ‘living law’, the ‘state-in-society’ approach, and the concept of norms. In *Chapter Three*, I present the methodology used to collect data, with an analysis of the strengths and weaknesses of the methods. In *Chapter Four*, I present the key findings of my articles, elaborate on how they answer specific research questions, and analyse the empirical material. I also discuss the theoretical and empirical contributions, present the conclusions, and suggest future avenues of inquiry. This is where everything is brought together and the research questions are answered. Finally, *Chapter Five* includes the four articles, which provide the empirical material, literature reviews, theories, and methods on which the thesis is based.

This introductory chapter frames the ideas that have preoccupied me over the past two decades, and eventually become the centrepiece of my thesis: welfare and political stability. I have four main aims here. First, by narrating my personal observations, I want to provide a background to the interlinkage between welfare and political stability, especially in relation to the literature that I have drawn on.

Second, I explain why ‘political stability and security’ is a pressing issue in the Central Asian region, a phrase which I believe has become a buzzword in both academic and policy debates. By explaining political stability in Central Asia I hope to provide a better, more grounded way to conceive of the state-society relations and political stability in this region. My third aim is the central one of this chapter: I want to spell out the research gap in Central Asian studies and question whether welfare (social protection) can promote political stability and security in the region, and thereby diminish the use of coercive strategies and penal sanctions. And, finally, I want to show how using Eugen Ehrlich’s concept of ‘living law’, together with the ‘state-in-society’ approach and the concept of norms, is useful to understand the political and socio-economic landscape of the Central Asian region where states and societies are intertwined entities that engage in mutually transforming interactions.

1.1. Welfare and Political Stability in Post-Soviet Central Asia

Welfare and political stability are the issues investigated in the four articles that form the basis of this thesis. These issues have long been debated in academic circles. They involve identifying and analysing different means of achieving political stability – the recurring ways in which some states increasingly rely on coercion (repression and penal sanctions), while others use non-coercive (welfare) strategies to make people behave in ways they would not have otherwise chosen – and when and why states switch from coercion to non-coercive strategies or vice versa (e.g. Hurwitz 1949; Titmuss 1958; Marshall 1963; Wilensky 1975; Flora and Heidenheimer 1981; Migdal 2001, 1988; Olsson 1990; Feldman 1992; Migdal *et al.* 1994; Verdery 1996; Kubicek 1998; Melvin 2000, 2004; Luong 2002, 2004).

These issues first began to enter my consciousness in my childhood years when the Uzbek-Meskhetian Turk ethnic conflicts flared up in the Ferghana Valley of Uzbekistan in the final period of the Soviet Union (early June 1989). People were worried and panicked, and prayed in the hope of bringing about inter-ethnic peace and political stability. I can still remember the burned houses of Meskhetian Turks that I saw when we visited our relatives in the *Toshloq* district of the Ferghana region. Political instability in neighbouring countries was also a cause of concern for mine and thousands of other families. Since both Tajikistan and Afghanistan were engulfed in civil wars in the 1990s, there was a strong anxiety among the Uzbek people that this civil strife could spill across Uzbekistan’s borders. I cannot underestimate the lasting impact of these violent ethnic conflicts and the political instability on me, especially in cultivating what would become my scholarly preoccupation with how political stability and security are established, maintained and transformed.

During my school years I witnessed an important change in the world map. The collapse of the Soviet Union in December 1991 led to the emergence of fifteen independent states, including five Central Asian states. The collapse was proclaimed by the Western world as a victory for freedom, a final triumph of democracy over communism, and proof of the superiority of capitalism over socialism. The political leadership of the five newly independent states of Central Asia – Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan – made all sorts of bold claims about their strong commitment to democracy, market economy, human rights and the rule of law as well as their intention to break the stranglehold of totalitarian forms of governance. There was a widespread euphoria in Central Asia and in the outside world that the introduction of the Western type political institutions of democratic government and market-oriented economy would promote democratic transformations and contribute to the formation of stable democratic nation-states in post-Soviet Central Asia. The deep economic decline in the Central Asian states in the 1990s was explained by ruling elites as a transition stage, and that these states would arrive at capitalism and democracy. The books and newspapers I read in those years were overloaded with the slogans and ideology of national independence and a great future, stressing the high potential of the nation, unique history, culture and traditions of Central Asian societies. The history textbooks I consumed in high school tended to highlight the historical epics, leaders and scientists of Central Asia, ranging from *Alpamysh*, *Manas*, *Tamerlane*, *Samanids* to *Avisenna*, *Alisher Navoi*, *Al-Farabi*, while at the same time vilifying the Russian Empire conquest and Soviet rule in Central Asia. Thus, it was a moment of great expectations and euphoria in Central Asia.

Twenty-one years have passed since the Central Asian states gained their independence. However, there has apparently been increasing social inequality in Central Asia in the post-Soviet period, with growing wealth among kleptocratic government officials and business elites who are well connected to state elites, and growing poverty among the population in general, especially in rural areas. Looking at the magnitude of corruption and kleptocratic practices, the extremely high unemployment rates and growing impoverishment of the masses, one possible inference would be that the hopes and expectations of many Central Asians have already evaporated. In Uzbekistan, as Dadabaev (2004, 165) shows, the reserves of public confidence that the government was granted after independence have significantly shrunk and people are increasingly impatient with government failure in economic reforms. Similar situations have been observed in other Central Asian states as well (e.g. Luong 2004; McMann 2007). Likewise, many commentators now argue that the Central Asian states have made little progress in promoting the rule of law and good governance, and that many formal institutions of government have merely a showcase quality (e.g. Luong 2000, 2002; Gleason 2001; McMann 2004; Ilkhamov 2007; Kandiyoti 2007; Perlman and Gleason

2007). According to the 2011 *Corruption Perceptions Index*, released annually by Transparency International (TI), Central Asian countries are among the most corrupt in the world (TI 2011). The 'control of corruption' indicator of the *World Bank Governance Studies* also shows an extremely high level of corruption in Central Asian countries (Libman 2008).

The current Central Asian ruling regimes extract resources, exercise strong social control and foist their ideology on ordinary people without giving anything in return. Despite the despotic and corrupt nature of the Soviet system, the majority of Uzbeks, especially the older generations that I interviewed during my fieldwork, expressed nostalgia for the former Soviet Union. They frequently mentioned the availability of inexpensive food, jobs, medical care, affordable housing, and education during the Soviet era. This is supported by Atkinson and Micklewright's (1992) study, showing that the distribution of income within the Soviet Union was significantly more egalitarian than in most market economies. The difficulties of the post-Soviet transition have been exacerbated by the significant retrenchment of social welfare services. The new Central Asian governments withdrew social benefits without creating alternative welfare structures. As a result, the absence of state support has created serious social problems, thereby transforming the family and communities into the main shock-absorbing structures of the society (e.g. Kandiyoti 1998; Sievers 2002; Kandiyoti and Azimova 2004; Urinboyev 2011). Most of the people I met in rural Ferghana expressed their dissatisfaction with current economic and social policies, mentioning unaffordable healthcare and the high unemployment rate. Today, when talking with ordinary people in Central Asia one can say that the ruling elites' narrative of a 'transition period' is losing its credibility in light of shrinking social welfare services. At least this is the experience of many of those I encountered during my fieldwork in the Ferghana valley of Uzbekistan. Many people I met rarely referred to the 'transition' when explaining their economic difficulties; rather they often referred to economic policies and low salaries, lack of jobs and strong social protection, corruption, the high inflation rate, excessive interference of law-enforcement bodies and tax officials in business activities, customs duties that were too high, and tightened border controls. As Marianne Kamp (2005, 417) notes, 'the idea that this is a passing stage, and that Uzbekistan must and will arrive at capitalism and democracy, is dying more quickly among ordinary people in Uzbekistan than it is among outside "experts."'

The revolutionary wave of demonstrations and protests in the Arab world, the so-called 'Arab Spring' that began on the 18 December 2010, sent shockwaves rumbling across Central Asia. For the first time in the recent history of the Arab world, the revolutions led to the ousting of authoritarian leaders and their replacement by representatives of an opposition camp. These events showed that the use of coercion and penal sanctions as an exclusive means of social control can

serve authoritarian regimes in the short term, but it can hardly secure a regime's sustainability in the longer term. The Arab Spring produced enthusiasm and raised expectations of ordinary people in Central Asia for a democratic change. Remarkably, despite their obvious failures in addressing the social and economic problems, all Central Asian authoritarian regimes (with the exception of Kyrgyzstan) still maintain their firm grip on power. Paradoxically, the Arab Spring had a dramatic impact on democratic developments in Central Asia, serving as a 'scapegoat' to demonise the Western human rights and democracy initiatives in the region. In light of rising Islamic fundamentalism and the threat posed by the Taliban in neighbouring Afghanistan, ruling regimes 'securitised' the issue by convincing the population and supporters abroad that there is only one alternative to their rule – Islamic fundamentalism. Referring to the violent and destructive nature of Arab revolutions, Central Asian leaders emphasised the importance of a strong state during the transition period, and insisted that harsh measures are necessary to prevent an Islamist takeover in the region. The Arab Spring provided a vantage point for Central Asian political leadership to underscore the importance of political stability over democracy and economic development, thereby absolving ruling regimes from implementing democratic reforms. Ruling regimes often cite the famous Western scholars, such as Samuel Huntington (1968), who argued that establishing centralised authority, even by authoritarian means, is the prerequisite for any type of political or economic development. In this regard, political leadership of all five Central Asian states actively pursue the policy of 'political stability at any cost' that provides justification for ruling regimes to deploy coercive strategies and penal sanctions as an exclusive means of social control.

These developments indicate that the discourse of 'enduring dangers and threats to political stability', real or imagined, is an essential part of social and political reality in Central Asia. A Russian expert, Alexei Malashenko (2003), argues that the existence of radical Islam has long become an instrument actively used by Central Asian leaders for achieving their goals. During my fieldwork in Uzbekistan I observed that the ruling regime was able to inculcate the fear of enduring political instability in the minds of most Uzbeks. It is likely that political leadership strategically uses the discourse of political stability to make people feel content without implementing any democratic reforms. Likewise, the saying '*och qornim – tinch qulog'im*' ('a hungry stomach is better than a worried ear') has become commonplace in Central Asia. While reading Andrew March's (2003) analysis of the books of the President of Uzbekistan, one can plainly see that the government in Uzbekistan regularly uses the political stability arguments to justify coercive strategies, for example, by stating that it is necessary to use harsh measures to prevent political instability. Hence, the political stability discourse seems to preclude the occurrence of real democratic changes in Central Asia, thereby contributing to the longevity of authoritarian regimes. These developments made

me acutely aware of patterns of how authoritarian regimes strategically use the political stability argument as a way to maintain their grip on power, and reinforced my belief that political stability is not necessarily a positive thing; rather it might have different meanings and (pernicious) forms depending on the political, historical and socio-economic contexts.

The books of medieval Central Asian scholars and philosophers that I consumed in recent years have provided me with an historical lens through which to understand the dynamics of state-society relations and political stability in Central Asia. These books focus – sometimes explicitly, more often implicitly – on the role of the state, forms and method of governance, and the relationship between the ruler and citizens. The most thought-provoking literature I found was Al-Farabi's *The Virtuous City (al-Madina al-fadila)* (2001; 2004)¹. Drawing on Aristotle and Plato, Al-Farabi explains the idea of political justice and the basic rules of governance in the 'virtuous city'. As he defines it, 'the virtuous city is the one whose inhabitants mutually assist one another in obtaining the best things for a human being's existence, constitution, subsistence, and preservation of life' (2001, 25). In the virtuous city, the key to establishing justice is to equally divide the shared goods among the inhabitants of the city. Those goods are security, money, honour, rank, and the rest of the goods it is possible for them to share in. The main goal of the ruler of the 'virtuous city' is to oversee the collective efforts of city inhabitants, and thereby ensure their welfare and security. Although Al-Farabi's work has received little scholarly attention outside Central Asia (especially in Western scholarship), it provided me with an important historical insight on how the role and obligations of the state were perceived in medieval Central Asia. One important perspective I obtained was that the paternalism and welfare provision has historically been the central role of the state in Central Asia, and that there has always been a 'social contract' between the state and citizens.

The American historian Edward A. Allworth (1990) in his book, *The Modern Uzbeks: From the Fourteenth Century to the Present: A Cultural History*, claims that historically there was always the notion of a just ruler prevailing in Central Asia. The ruler enjoyed absolute power and demanded absolute obedience and loyalty from citizens; in return, the ruler had clear obligations to provide for the welfare and security of citizens. In view of current developments in Central Asia, it seems that these historical traditions have been significantly eroded. On the one hand, Central Asian ruling regimes consume economic resources and increasingly rely on coercion and intimidation as an exclusive means of social control. On the other,

¹ Al-Farabi (born c. 872 – died c. 950) was a famous scientist and philosopher of the Islamic Golden Age. He was known among medieval Muslim intellectuals as 'The Second Teacher' (after Aristotle).

they retrenched the social benefits that people had taken for granted for decades, thereby breaching the historical 'contract' between the state and citizens.

In view of these developments in post-Soviet Central Asia, I became increasingly interested to investigate the possible changes that may occur in the nature of state-society relations and forms of political stability when the state no longer supports its citizens 'from cradle to grave'. My preliminary assumption was that when the state retreats from its social welfare obligations, people react to these changes by devising alternative coping strategies that are based on unwritten sets of rules, are not in conformity with labour legislation, escape monitoring by the state officials, lack decent work conditions, and are mostly pervasive and informal in nature. My view of state-society relations and political stability became much more refined when I came to the Department of Sociology of Law at Lund University in Sweden for Ph.D. studies in 2008. The core research focus of this Department is on the 'concept of norms', which postulates that the state and its laws are constructed and reconstructed, invented and reinvented when they come into contact with competing informal norms and unwritten sets of rules (e.g. Åström 1988; Hydén and Svensson 2008; Hydén and Wickenberg 2008; Svensson 2008; Baier and Svensson 2009; Hydén 2011; Larsson 2011; Baier 2013). The concept of norms is based on the notion that the place to look for the sources of power to enforce order is specifically in society's norm structures; and the very nature and outcomes of social and political order are characterised and determined by the interplay between different normative orders (legal, social, religious, etc.). Eugen Ehrlich's (2002) concept of 'living law' seems to have stronger relevance when addressing the plurality and interplay of different norms in society. To Ehrlich, social life is guided by norms of conduct, not by legal norms or statutes alone. In the field of political science, the clearest and deepest thinker emphasising the importance of norms is Joel S. Migdal, whose work I continue to find endlessly fascinating and largely relevant. A central idea of Migdal's (1988, 1994, 2001) 'state-in-society' approach is that 'states are parts of societies. States may help mould, but they are also continually moulded by, the societies within which they are embedded. . . . Societies affect states as much as, or possibly more than, states affect societies.' Migdal claims that states face enormous resistance from social forces in implementing their policies, since their laws and regulations must compete with the norms of other social structures that promote different versions of how people should behave. Gleason (1995, 39) claims that Central Asian societies still maintain strong devotion to traditional Asian values, such as ethnocentrism, primordialism, sanctification of ritual and custom, communalism, ascriptive authority, customary rather than contractual obligations, supernaturalism, and social rather than legal sanctions. I continue to be of the opinion that such struggles and interplay between different normative orders are particularly evident in traditional Central Asian societies where informal norms

and rules are more salient than the state's laws in everyday life. In this regard, after a detour into these three theoretical concepts, I became deeply interested in utilising them as the theoretical lens through which to examine and understand the changing state-society relations and political stability in Central Asia.

In search for empirical clues in April 2009, one year after I initiated my Ph.D. studies, my thesis supervisor, Dr. Måns Svensson, and I (hereinafter 'we') travelled to Uzbekistan for ethnographic field research. We were interested in observing the role of law in everyday life and, directly or indirectly, in various social arenas, observing for example how state officials enforce laws and to what extent people conform to laws when dealing with state officials. We also had plans to observe the commonplace and more or less taken-for-granted activities that signal the key features of social structures, norms and interactions, and that can stand for broader public policy developments. However, given the nature of the political regime in Uzbekistan, we were aware of the possible methodological problems that might arise during the field research, and we decided to limit it to participant observations, semi-structured and informal interviews.

The evening flight from Riga to Tashkent Airport on AirBaltic took just under six hours. We arrived at the Tashkent airport in the middle of the night and checked into the Radisson Hotel. After rest and breakfast we walked through the streets to a nearby market, *Alay*, to observe informal transactions on the black market for foreign currency. We were welcomed by a group of money changers who immediately approached us, offering their currency exchange services. What struck us was that there were several policemen around; none of them, however, bothered about illegal transactions on the black market. We have observed many similar incidents in the Ferghana valley as well. What is evident is that it is almost impossible to buy foreign currency at the official exchange rate in the banks of Uzbekistan, and that is why people are compelled to turn to the services of illegal 'traders'. We next turned our attention to the informal taxi sector. One of our fascinating findings was that almost anybody in Tashkent could work as a taxi driver. As we had some official meetings with the administration of one of the universities in Tashkent, we regularly used taxi services. There were no taxi stops and we did not have to order a taxi. Waving your hand at the side of the street was sufficient to find a taxi in a minute. Observing the magnitude of the informal taxi sector, we came to realise that it has become a major source of self-employment and income-generating opportunities for many of the urban unemployed in Tashkent. The interaction between the taxi drivers and traffic police is also based on informal rules. During our field research we noticed that taxi drivers often shake the hands of traffic police with money when they break traffic rules, such as exceeding the speed limit. These observations reminded us of the 'living law' of the Bukowina that Eugen Ehrlich described a century ago in his ground-breaking book *Fundamental Principles of the Sociology of Law* (Ehrlich *et al.* 2002). One interesting

insight we gained was that the laws and regulations of the state are not the only regulators of political, social, and economic life in Uzbekistan; there are many other competing (informal) normative orders or ‘living law’ that influence social behaviour and everyday life more effectively than the laws of the state.

Our field trip to rural Ferghana provided us with important insights about the nature of everyday life and coping strategies prevalent in Uzbekistan. It struck us that in rural Ferghana, life-cycle ceremonies such as weddings become sites of redistribution where the whole community is involved in the exchange and reciprocation of material goods, money and services. Another important feature of everyday life was the important role played by the *mahalla* (a residential neighbourhood institution) as an alternative welfare structure. In light of declining state social services, *mahalla* has become the main shock-absorbing institutions that provide public goods and redistribute resources within the community. The law is almost non-existent in everyday life, which is regulated instead by informal rules that are quite distinct from the law of the state. Wherever we looked – at institutions such as markets, banks, hotels, the university, *mahalla* – we observed the existence of a multitude of informal rules governing economic and social relations. The laws and image of the state were virtually absent, while ‘informality’ was quite an omnipresent phenomenon. We have thus come to the conclusion that there is a ‘living law’ in Uzbekistan that dominates social and economic life itself even though it has not been posited in legal propositions.

Figure 1. Wedding ceremony in rural Ferghana



Back at the hotel, we talked about the informal taxi sector, about plurality of norms, about the widespread presence of police and security forces in Uzbekistan, about the role of the *mahalla* as an alternative social safety net, about the redistributive effects of the ‘culture of money’ in weddings, about the future and political stability of Uzbekistan. As I am a native Uzbek, things we observed were not new to me. But this time I looked at these phenomena scientifically, with an understanding of the importance of methods, with analytical tools under my belt, and with research problems in mind. For my supervisor it was a very special experience; he particularly wondered why there were so many police present throughout the country. When I explained this as a measure for preserving political stability, he suggested that there are other more politically legitimate options available for Uzbekistan to maintain political stability, such as by implementing extensive welfare (social protection) policies.

I think that the month I spent in Uzbekistan with my thesis supervisor unconsciously brought into doubt many of my assumptions about how political and social stability is established in Uzbekistan and how it changes. Despite the almost mythical coercive power of the political regime in Uzbekistan, especially the regime’s ability to withstand internal and external challenges, we found that the state and its legal system have limited meaning in everyday life, and the coping strategies of ordinary citizens are mainly informal. Even the behaviour of state officials (e.g. traffic police) was more influenced by the ‘living law’ than the law of the state. We realised that it is not the law, but the informal rules and norms (living law) that have more meaning and influence in everyday life in Uzbekistan. In fact, ideas generated in our discussion at the hotel turned out to be the seed of this thesis developed in four articles. Thus, this thesis is not the outcome of pre-designed fieldwork but rather a spontaneous process, since we continuously adjusted our focus and research questions as we became more intimately immersed in the field.

The four articles included focus on local level developments in Central Asia, since it is the local level evidence that demonstrates whether or not the state has been able to valorise its laws and centrally-designed policies in everyday life. However, one could argue that the local level evidence presented is not sufficient to understand the dynamic nature of state-society relations and political stability in Central Asia. Apart from my empirical observations, the reader might wish that I had done a literature-based analysis of macro-level developments in order to clearly illustrate why political stability and security is such a pressing issue in Central Asia. Hence, before stating the aims and research questions of the thesis, I will provide a detailed account of public policy developments in post-Soviet Central Asia, using the case of Uzbekistan. Since it is the most populous, religious and centrally

located country in the region, I will mainly focus on the case of Uzbekistan to explain the relationship between welfare structures and political stability in Central Asia. Despite my specific focus on Uzbekistan, it can be argued that the thesis has relevance for other Central Asian states as well. All of the countries in the region share a common culture, social structures, historical traditions, common external influences and common forms of governance: authoritarianism. I will elaborate more on this issue in the methodology chapter.

1.2. Public Policy Developments in Post-Soviet Central Asia

Central Asia consists of five countries, usually defined in the West as the five ‘stans’ of the former Soviet Union: Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan. None of these countries had existed in the present shape as independent states prior to the establishment of the USSR. They acquired their sovereignty following the fall of Soviet Union. These five states are different in terms of their resources and access to the outside world; they however share similar political, cultural and social characteristics. Gregory Gleason’s (1995, 38) description of the Central Asian states is useful in this respect. As Gleason describes, due to its large Caspian oil reserves, Kazakhstan is potentially the richest country in Central Asia. Kyrgyzstan is a tiny and mountainous country, and has only limited natural resources and little industry. Due to the legacy of the Civil War from 1992 to 1997, Tajikistan is the poorest country in Central Asia and possesses limited natural resources and industry. Turkmenistan owns great potential gas wealth, but suffers from its awkward geographical position and lack of access to markets. Being located at the centre of Central Asia, Uzbekistan is the most populous country in the region, and has the most industry, and a well-educated population (*ibid.*).

Figure 2. Map of Central Asia (Source: Berglee 2012)



Following the collapse of the Soviet Union in 1991, newly independent states of Central Asia were faced with the complex task of rebuilding their nation-states. All Central Asian states have proclaimed the creation of a secular democratic society based on the ideals of democracy, human rights, and social justice. For a brief period during the first stages of the nation building process there was a widespread euphoria in Central Asia and in the outside world that the introduction of the Western type political institutions of democratic government and market-oriented economy would promote democratic transformations and contribute to the formation of stable democratic nation-states in post-Soviet Central Asia (Gleason 2001). The Western world and international financial institutions have shown their strong willingness to support democratic transformations in the post-Soviet Central Asia through financing and by initiating innumerable democracy, market economy and human rights projects. However, the analysis of public policy developments since 1991 shows that the Central Asian countries have made limited progress in promoting good governance, the rule of law and social welfare, and that formal institutions merely have attained a showcase quality (e.g. Gleason 2001; Luong 2002). Constrained by scarce financial resources, Central Asian states could no longer afford and continue generous social welfare policies. Because of the collapse of formal welfare structures and the inability of the new Central Asian governments to provide decent jobs, increases in poverty and inequality have been much more dramatic in the low-income countries of the Caucasus and Central Asia than in the mostly middle-income countries (Falkingham 2005). Studies have demonstrated that Central Asians consider their governments inferior to the Soviet one (Abramson 2000a; Ilkhamov 2001; Baykal 2006; Rasanayagam 2011a). This

issue has had far-reaching repercussions for political stability and security in Central Asia.

As the states retreated from their social welfare obligations, so are ordinary citizens retreating from their loyalty to the current political system, as evidenced by growing social discontent, disobedience to legal systems and rising support for radical Islamic movements. As Hansen (2005, 45–6) notes, ‘With no political voice and few economic opportunities, there is a risk that the local populations will grow more frustrated and bitter, eventually becoming more radicalised’. The level of unemployment and poverty, as well as the lack of political liberalisation, provide fertile ground for these radical groups to recruit young people. There are several underground radical Islamic groups in Central Asia, *The Islamic Movement of Uzbekistan (IMU) and Hizb-ut Tahrir*, that advocate the establishment of an Islamic state in Central Asia, notably in Uzbekistan (Pottenger 2004). Likewise, instability in Afghanistan, ethnic tensions, socio-economic problems and the rise of regionally focused Islam threaten the forms of territorial political arrangements that have been developed in the Central Asian states (Nunn *et al.* 1999). I will provide a more detailed account of these developments in the case of Uzbekistan in the next section.

1.2.1. Political Stability in Uzbekistan

Uzbekistan has the largest population of the five Central Asian states, recorded at more than 29,500 million in 2012, of which 77.2 per cent are Uzbek, with the remainder being Russians, Tajiks, Kazakhs, Karakalpaks and Tatars (UNDP 2012). Having been under the Soviet central planning system for more than 70 years, Uzbekistan embodies a peculiar blend of traditionalism and modernity. As Pashkun (2003) describes, the ruling elite is quite Westernised (Russified), while a large portion of society, especially the rural inhabitants who account for roughly 63 per cent of the population, has preserved its devotion to traditional values. Uzbekistan has an awkward geographic position, as it is one of the only two double landlocked countries in the world. In addition, in the south, it borders on the war-torn and highly religious country of Afghanistan. The agricultural sector plays a key role in the Uzbek economy, as it accounts for 30 per cent of the GDP, 60 per cent of foreign exchange receipts and about 40 per cent of employment. Uzbekistan ranks as the world’s fourth largest producer of cotton (Kandiyoti 2003). Uzbekistan is rich in natural resources, including large deposits of gold, copper, lead, zinc, uranium, natural gas and oil. It has the sixth-largest reserves of gold in the world and is the world’s ninth-largest gold producer (EIU 1995). After cotton, gold is Uzbekistan’s second largest export product and it accounts for about one-fifth of the country’s foreign exchange revenues (Ruziev *et al.* 2007).

Uzbekistan became an independent state in 1991 following the fall of the Soviet Union. As a newly independent state with democracy claims, the Uzbek government revised its legal system and institutions in an effort to create conditions for democratic transformations in society. Uzbekistan has proclaimed its strong commitment to the ideals of democracy, free market, social justice and universal human rights. However, the complex and multidimensional nature of political stability challenges that the country faced in the transition period necessitated a more cautious approach to market reforms. As Ruziev *et al.* (2007) describe, Uzbek authorities made it clear from the beginning that the ‘big bang’ or ‘shock therapy’ approach to transition would not be adequate for Uzbekistan. In a comparative study of post-Soviet transition in Central Asia, Spoor (1995) describes Uzbekistan’s reform policies as ‘gradualist’. In this regard, Uzbek authorities took a gradual approach to the transition to a market economy due to its heavy dependence on the import of consumption goods and high share of low-income groups in the population. Uzbek authorities were aware of the risk that a rapid transformation of the economy would affect the lives of millions, probably leading to social unrest. Hence, the Uzbek model of transition clearly reflected the concerns for political stability and the peculiarities of the structure of the economy. In the same vein, Uzbekistan emphasised ‘stability at any cost’ rather than asserting economic growth as its main aim (*ibid.*). Although the Uzbek government tends to highlight the uniqueness of the Uzbek transition model, one similarity it has with the Chinese model is the commitment to political stability and harsh response to open dissent (Pomfret 2000). In this regard in post-Soviet Uzbekistan, preserving the stability of the economy and of social and political order has become an overarching rationale for rejecting a shock therapy approach to market reforms, for delaying the introduction of democratic institutions and for developing a strict border regime (Fumagalli 2007).

The Soviet legacy also had a profound impact on social policy strategies of the Uzbek government in the 1990s. Given the fact that the former Soviet social welfare system did provide relatively strong social protection and healthcare facilities, the general population of Uzbekistan were likely to expect the same treatment and conditions from the new Uzbek authorities. This issue had important implications for the maintenance of security and stability in the country. The Uzbek authorities were aware that they might lose legitimacy and face social unrest if they failed to meet the expectations of the people. Given the high proportion of low-income groups and the dependence on the import of consumption goods, any attempt at contraction of social welfare benefits would affect millions, which consequently would lead to social unrest. In the same vein, the main concern of the Uzbek authorities in the early years of independence was the prevention of dramatic output loss, strong social protection and modernisation of the economy by strengthening the industrial sector (Ruziev *et al.* 2007). As a

result, the Uzbek authorities attempted to prevent social unrest and instability by devising social welfare policies targeted at the most needy population groups. The social welfare strategies adopted by the Uzbek authorities during the early years of independence were almost identical to the Soviet-era practices (Johnson 2007). Seemingly, the social protection policies of 1990s were primarily pursued with the aim of 'buying off' the sympathy of the people and maintaining social order and stability during the transition period. The newly introduced Uzbek economic development model, based on gradual reform strategy, clearly illustrated this tendency.

Notably during the early years of transition, Uzbekistan achieved small but positive and persistent economic growth due to its favourable economic conditions such as the dominance of agricultural production, the low level of initial industrialisation and the rich natural resource base (Zettelmeyer 1998). Uzbekistan suffered less from the transition depression than neighbouring Central Asian states and was among the first to report positive output growth, reported for the first time in 1996 (Spechler 2002; Ruziev *et al.* 2007). The cumulative decline in GDP between 1989 and 1996 was the lowest in Uzbekistan among all former Soviet republics. Uzbekistan did fairly well in terms of providing a social safety net, alleviating poverty and limiting spending cuts in education and healthcare, especially in the mid-1990s (Pomfret 2000; Johnson 2007; Ruziev *et al.* 2007). Soviet-style centralised economic management and strong social protection measures seemed to be successful in the transition period, as they prevented large output decline and served to maintain a reasonable living standard. The agricultural sector prevented the increase of unemployment by providing job opportunities in rural areas. In this respect during the early years of transition, Uzbekistan maintained Soviet-era welfare policies and centralised control over the priority sectors of the economy since these policies had considerably contributed to political stability and security.

However, the gradual reform strategy appeared to be a short-term remedy. Although the gradualist approach to transition contributed to a prevention of sharp output loss and consequential rise in unemployment and social unrest during the early years of transition, by 2000 it became evident that the economy was simply stagnating (Ruziev *et al.* 2007). As Kandiyoti (2007, 44) notes, the partial market reforms the government of Uzbekistan implemented in pursuit of stability paradoxically resulted in inefficient resource allocation and widespread corruption that required increased recourse to coercion. The implementation of market reforms was hampered by active government intervention in the economy and the use of administrative methods (Ergashev *et al.* 2006, 33). As Ruziev *et al.* (2007) claim, the longer an economy is exposed to central planning, the higher the macroeconomic distortions and thus the less the incentive for rapid reforms. In the same vein, the continuation of Soviet style centralised economic planning and

management created unfavourable conditions for the long-term prospects of the Uzbek economy, leading to macroeconomic distortions and widespread kleptocratic practices. A growing body of scholarly literature demonstrates the ubiquity of corruption in Uzbekistan, focusing on kleptocratic elites in the upper echelons of the state organisation, malfunctioning public administration structures, administratively-commanded economic policies, inefficient post-Soviet agricultural reforms, corrupt law-enforcement agencies, and inadequate ways of dealing with corruption by state authorities (Gleason 1995; Taksanov 2000; Kandiyoti 2003, 2007; Ilkhamov 2004; Ergashev *et al.* 2006; Wegerich 2006; Trevisani 2007; Markowitz 2008). Hence, active government intervention created significant administrative barriers and a high tax burden, thereby causing high transaction costs for national business and the prevalence of an informal economy. High tax and regulatory burdens caused an increase in the informal economy, bringing additional pressure on public finances, resulting in higher tax rates, which again increased the incentives to evade taxes and to escape into the informal economy. These developments eventually led to a significant retrenchment of the welfare state in Uzbekistan, since the tax revenue was very little compared to the scope of social welfare programmes promised by the government. Uzbekistan had to shift from Soviet era type welfare policies to a means-tested social welfare programmes (Agadjanian and Makarova 2003, 450; Kandiyoti 2007).

Thus, the Uzbek government's heavy involvement in maintaining the practice of centralised management over the key sectors of the economy led to macroeconomic distortions and contraction of social welfare services (Ruziev *et al.* 2007). Especially the agricultural sector was highly influenced by the centralised management methods, since the government actively intervened in the cotton sector through redistributing of income from agriculture to develop industries producing import substitutes. Since agriculture has traditionally been the main shock-absorbing structure in rural areas, the reallocation of resources from agriculture to industry negatively affected the living standard of the rural population (World Bank 1999; Ruziev *et al.* 2007, 21).

Although the Uzbek economy has been experiencing above-trend rates of growth – about 7-8 per cent since 2004 (Ruziev *et al.* 2007; IMF 2012) – these indicators hardly reflect everyday life in Uzbekistan where state salaries do not even secure survival, and people are compelled to use informal coping strategies to meet their livelihood needs. As Ruziev *et al.* (2007) and Kandiyoti (2007) demonstrate, the more one moves from macro- to micro-level analyses of Uzbekistan's post-Soviet path, the more complex and paradoxical the developmental outcomes appear. A growing number of Uzbek labour migrants in Russia and Kazakhstan provide clear evidence of the weakening nature of economic and social policies. As Ruziev *et al.* (2007, 16) state, the economic growth was not due to structural reforms, but to a better agricultural harvest, large inflows of money remittances

sent by Uzbek migrant workers and more importantly, to favourable world prices for the country's main products such as gold, cotton, natural gas and oil. The analysis of scholarly research on post-Soviet Uzbekistan indicates that very few Uzbeks reaped the rewards of the economic growth (Kandiyoti 1999, 2003, 2007; Abramson 2000a; Ilkhamov 2001, 2004; Luong 2004; Wegerich 2006; Trevisani 2007; Markowitz 2008; Rasanayagam 2011a). Instead, this energy-driven economic growth comes at the expense of ordinary people in rural areas where service interruptions, often the absence of gas and electricity supply to households during cold winter months, have become customary over the years. Consequently, the growing gap between official assertions – which state that everything is perfect – and what is actually delivered has given rise to popular dissatisfaction in rural areas, and compelled people to search for survival strategies that provide alternative sources of income and a social safety net.

In Uzbekistan, Kandiyoti (2007, 44) notes that the 'social contract between the state and its population is increasingly under strain and the state's limited capacity to provide social welfare and means of interest articulation to its citizenry exposes it to a crisis of legitimacy.' As Rasanayagam (2011a) describes, in the Soviet Union a clear vision of citizen and state was expressed in the official discourse and enacted in social and material provision. However, in post-independence Uzbekistan, the formal state in this sense is absent, since the state has retreated from the social and material provision (*ibid.*). Alisher Ilkhamov, in his article *Impoverishment of the Masses in the Transition Period: Signs of an Emerging 'New Poor' Identity in Uzbekistan* (2001), through an empirical case study of a Ferghana resident, *Husain Jurayev*, shows that there is little confidence in the current system in Uzbekistan. As Ilkhamov describes, despite all the faults of the Soviet system, *Husain Jurayev* still believes that Soviet system could better ensure a higher standard of living and better social services for its citizens than can the current Uzbek regime. Chen (2005) observed a similar situation in China. As Chen shows, declining state legitimacy in China is not so much the result of continued authoritarianism, but is more closely associated with uncertainty about the socio-economic consequences of market reforms (*ibid.*). In post-Soviet Uzbekistan, the partial market reforms and the continued use of centralised management methods have resulted in a gradual intensification of surveillance at the expense of service delivery. While the state institutions still maintain major social welfare programmes, the capacity of the state to provide a comprehensive package of social protection measures is limited. This situation forces the population to increasingly turn to traditional methods of safeguarding their lifestyles and welfare within local neighbourhood communities, immediate families and wider kin ties. The family and the *maballa* are now the most effective shock-absorbing social units (Dadabaev 2004, 164).

Uzbekistan had all the capabilities and opportunities for further development toward democracy and civil society because of its high level of literacy and secular

institutions. The international indicators of state capacity, such as World Bank governance rankings (Kaufmann *et al.* 2004), the American Bar Association's Central and Eastern European Law Initiative's indices of judicial oversight (ABA/CEELI 2002), and International Crisis Group reports (2003), have portrayed Uzbekistan as a state that is simultaneously weak, predatory, and unstable. The level of political liberalisations and economic reform has not been sufficient to promote the social welfare of the population and this has led to sharp increases of economic inequality and unemployment in the society. In effect, the degree of trust in public authorities is continuously decreasing among the population. The 'provision of security' has become a buzzword in the Uzbek policy agenda. The presence of wide police and security forces throughout the country clearly illustrates this trend. The deteriorating situation in Afghanistan and growing radical Islam poses an immense security threat. At the same time, the geopolitical positioning of Uzbekistan as the centre of the Eurasian 'Heartland'² and its vast energy resources have attracted international attention and intensified the influence of external powers, such as Russia, the United States, China, Iran and Turkey, since these external powers pursued and are still pursuing their own agendas and interests in relation to Uzbekistan.

One of the main concerns of the Uzbek authorities is to control the regionally based Islamic movements. As Melvin (2001, 185) describes, a serious regional challenge to the central government comes from Islamic movements in the Ferghana valley, traditionally the area for conservative Islam in Central Asia. The existence of a common border with Afghanistan is another equally important threat to the security of Uzbekistan given the revival of Islamic values in society. Radical Islam is rapidly growing in the light of economic and social problems. The independence period served for the revival of Islamic values in society, as Uzbekistan has traditionally been a place where the largest majority practice Islam. Despite these challenges, Uzbekistan has been trying to maintain a secular state in one of the most religious Muslim countries of the former Soviet Union, while facing the direct threat of political Islam in Afghanistan and Iran. Increasing economic disparities, poverty, corruption and unemployment could serve as a fertile ground for radical Islamic groups to recruit young people. Radical Islam is therefore a huge security threat, since Islamist opposition groups are gaining more prestige and legitimacy among the population in the light of growing poverty and

² British geographer and politician Sir Halford John Mackinder, one of the founders of geopolitics as a science, called Central Asia the 'Heartland' of the world. According to Mackinder, the interests of practically all major world powers collide in Central Asia. He described Central Asia as the political centre of the world and predicted whoever controlled it would wield enormous power.

economic inequalities. Trisko (2005) argues that in spite of its apparent success, coercive strategies and penal sanctions have not succeeded in eradicating the Islamist threat in Central Asia, but rather has served as a short-term remedy. In this regard, Trisko suggests that the governments of Central Asia could better mitigate the Islamist threat by providing economic security to general population.

All these factors contribute to instability and pose immense security threats to Uzbekistan. Observers claim that it is implausible that the government in Uzbekistan can maintain control over its economic and social problems in the long term (Hill and Jones 2006). Seemingly, Uzbekistan is and will probably be facing multidimensional security challenges unless economic and social problems are properly met. High tax rates, corruption and abuse of power by state officials have resulted in the increase of an informal economy all over Uzbekistan. The existence of a wide variety of internal sources of instability may contribute to the emergence of conflicts in the future. In addition, the growing influence of foreign states and non-state actors may have a negative impact on the security and stability in the country, given that external actors pursue their own agendas and interests. At the same time, local groups and interests may be prone to take advantage of the opportunities provided by the presence of external actors. Deteriorating social conditions and decline in living standards may create an atmosphere of rivalry between different ethnic and religious groups and increase the tensions between them. It should be noted that the existence of massive police and security services can only ensure short-term stability. Several destabilising events in Uzbekistan, such as the February 1999 bombings in Tashkent and the May 2005 Andizhan events, have proven that long-term social order, nation-building projects and security are only achievable if they are based on popular (societal) support and promote the social welfare of the people.

As has been shown above, domestic and external forces are pulling Uzbekistan in various directions. We can observe the struggle between secular and religious forces on the one hand, and democratic and non-democratic forces on the other. The interplay between these forces may produce three possible scenarios in Uzbekistan. The first is building an Islamic state based on Sharia law, as the developments since the independence period have shown growing societal sentiment towards an Islamic state. The second possible scenario is strengthening democracy by building close ties with the West. However, Uzbekistan has always been highly resistant to external pressure; improved relations with the West might limit Uzbekistan's domestic policy space regarding human rights and democracy issues. For this scenario to occur will eventually require a certain political motivation and will of the Uzbek authorities. The third scenario is strengthening authoritarianism, which means close relations with Russia and China. In light of growing problems, it is a very complicated task to envisage whether dominance of any of those scenarios in Uzbekistan can promote political stability and security on

the one hand, and economic and social development on the other. It is also evident that the preservation of the current situation will not have a favourable outcome, since Uzbekistan will be torn between three struggling forces. There is a high need to address these challenges by devising more intelligent policies that are capable of bringing all forces together; otherwise, the security and stability of Uzbekistan will be at stake.

As shown above, the security challenges that post-Soviet Central Asian states are facing today are enormous and multidimensional. The preservation of security and stability has thus become a buzzword in policy circles. Understandably, post-Soviet Central Asia has witnessed an unrelenting surge in academic research and writing on security and political stability issues (Fane 1996; Allison and Jonson 2001; Schatz 2001; Luong 2002). Much of this work tends to place more emphasis on the political, economic and military aspects of political stability, while there is limited literature that specifically focuses on the relationship between welfare structures and political stability in Central Asia. Undoubtedly, political and military initiatives are salient factors for political stability, but insufficient conditions for promoting long-term stability and security. Hence, little scholarship addresses the impact of the welfare structures on political stability and security in Central Asia, the factor that could consolidate various struggling forces and contribute to democratisation and stable nation building in the region. With this in mind, I present in the next section a review of relevant literature in order to situate my thesis within Central Asian studies in particular and welfare state and political stability research in general.

1.3. Review of Relevant Literature

There are three main scientific fields of importance to my thesis: (1) Central Asian Studies, (2) the general welfare state, and (3) political stability. In what follows, I elaborate on literature from these three fields in order to situate my thesis in them and provide a background to the results and analysis discussions in Chapter 4.

1.3.1. Literature on Central Asia

There has been a wide array of research on post-Soviet Central Asia, investigating political and social transformations in these newly independent states in different ways and for different reasons. The growing body of literature places emphasis on 'clans' and 'regional patronage networks', and 'the relations between clans and regimes' when analysing the governance patterns in Central Asian states (Schatz 2001; Collins 2002, 2003, 2004, 2009; Luong 2002, 2004; McGlinchey 2003; Khagai 2004; Ceccarelli 2007; Ilkhamov 2007). The bulk of these authors argue

that in Central Asia, clan networks are a strong and resilient form of social organisation that impede not only democratisation and regime consolidation but also longer-term regime durability. Based on the data from three Central Asian countries – Uzbekistan, Kyrgyzstan, and Tajikistan – Kathleen Collins (2003) suggests that clan identity is more salient than ethnonationality and religion and that it is the critical variable in understanding political stability and conflict. Another portrait gleaned from scholarly literature shows that it is the centre-periphery struggles for scarce resources that shape the outcome of public policies in Central Asia (Cummings 2000; Melvin 2001; Luong 2002). For example, Markowitz (2008) in his study of public prosecutors in Uzbekistan shows that local elites have powerful influence over politics at the subnational level, and the central government's ability to control the behaviour of local elites is quite limited. There is also a penchant to explain the post-Soviet economic decline in Central Asia as an outcome of the continued use of centralised management methods in economic policies (Pomfret and Anderson 1997; Zettelmeyer 1998; Pomfret 2000; Ergashev *et al.* 2006; Kandiyoti 2007; Ruziev *et al.* 2007). The bulk of these scholars claim that the continued use of Soviet style management methods in the post-Soviet period has hampered the implementation of market reforms in the region, thereby leading to poverty and a widening gap between rich and poor.

There is extensive literature that focuses on the relationship between authoritarian regimes and political stability in Central Asia (Kubicek 1998; Melvin 2000, 2004; Gleason 2001; March 2003; Schatz 2006; Fumagalli 2007; Perlman and Gleason 2007; Spechler 2008). Some of these studies claim that authoritarianism adversely affects the pace of democratic developments in Central Asia (e.g. Schatz 2006; Fumagalli 2007), while others, referring to social and political peculiarities of the region, see authoritarianism as the most rational and realistic model for maintaining political stability in Central Asia (Kubicek 1998; Gleason 2001). Kubicek (1998), for example, asserts that the authoritarian regimes of Central Asia on balance, do serve a positive purpose, preserving order and discouraging expression of radical nationalism. On the other hand, the success of democracy in these countries is far from likely, and limited democratic experience in Kyrgyzstan shows that it can exacerbate ethnic tensions and threaten economic reform. As Kubicek (1998, 30) describes, the hierarchical, patriarchal structure of the family unit is traditionally replicated in political life, in which people defer to their leaders, and the individual is subordinated to the community. This perspective is also supported by Poliakov (1992) who notes that the 'traditional' Central Asian social order is manifested in sharp age and gender hierarchies in large rural households, the prevalence of arranged marriages, and the payment of *kalym* (bride price), and the central role of the *maballa* and mosque as socialising agencies. In a way, these studies seem to associate the authoritarian regimes to relative political stability of Central Asia. The findings of Melvin (2000) and Fane

(1996) maintain that the Uzbek regime has succeeded in establishing political stability through authoritarian control, policies of repression and by stifling economic reform. Fumagalli (2007) states that the state in Uzbekistan maintains control with recourse to increased levels of coercion.

The issues of corruption and the informal economy have also received considerable scholarly attention in Central Asian studies (Critchlow 1988; Gleason 1995; Lubin 1995; Werner 1997, 2000; Abramson 2000b; Taksanov 2000; Knack and Services 2006; Rasanayagam 2011a). Much of the literature shows that while corruption and the informal economy existed in the Soviet era, it became much more pervasive after socialism. Studies claim that many of the informal transactions that are regarded as corrupt by international standards are treated within Central Asian society as a morally acceptable and rational way of 'getting the things done' (Abramson 2000b; Werner 2000; Rasanayagam 2011a). In this regard, studies suggest that the Western anti-corruption strategies should consider the local perceptions and moral codes of informal transactions.

Post-Soviet Central Asia has also witnessed an unrelenting surge in academic research and writing on the role of Islam in everyday life and politics (Poliakov 1992; Haghayeghi 1996; Suny 2000; Tazmini 2001; Rashid 2002a, 2002b; Naumkin 2003, 2005; Zanca 2004; Cornell 2005; Trisko 2005; Roy 2005, 2007; Louw 2007). The main interest of these studies lies in understanding the changing attitude of people towards Islam in the post-Soviet period, and whether the Islamic revival is really a threat to secular regimes in Central Asia. Focusing on radical Islamic movements in Central Asia – such as the Islamic Movement of Uzbekistan (IMU), Hizb ut-Tahrir al-Islamiya and the Islamic Revival Party of Tajikistan – several studies argue that Islamic fundamentalism poses huge threats to the political stability and security of Central Asian states (Allison and Jonson 2001; Rashid 2002a, 2002b; Naumkin 2003, 2005; Cornell 2005; Trisko 2005). There is also a growing body of scholarly literature that challenges the view that the Islamic revival is a threat to Central Asian stability. Ronald Suny (2000, 231), for example, argues that 'Western scholars erred most egregiously in deducing behaviour from essential religious and cultural characteristics' of Central Asia. Based on extensive anthropological fieldwork in Uzbekistan, Maria Louw (2007) shows that Islam is an important marker for identity, grounding for morality and a tool for everyday problem solving in the economically harsh, socially insecure and politically tense atmosphere of present-day Uzbekistan. She further argues that Islam facilitates the pursuit of more modest goals of agency and belonging, as opposed to the utopian illusions of fundamentalist Muslim doctrines. Russell Zanca (2004, 99), in his anthropological study of Islam in Uzbekistan, argues that '. . . people, whether religious or not, are not simply prey to extremists and that ignoring contemporary culture and history as a Muslim Uzbek people makes broad comparisons to countries such as Pakistan and Afghanistan ill-informed'.

There is a growing body of literature regarding nationalism, ethnicity, and political stability in Central Asia (Warikoo and Norbu 1992; Fane 1996; Kubicek 1998; Menon and Spruyt 1999; Megoran 2002; Erdem 2006; Bond and Koch 2010). The bulk of these studies assert that the ethnic heterogeneity and weak institutionalisation may lead political elites to opt for ethnically biased, exclusivist policies, particularly given the hardships of economic reform. For example, Kubicek (1998) points to the multi-ethnic nature of Central Asian states as a source of potential instability, recalling that ethnic conflicts occurred in the Ferghana valley of Uzbekistan and Kyrgyzstan in 1989-1990. On the other hand, Ebru Erdem (2006), by referring to the level of political salience of ethnic groups, namely Tajik minorities in Uzbekistan, claims that ethnicity does not have political significance in Central Asia.

There has been a growing scholarly interest in the relationship between declining social welfare services and poverty levels in Central Asian states (Kandiyoti 1998, 1999; Ilkhamov 2001; Kamp 2004, 2005; Micklewright and Marnie 2005; McMann 2007). Much of this literature demonstrates that there has been a significant increase in poverty and economic inequality in Central Asia, largely due to the contraction of state social welfare benefits. One study examined public beliefs regarding the causes of poverty in the Caucasus, Central Asia, Russia and Ukraine (Habibov 2011). The findings demonstrated that in a majority of the countries examined, the predominant explanation for poverty is structural. In this regard, other studies illustrate that the majority of Central Asians that face higher inequality and less effective redistribution policies expressed a strong desire for more redistribution and more active social welfare policies (e.g. Ilkhamov 2001; Kandiyoti 2007; McMann 2007; Habibov 2011, 2012).

As shown above, the focus on distinct aspects of Central Asia's political, economic, cultural and social transformation since the collapse of the Soviet Union highlights eight main themes: (1) clans and regional patronage networks, (2) authoritarian regimes, (3) centre-periphery struggles, (4) corruption and informal economy, (5) Islam and political stability, (6) the continued use of centralised management methods in economic policies, (7) ethnicity and nationalism, and (8) poverty and social welfare. The literature review thus indicates that there is a lack of research in Central Asian studies that explicitly focuses on the relationship between welfare structures and political stability. My thesis focuses on this relationship and will contribute to the academic discussions in Central Asian studies, highlighting the need for more research on this theme.

1.3.2. Literature on the Welfare State

The second scientific field of importance to my thesis considers the relationship between welfare and political stability. I provide a review of the literature on the topic, drawing on literature that focuses on welfare state developments in Western Europe. In doing so I have two aims: first, to situate my thesis within the general debate in welfare state research; and second, to provide a brief historical account of the origins of welfare states in the West, which forms a background to the results and analysis discussions in Chapter 4.

There have been bitter debates in academic circles as to why some countries develop into welfare states while others do not (Titmuss 1958; Cameron 1978; Flora and Heidenheimer 1981; Esping-Andersen 1990; Therborn 2002). Two main factors mentioned in these discussions are economic growth and the need for political stability. Some studies claim that when countries become richer, they are more likely to expand the scope and coverage of their welfare programmes (Cutright 1965; Wilensky 1975; Castles 2000). Another account gleaned from the scholarly literature claims that the more politically unstable countries become, the more likely they are to broaden the scope and coverage of their welfare systems (Wilensky 1975; Myles 1984; Esping-Andersen 1990; Alesina and Glaeser 2004). Since my thesis deals with the relationship between welfare and political stability, I mainly focus on political stability explanations of welfare state development.

Prior to World War I, smaller European countries, such as Belgium, the Netherlands, Sweden and Switzerland, only possessed tiny armies, and as a result, labour uprisings effectively threatened the entire nation (Alesina and Glaeser 2004, 7–8). That is why, threats posed by an organised working class and social forces had a profound effect on social reforms of the time, through the perceptions and interpretations of elite actors powerfully situated in or around the state (Rueschemeyer and Skocpol 1996). Due to the emergence of a strong organised working class, new attempts were made in Western countries to come to terms with destitution, particularly among the industrial workers. In the face of these growing problems, as de Neubourg (2009) claims, keeping nations together by covering all inhabitants under some form of social system was the major concern of Western policy-makers when establishing the framework of social protection systems in the pre-war period. Germany and Great Britain were among the first Western nations to use welfare policies to counter political and social instability associated with industrialisation. The willingness of governments to provide relief to the poor depended less on acute need than on perceived threats to social stability (Piven and Cloward 1971). The implementation of the world's first welfare state in the 1880s by Otto von Bismarck in Germany reflected these trends. Bismarck's social policy reforms were intended to maintain an archaic social order and to create the conditions for the smooth functioning of the capitalist system and the political domination of conservative elites (Baldwin 1989, 5; Olsson 1990). In this

connection, most studies trace the initiation of the welfare state, or at least the beginning of its early development, to the large-scale social insurance schemes introduced by Bismarck during the last quarter of the nineteenth century (Flora and Heidenheimer 1981). Thus, the welfare state project was the primary instrument used by Western governments to address the growing political instabilities that arose during industrialisation (Esping-Andersen 1990; Mishra 1990). Wilensky (1975) asserts that even welfare state laggards such as the USA joined the international trend by introducing old-age pensions and unemployment insurance in the depths of the Great Depression.

Van Langendonck's (2007) study also provides strong evidence of the relationship between welfare and political stability. As Van Langendonck (2007) claims, the Nazis made welfare an instrument of their propaganda, pointing out how well workers were protected in Germany in comparison to Britain and the USA during the Great Depression. Although Hitler destroyed pro-socialist institutions, he did not curtail social service spending. On the contrary, he was a very aggressive redistributor who used welfare to build popular support and to increase the power of the state (Alesina and Glaeser 2004). During World War I, social policy developments in Britain (Hurwitz 1949) and Germany (Feldman 1992) indicate that countries which faced threats to their political stability and security were more likely to introduce welfare reforms. This view is also held by Wilensky (1975) who claims that countries that are shaken by threats of this kind, particularly when they are losing battles and approaching total mobilisation, find the political will to introduce extensive social policy measures that encompass broad sections of the population. Even the term 'welfare state' itself was coined in Britain during World War II when that country stood almost alone in facing a military onslaught from Nazi Germany. As Marshall (1963) notes, the 1940s in Britain was a period of political instability, and the term 'welfare state' took root as the antithesis to the old poor law situation in which 'welfare' recipients (i.e. paupers) had lost their personal freedom and their right to vote. The term was therefore created to generate a new morale and discipline during the period of wartime crisis, although it subsequently came to be more closely associated with the social benefits that democratic governments hoped to provide once the war was over (Flora and Heidenheimer 1981, 19). The studies of Briggs (2000) and Titmuss (1958) also demonstrate that World War II was oddly egalitarian as, in Western countries, it gave rise to the impetus to introduce extensive social policies.

Thus, the outcomes of previous research show that the development of welfare states and the formation of politically stable nation-states in Western Europe were closely associated. As I have demonstrated in this section, the research on the welfare state and political stability is mostly limited to the study of Western nations, whereas there is a lack of literature addressing the relationship between welfare and political stability in post-Soviet Central Asia, even though this region

has a strong socialist legacy. In this sense the four articles that form the basis of my thesis contribute to the research gap in Central Asian studies.

1.3.3. Literature on Political Stability

This section presents a review of relevant literature regarding the interlinkage between state legitimacy and political stability, and various forms and interpretations of political stability. In doing so, I have two aims: first, to situate my thesis in the political stability research; and second, to provide an analytical framework for understanding the perspective I take on political stability, which forms the background to the overarching research question of the thesis and the results and analysis discussions in Chapter 4.

The interlinkage between state legitimacy and political stability has long been a central focus of scholarly debates (e.g. Locke 1690; Lipset 1960, 1984; Parsons 1964; Weber 1964; O'Connor 1973; Offe 1973; Miller 1974; Nozick 1974; Habermas 1975; Holmes 1981, 1997; Scott 1986; Taylor 1994; Rawls 1995; Simmons 1999). The bulk of these scholars claim that the state legitimacy is essential for political stability. Weber (1964, 132) argued that 'Submission to an order is almost always determined by a variety of motives.... So far as it is not derived merely from fear or from motives of expedience, a willingness to submit to an order.... always in some sense implies a belief in the legitimate authority of the source imposing it'. According to Locke (1690), states gain legitimacy and thereby become politically stable only if they have been so entrusted by society, that is, if their legitimacy is based on (unanimous) consent of their population. Parsons (1964, 57) maintains that legitimacy is the 'highest normative defence against the breakdown of a system of social order'. The most recent and insightful scholarly work on the topic is Gilley's (2006a, 2006b) study that presents a quantitative measurement of the political legitimacy of 72 states in the late 1990s and early 2000s. For Gilley (2006a, 500), states that lack legitimacy and thereby increasingly rely on coercion to maintain their rule are politically unstable and vulnerable to overthrow or collapse. Gilley (2006b) suggests that the better that states do in providing good governance, democratic rights, and welfare gains, the more they will be politically stable and enjoy the support of their citizens. On the other hand, Lipset (1960) argues that a regime's legitimacy may even be a more important determinant of political stability than how well the regime actually performs. Despite the large diversity of scholarly explanations for, and approaches to explaining the relationship between legitimacy and political stability, most of the aforementioned studies have arrived at a similar conclusion: when public confidence in a political regime is weak or non-existent, political and social instability are likely to occur. Thus, one important conclusion is that a state is

more politically stable the more its citizens treat it as the legitimate normative order.

The review of previous research shows that there is a lack of agreement in academic circles on the definition of the term 'political stability' (e.g. Ake 1967, 1974, 1975; Hurwitz 1971, 1973; Castles 1974; Lijphart 1980; Sanders 1981; Dowding and Kimber 1983; Kukla 1985; Posner 1997; Tang and Hedley 1998; Bischoff 2003; Bremmer 2006). As Hurwitz (1973) notes, the concept of political stability is a fuzzy one that is open for various interpretations. Dowding and Kimber (1983, 229) also assert that 'the entire field seems to be permeated with confusion: correlation is confused with causation; the causes of stability are confused with its meaning; different studies of apparently the same phenomenon attribute stability to uncertain, or differing, political objects; and so on'. In reviewing the literature on political stability, Hurwitz (1973) delineates the following five major approaches to the term: (1) the absence of violence, (2) governmental longevity/duration, (3) the existence of a legitimate constitutional regime, (4) the absence of structural change, and (5) a multifaceted societal attribute. Tang and Headley (1998, 303–4) define political stability as the absence of turmoil or upheavals that directly influence the socio-economic and political centres of the country. According to Posner (1997, 344), 'The term "political stability" can be defined, narrowly and negatively, as the absence of civil wars, of coups (successful or attempted), of frequent constitutional changes (for example, a change from dictatorship to democracy), and of domestic political terrorism, corruption, and expropriation'. For Bremmer (2006 cited in Busygina *et al.* 2011, 5), 'political stability consists of two essential criteria: resilience in the face of political, economic or social crises and general ability to prevent the circumstances that generate such crises in the first place'.

Thus, there are many forms and interpretations of political stability. From this perspective, Castles (1974, 39) notes that 'on the whole, it is probably true that many commentators regard the term as having a relatively self-evident meaning on which it is unnecessary to devote much time'. Agreeing with Castles, in this thesis I regard the term 'political stability' as having a self-evident meaning; however, it should be noted that I do not regard political stability as an intrinsic good. Political stability is not necessarily a positive thing; rather, it might have different meanings and (pernicious) forms depending on the political, historical and socio-economic contexts. It is important to consider the issue of legitimacy when discussing the forms and meaning of political stability. There is also a need to make a distinction between the forms of political stability that are in line with democracy and human rights principles and those that are based on coercive repression. When talking about the different forms and legitimacy of political stability strategies, Hartley Dean's (1991) concept of social control is relevant. Dean offers three general means/levels through which social control (or political stability broadly conceived) can be established: (1) the level of political settlement at which social order is

established through the medium of concessions granted by a ruling class or power bloc, or by the state, to a subjected class; (2) the level of coercive repression and penal sanctions at which physical force or substantive deprivation is used to modify behaviour; (3) the level of the individual actor at which social institutions (such as the family), social pressures or social norms tend to shape individual conduct. These three levels may intersect, merge and overlap. I will return to these three levels (means) in the next section when presenting my overarching research question.

1.4. Research Purpose and Questions

As explained in previous sections, state-society relations in Central Asia are highly influenced by alleged threats of Islamic upheaval, ethnic conflicts and civil war. Hence, current understandings of political stability in Central Asia continue to be trapped in the ‘discourse of danger’ that makes it difficult to recognise what is actually happening and changing in everyday life. One of the key questions in Central Asian studies is to translate political stability strategies and economic indicators, such as coercion and GDP growth rate, into concrete effects on everyday life and state-society relations. Due to the authoritarian nature of political regimes in Central Asia, it is becoming increasingly difficult to collect empirical data in this region. Furthermore, one needs to have an adequate theoretical framework to analyse the dynamic nature of state-society relations and forms of political stability, since the very nature and outcomes of social order are contingent on struggles and the interplay between different normative orders. Such struggles and interplay are particularly evident in traditional Central Asian societies where the states are often severely constrained by their domestic environments in implementing public policies. Armed with this understanding, the twofold aim of the thesis is:

- To contribute to a better understanding of the post-Soviet transformations in Central Asian societies by examining the effects of political stability strategies on everyday life and state-society relations from socio-legal, comparative and ethnographic perspectives.
- To contribute to theory development in the sociology of law in order to better understand the conflict and interplay of different norms in state-society relations and political stability, a process that in this thesis will be elucidated by using three theoretical concepts, namely, the concept of ‘living law’, the concept of norms, and the ‘state-in-society’ approach.

This thesis is an attempt to better understand the impact of political stability strategies on people's livelihood and daily life in Central Asia. These issues are analysed primarily in the context of post-Soviet Central Asia, notably in the case of Uzbekistan; however, a comparative perspective is taken from a Western Europe case study of the Swedish welfare state. It should be noted that by including the case study I am in no way building a case for 'copying' the Swedish model to Central Asia; my aim instead is to show the effect of using non-coercive strategies on the nature and forms of political stability and state-society relations. In this regard, the main emphasis of the thesis is on Central Asia in general and Uzbekistan in particular.

As I have demonstrated in the previous section, there are generally three main means or policy strategies states have at their disposal for promoting political stability: (a) non-coercive/consensual settlement in which political stability is established through the medium of concessions granted by a ruling class or by the state to a subjected class; (b) coercive repression and penal sanctions in which political stability is established through physical force or substantive deprivation; (c) informal institutions in which political stability is established through social institutions, social pressures or social norms. Consequently, a number of questions may arise as to which of these levels (means) of political stability are more sustainable and legitimate in the long run, what effect the dominance of one level might have on socio-economic conditions and state legitimacy, and whether the non-coercive strategies alone can promote political stability. Of course, these questions are quite complex, context-dependent and one needs to develop a feasible research strategy and data for investigating them. With this in mind, the research presented in this thesis seeks to answer the following overarching question:

Given the three suggested means of political stability that states have at their disposal, what are the possibilities to promote legitimate and long-term political stability in post-Soviet Central Asia?

The following five research questions that are investigated are asked to better understand the dynamic relationship between the three means of political stability outlined in the overarching research question:

1. *What changes can occur in the nature of state-society relations and forms of political stability when the state retreats from its social welfare strategies?*³

³ This is the case of post-Soviet Central Asia where the states significantly retrenched the social benefits that people had taken for granted after the collapse of the Soviet Union.

2. *To what extent is a 'culture of consensus' a prerequisite when utilising welfare as a means for political stability?*⁴
3. *What alternative coping strategies does the lack of formal welfare structures produce and how do coping strategies relate to political stability?*
4. *How do informal structures and norms influence the design and implementation of laws in Central Asia?*
5. *How can sociology of law as a scientific field be developed to better address the issue of political stability and state-society relations?*

As I will show later, the four articles that follow differ from one another in terms of content and geography; some specifically focus on one of the research questions, whereas others address more than one. Of the five research questions, the first focuses on the relationship between declining social welfare services and political stability. It demonstrates how the retrenchment of welfare services has led to a crisis of legitimacy of the state and its laws, and the subsequent reinvigoration of the *mahalla* as an alternative social safety net. The second research question focuses on the role welfare reforms played in the promotion of political stability and security in Western Europe, notably in Sweden. Of course, these two research questions have quite different geographic focuses, but they both illustrate the relationship between welfare structures and political stability. The third and fourth research questions are closely interrelated, as they both focus on the relationship between informal welfare structures and political stability. The last research question is of a purely theoretical nature. In this regard, despite their varying content and geography, all four articles, addressing *mahalla institutions, welfare and political stability, the culture of money, and informal economic practices*, revolve around one central theme – welfare and political stability – and thus contribute to an understanding of the overarching research question. All the research questions, explicitly or implicitly, have a theoretical nature and contribute to theory development. I will elaborate more on this in the theory and analysis chapters.

1.5. What is the 'Mahalla'?

⁴ The term 'culture of consensus' is addressed in Article II of the thesis when discussing the origins and development of the welfare state in Sweden.

Since I focus on the *mahalla* as a social association where I have collected my ethnographic data, it is important to clearly specify what the word means. Although there are many definitions, in this thesis *mahalla* is defined as a (residential) neighbourhood community in which residents are united by common traditions, language, customs, moral values, and reciprocal exchange of money, material goods and services. As Sievers (2002) notes, everyone in Uzbekistan technically belongs to one *mahalla*. In other words, to be a citizen of Uzbekistan means to be a resident of a *mahalla*. For example, if a native is questioned where he or she lives, the answer will be 'I live in *mahalla X*'. Thus, the *mahalla* binds people based on the principle of common residence in a certain neighbourhood with established borders. According to Micklewright and Marnie (2005, 431), there are about 12,000 *mahalla* in Uzbekistan, and each can contain from 150 to 1,500 households. On average, approximately 400 households make up one *mahalla*.

Although the *mahalla* have always been informal social associations, in the post-Soviet period Uzbek authorities have partly formalised them (through legislative codification and executive incorporation) and now they operate partly on behalf of the state as a distributor of social welfare benefits and, increasingly, as the (state) mechanism of social control. Thus, the *mahalla* have also come to signify an administrative institution. However, despite the state's legal intervention, the *mahalla* are still largely informal structures in which people are tied to each other through informal exchange and reciprocation of money, material goods and services. There is a need to distinguish between a 'formal' and 'informal' *mahalla*; the former is administered by the *Mahalla* Law, whereas the latter is exclusively governed by social norms and traditions. Thus, the *mahalla* are currently administered by both formal (elected according to *Mahalla* Law) and informal leaders (informally chosen by residents). These differences are empirically demonstrated in Articles I, III and IV.

1.6. Scope and Delimitations

In this section, I define the boundaries of the thesis in terms of subjects, time frame, and related topics that could have been included but were consciously rejected because of the explicit focus of the research.

First, this thesis does not cover the Soviet period in Central Asia, although it would have been interesting. However, the Soviet period has been indirectly addressed when explaining the lasting impact of Soviet welfare policies on public perceptions, political stability and state legitimacy in post-Soviet Central Asian states. There is an extensive body of literature that discusses the interlinkage between Soviet and post-Soviet developments in Central Asia (e.g. Gleason 1995; Falkingham *et al.* 1997; Ilkhamov 2001, 2007; Sievers 2002; Agadjanian and

Makarova 2003; Falkingham 2005; Ergashev *et al.* 2006; Noori 2006; Kandiyoti 2007; Rasanayagam 2011a; Habibov 2011, 2012).

Second, in this thesis I do not focus on (Islamic) religious structures (e.g. Akromiya, Islamic Movement of Uzbekistan, Hizb ut-Tahrir al-Islamiya) and their impact on political stability and state-society relations in post-Soviet Central Asia. Rather, when discussing political stability, I explicitly focus on the *mahalla*. It should be noted that Islam as a religion is not necessarily relevant when discussing the *mahalla*. Islam is a more cultural practice than a religion one in everyday *mahalla* life and social relations. For example, as I observed at weddings in rural Ferghana, the *domla* (religious chanter) recites *suras* (chapters) from the *Qur'an* (central religious text of Islam) while wedding guests drink vodka. It is very rare to meet a woman wearing an Islamic-style headscarf in public spaces. Johan Rasanayagam in his book, *Islam in Post-Soviet Uzbekistan: The Morality of Experience*, describes that 'At weddings and other festive occasions, it was common for the hosts to serve alcohol, normally vodka. If they did not, the reason was more often based on a lack of finances than a desire to follow the precepts of Islam' (2011b, 30). Studies claim that Islam in Uzbekistan should be understood in cultural rather than religious terms (Ro'i and Ro'i 1995; Shahrani 1995; Khalid 2003). In this regard, I claim that *mahalla* are secular social associations that are distinct from religious structures. Islamic movements are not the part of everyday life in the *mahalla*; rather they are hidden social structures that deserve separate treatment when discussing political stability in Central Asia. Thus, the factor of Islam and religious structures are beyond the scope of this thesis.

Figure 3. *Mahalla* in rural Ferghana



1.7. A Brief Overview of Four Articles

Although the four articles that follow in this thesis differ from one another in terms of theme and geography, they all revolve around the central problem of the thesis: welfare and political stability. The articles address three different issues: the first article focuses on *mahalla* institutions in Uzbekistan in order to analyse the impact of the declining state social service delivery on political stability; the second article investigates the development of the welfare state in Sweden from a political stability perspective; the third and fourth articles focus on informal economic practices in Uzbekistan. A brief overview of the four articles is presented below to provide the reader with the essential context needed to understand my reasoning in the following chapters.

Article I

Urinbojev, Rustamjon, 2011. Law, Social Norms and Welfare as Means of Public Administration: Case Study of *Mahalla* Institutions in Uzbekistan. *The NISPAcee Journal of Public Administration and Policy*, 4 (1), 33-57.

The NISPAcee Journal of Public Administration and Policy is peer-reviewed and predominantly devoted to public administration and public policy issues in Central and Eastern Europe. The study investigates how the authoritarian regime in Uzbekistan maintains political stability and inter-ethnic or inter-faith peace, despite its obvious failure to secure the basic needs of its citizens. In undertaking this task, the article uses the case of the *mahalla* institutions to show how political and social stability in Uzbekistan is established through them. It is argued that public-administration reforms since 1991 have transformed the *mahalla* into a comprehensive system of social control and alternative welfare structure; therefore, *mahalla* can be places of democratic involvement or sites of authoritarianism in Uzbekistan.

The article shows that the retrenchment of state social welfare benefits has had a dramatic impact on the processes of state-society relations, state legitimacy and the political and social fabric of society. The theory of norms, the welfare-pentagon model and the theory of social control are employed to analyse these processes. The results show that when the state retreats from its social welfare obligations, it loses its legitimacy as a main provider of social guarantees. People react to these changes by disobeying the law and supporting radical religious movements. As a result, informal welfare structures (*mahalla* institutions) replace the state as a main provider of social services, thereby preventing the occurrence of political instability.

Article II

Svensson, Måns, Urinboyev, Rustamjon, and Åström, Karsten, 2012. Welfare as a Means for Political Stability: A Law and Society Analysis. *European Journal of Social Security*, 14 (2), 64-85.

The *European Journal of Social Security* is a highly respected peer-reviewed journal. It is primarily concerned with developments in social security at the European Union level and, on a comparative basis, with developments in different European countries. Drawing on academic debates about the origins of welfare states in Western Europe, this article studies the development of such states, notably Sweden, from a 'political stability' perspective. The article investigates whether Sweden is a rare case of a country where welfare arose out of a culture of consensus or if welfare in Sweden emerged as a product of strategies aimed at promoting political stability, thereby following a similar pattern to other Western European countries. The article critically reflects on the literature that indicates that security and stability threats were largely absent in Sweden during its transition from an agricultural to an industrialised 'welfare' society. The results show that the development of the welfare state in Sweden was largely driven by the need for political stability rather than by the 'culture of consensus'. Thus, the welfare state

served as a ‘political stability and security project’ when building Sweden as a modern nation state between the late 19th and mid-20th centuries, and thereby contributed to the emergence of a politically stable and democratic nation-state.

All three authors have contributed to all sections of the article. My individual contributions as the second author are found in the sections dealing with the theoretical framework and literature review. Måns Svensson as the first author prepared the draft and collated the contributions. The third author, Karsten Åström, contributed with a section on the historical development of welfare legislation in Sweden.

Article III

Urinbojev, R. Understanding Informal Economy as a Welfare State: *Mahalla* Institutions in Post-Soviet Uzbekistan.

The third article empirically investigates whether informal economic practices can serve as an equitable and efficient alternative to the formal economy when the state and its policies fail to address structural inequalities and the social welfare needs of the populace. It is the case of *mahalla* institutions (a residential neighbourhood institution) in Uzbekistan. By focusing on *mahalla* institutions the article demonstrates the extent to which *mahalla-based informal economic practices* have become alternative mechanism of survival and coping strategy in post-Soviet Uzbekistan. The article also examines the ramifications of *mahalla-based* informal economic practices for the state–society relations and political stability in Uzbekistan. It is argued that the informal economic practices, serving as an alternative source of job creation and as a social safety net, are not automatically negative; rather, they are people’s desperate but silent forms of reaction to the failure of the state.

As the findings of the article indicate, due to the inability of the state to provide adequate social protection, the general population of Uzbekistan is compelled to turn to an informal coping mechanism to ‘get things done’. Both people and public officials are increasingly reliant on the informal economic system. The article thus concludes that the informal economy is not only an evil that undermines the efficiency of public policies, but it can also be a welfare structure when the state fails to secure the basic needs of its citizens.

Article IV

Urinbojev, Rustamjon and Svensson, Måns, (forthcoming 2013). Corruption in a Culture of Money: Understanding Social Norms in Post-Soviet Uzbekistan. In: M. Baier (ed.), *Social and Legal Norms*. Farnham: Ashgate.

The fourth article, co-authored with Måns Svensson, will be published as a chapter in the anthology, *Social and Legal Norms*, edited by Matthias Baier. This article explores the social meaning and ordinary activities surrounding informal transactions to better understand the social context forming the premises and informing the meaning of corruption (especially among low-level officials) in Uzbekistan. A theoretical hypothesis is that informal transactions in Uzbek society reflect different cultural meanings than in the West. If this is true, there may be reasons to re-evaluate the concept of corruption in order to reflect on the morality of exchange in Uzbekistan. In undertaking this task, the article focuses on networks of reciprocity and exchange, drawing on a 'state-in-society' approach and the concept of social norms as its theoretical framework. The ethnographic data on wedding ceremonies was analysed in order to describe and understand the local perceptions of moral codes and values of informal transactions. Hence, it is argued that the informal transactions mainly are manifestations of social norms, a 'culture of money', characterised by networks of reciprocity and exchange.

As the results illustrate: (a) informal transactions are deeply embedded in cultural practices; (b) not all informal transactions are corrupt; (c) when talking about (or measuring) corruption, social norms, moral codes and local perceptions should be considered. If this is not taken into consideration, informal transactions that are not corrupt run the risk of being labelled as illicit. The article shows that even though the state in Uzbekistan might appear omnipotent because of its infrastructural and coercive capacity, it has limited meaning in everyday life at the local level. The contraction of social welfare benefits spurred the monetisation and informalisation of society and lifeworlds in Uzbekistan, since ordinary people have become increasingly dependent on informal coping strategies for meeting their livelihood needs.

Although both authors have contributed to all sections of the article, it is important to specify individual contributions. As the first author I prepared the draft and collated the contributions, while Måns Svensson as the second author took part in the study design, participated in the field research; his main contributions can be found in the sections dealing with the theoretical framework and conclusions.

Theory

2. Living Law as a Unifying Theoretical Concept

In this chapter the focus shifts from the particular to the abstract. When conducting the different studies described in the articles of the thesis, I had not yet decided on making Eugen Ehrlich's 'living law' the overarching theoretical concept. However, when attempting to understand the broader implications of my work, it became clear that the concepts I utilised to analyse the different studies were not sufficient for answering my overarching research question. I needed a unifying theoretical concept and started to look into the work of Eugen Ehrlich. Soon it became clear that Ehrlich's concept of 'living law' was developed in a context comparable to conditions in Central Asia today. Furthermore, 'living law' showed a promising potential to integrate different aspects of my research.

In general, the theoretical framework that follows is intended to aid in analysing the dynamic nature of state-society relations and forms of political stability in post-Soviet Central Asia. The theoretical framework is built on Eugen Ehrlich's concept of 'living law', complemented with the 'state-in-society' approach and a socio-legal concept of norms. The result is a model, operationalised in the methodology chapter, for analysing the empirical material.

2.1. Resituating the Study of Political Stability in Society's 'Norm Structures'

As I mentioned in the previous chapter, the thesis aims to contribute to a better understanding of the post-Soviet transformations in Central Asia, looking at the impact of political stability strategies on everyday life and state-society relations. It was noted that the discourse of 'enduring dangers and threats to political stability', real or imagined, has become an essential part of everyday life and state-society

relations in the region. By the same token, the nature of state-society relations in Central Asia is highly influenced by political stability concerns. I presented three main means (strategies) of political stability that states have at their disposal for coping with political instability: (a) coercive repression, (b) non-coercive/consensual settlement, and (c) informal institutions. Consequently, questions arose as to which of these means of coping with political stability are more sustainable in the long run; what affects the dominance of one strategy or overlaps in the three strategies might have on people's socio-economic conditions; and whether non-coercive strategies alone can promote political stability in chronically unstable Central Asia.

Of course, these questions are quite complex, context dependent, and one needs to develop a feasible research strategy and empirical data for investigating these issues. The analysis of relevant literature indicates that most scholars studying Central Asia mainly focus on macro-level topics and state-centred issues, dealing with the changes in state policies at the central, regional, local, and rural or village levels (Luong 2000, 2002, 2004; Adams 2004; Ilkhamov 2004; Kamp 2004; McMann 2004; Trevisani 2007; Markowitz 2008). Much of this literature argues that the state consists of multiple actors operating at these different levels, and that the struggles among these state actors are likely to be more crucial in determining the shape and outcomes of state policies rather than the struggles between the state and social forces. However, the state-centred perspective is not sufficient to understand the nature of state-society relations and forms of political stability in Central Asia where societies are mostly based on informal economies and kinship networks, and where the states fail to secure the basic needs of their citizens. As I empirically demonstrate later, the state and its policies have a very limited role and meaning in everyday life in Central Asia; instead, daily life is regulated by informal rules (living law) that are quite distinct from the laws of the state. The very nature and outcomes of political and social order in Central Asia are contingent on the struggles and interplay between different normative orders. Due to the existence of a multitude of informal rules governing political, economic and social life, it is becoming increasingly difficult to recognise what is actually happening and changing in everyday life in Central Asia. Thus, there may be reasons to move away from the state-centred approaches and resituate the focus on society's norm structures. I argue that we need to be aware of ongoing struggles and interplay between different normative orders in order to better understand the state-society relations and political stability.

2.2. Eugen Ehrlich's Concept of 'Living Law'

Eugen Ehrlich (1862-1922) was an Austrian legal scholar, as well as the founder of the Institute (Seminar) for Living Law. He is considered by many as one of the 'founding fathers' of modern sociology of law (Hertogh 2009, 1). Although Ehrlich wrote his book almost a century ago, in a time of dramatic political and social turmoil in Europe, his ideas are still relevant to current academic debates, as evidenced by a growing body of literature focusing on Ehrlich's 'living law' (O'Day 1966; Nelken 1984, 2008; Hertogh 2004; Teubner 2006; Cotterrell 2009; Eppinger 2009; Nimaga 2009; Banakar 2010). As Ziegert (2002) describes, Ehrlich's life and work mirrors dramatic cultural and political changes in Europe in the pre-World War I period. Ehrlich was born in 1862 in Czernowitz (today Cernovitsi in Ukraine), which was at the time part of the Austro-Hungarian Empire and the capital city of the province of Bukowina. In his book *Fundamental Principles of the Sociology of Law*, Ehrlich provides an example of the living law of Bukowina, a multicultural society ruled by a Catholic dynasty, divided between mutually unintelligible language families (Slavic, Germanic and Romance), host to an eastern Orthodox seminary and home to a significant Jewish community. Ehrlich himself commented on the diversity of community traditions coexisting in Bukowina, where Armenians, Germans, Jews, Russians, Ruthenians, Ukrainians, Slovaks, Hungarians and Gypsies lived side-by-side (Eppinger 2009, 28). Political instability was also characteristic of Czernowitz where Ehrlich spent most of his career. Czernowitz was part of the Austro-Hungarian empire from 1867 until 1918 when it became part of Romania, after which it became part of the Soviet Union (Deflem 2008, 90). As Deflem notes, the experiences of multiculturalism and political instability had a great impact on Ehrlich in the development of his work, specifically his concept of 'living law' (*ibid.*).

Before presenting the main pillars of the concept of 'living law', it is important to explain the four major concepts that Ehrlich uses in his work. In this regard, Ehrlich (2002)⁵ presents four major concepts, namely, 'living law', 'the inner order of associations', 'rules of conduct', and 'norms for decision'. These form the basis of his concept of 'living law'. According to Ehrlich, there are various types and names of 'rules of conduct', such as rules of law, of morals, of religion, of ethical custom, of honour, of decorum, of tact, of etiquette, of fashion. These rules are an inalienable part of society and emanate from the social forces that are operative in society. Not all laws can develop into 'rules of conduct'; only those that become part and parcel of social life do so. Laws that are effective only in the very rare cases of legal controversy are a mere doctrine, norm for decision, dogma, or theory. Ehrlich calls the laws that apply only in very few cases as a 'norms for decision', whereas he refers to 'rules of conduct' that guide everyday social behaviour as a

⁵ Unless otherwise indicated, all references to Ehrlich in this thesis refer to Ehrlich (2002).

'living law'. From this perspective, Ehrlich claims that the 'living law' is not directly linked to the state or its legal system but rather to the inner order of various social groups or associations.⁶ By 'the inner order of associations', Ehrlich implies the society's reflexive web of expectations that give power and meaning to norms. It is not state coercion, but mainly society's reflexive web of expectations or the inner order of associations that makes law work and provides a social order. By making a distinction between '(social) associations' and their 'inner order', Ehrlich asserts that there is a living law that governs everyday life, and that everyday life is successful because the living law works. In this regard, Ehrlich (2002, 493) states that 'the living law is the law which dominates life itself even though it has not been posited in legal propositions. The source of our knowledge of this law is, the modern legal document, secondly, direct observation of life, of commerce, of customs and usages and of all associations, not only those that the law has recognised but also those that it has overlooked and passed by, indeed even those that it has disapproved'. In this connection, Ehrlich alludes to the whole of law dominating social life as 'living law', whereas he refers to legal propositions as 'juristic law'. Hence, the 'living law' significantly differs from the 'juristic law' that is used in courts and relied upon by legal professionals.

The central claim Ehrlich makes is that the centre of gravity of legal development, at the present as well as at any other time, lies not in legislation, nor in judicial decision, nor in juristic science, but in society itself. For Ehrlich, the law is not the only regulator of political, social, intellectual, and economic life, but there are many other normative orders that influence social behaviour more effectively than the law. Norms for decision, having been created by the state, are alien to the daily life of society, and often do not spread beyond the premises of courts, and become rules of conduct only in court decisions. Ehrlich asserts that social life is primarily regulated by the 'living law', not by law. This is because many relations in society fall outside the scope of the legal system and many conflicts are resolved without recourse to law. Ehrlich suggests that if we want to understand what the 'living law' is, we must not look at the legal texts, court decisions or legal codes, but we should rather focus on everyday social interactions, and how people in society conduct themselves under ordinary circumstances (rules of conduct). Hence, the 'living law' can be basically found in the way people behave themselves in their surrounding associations and activities in their daily lives. The differing normative orders in Bukowina and Vienna were probably one of the main background factors to Ehrlich's thinking. As Nelken (1984) describes, Ehrlich reclassified the law that came from Vienna as mere 'norms for decision',

⁶ This idea is also dominant in the current literature on legal pluralism (e.g. Griffiths 1986, 1992; Merry 1988; Teubner 1991, 1997; von Benda-Beckmann 2002).

whereas he regarded the informal norms of Bukowina as 'living law', even though they were not posited in legal propositions. Thus, Ehrlich's interest in the 'living law', not only enabled him to examine the (in) effectiveness of the 'state law' from Vienna, but also helped him to understand daily life in Bukowina in terms of numerous 'social associations', each with their own 'inner order' (Hertogh 2009).

Drawing on his personal observations from multicultural Bukowina, Ehrlich argues that norms as 'rules of conduct' bond people to a network of expectations, in which they act according to unwritten sets of rules that are quite distinct from the laws of the state. The interdependence of the network creates a strong normative force that ties people to each other. For Ehrlich, these norms are always social norms and they are always the result of such social interactions. The normative order that Ehrlich observed in Bukowina was mostly based on informal rules while the law imposed from Vienna had a limited meaning in everyday life. He claims that even legal norms are no exception, and that all law emanates from social life at large. In view of the multicultural and informal nature of everyday life in Bukowina, it should not come as a surprise that Ehrlich maintained that all norms, even legal ones, are the product of social interactions. This claim is perhaps true for Bukowina where the law imposed from Vienna played a limited role and meaning in everyday life. However, one problem with this claim was that Ehrlich did not clearly define the concept of law. While reading Ehrlich's work, one may come to the conclusion that his use of terms is not systematic, since he uses terms such as *law*, *living law*, *juristic law*, *state law*, and *social law* without providing adequate definitions. This has been subjected to harsh criticism in scientific literature. Much of it points out that the concept of law has been vaguely defined in Ehrlich's work (Nelken 1984; Cotterrell 2009; Hertogh 2009; Nimaga 2009; Van Klink 2009; Webber 2009). As Hertogh (2009, 12) describes, the most notable critique came from the Austrian jurist and legal philosopher, Hans Kelsen. He contended that Ehrlich tends to confuse facts and norms in his conception of law, in which law is a fact, an observable regularity that is subject to the law of causality, on the one hand, and a normative conception of law, in which law is a norm that evades empirical observation and causal explanation, on the other. A similar argument has also been made by David Nelken (1984, 173), who notes that Ehrlich fails to establish a neat distinction between the norms of the 'living law' and other norms. Nelken suggests that Ehrlich's ideas need to be further developed both from a theoretical and policy-oriented point of view.

In spite of its aforementioned shortcomings, Ehrlich's 'living law' has a strong relevance for contemporary law and society debates. More importantly, the 'living law' concept provides useful insights when trying to understand the interplay of formal and informal rules in state-society relations in the context of post-Soviet Central Asia, where states are severely constrained by their domestic environments in implementing their policies and laws. This is one of the key characteristics that

makes Ehrlich's 'living law' central to my thesis. For Ehrlich, society consists of a multitude of (social) associations, among which the state is one. Everything that arises from the state, the behaviour and activity of functionaries of the state and particularly legislation by the state is something 'social' that is done by society through the association created for that purpose: the state. The forces that are operative in the state are social, since the same classes, orders, and interests that control society prevail in the state. Ehrlich maintains that not all human relations are regulated by legal norms, but only the small portions whose order is exclusively based on legal norms. Instead, informal rules such as morality, religion, ethical custom, decorum, tact, even etiquette and fashion not only influence the social interactions and behaviour, but they also affect the legal sphere at every turn. From this perspective, everyday social interactions and social behaviour, whether temporary or permanent, are sustained exclusively by the living laws that are quite distinct from the state's laws. The social order is in this sense established, maintained and transformed via the continuous struggles and interplay between various norm structures (social, legal, religious, etc.). Although Ehrlich wrote his book a century ago, his 'living law' perspective has a strong relevance when trying to understand state-society relations in post-Soviet Central Asia where social forces (e.g. clans and regional patronage networks) deplete the states' organisational prowess. The political and social order in Central Asian countries is contingent on the contestation and interplay between different social forces, including the state.

Ehrlich's 'living law' is also instructive for understanding why many states fail to valorise their laws and policies in everyday life in spite of their coercive power. Ehrlich maintains that the coercion comes not only from the state, but also from social associations via their social norms. Likewise, there are numerous associations in society that exercise coercion much more forcibly than the state. An individual conducts himself according to law, only if it is made imperative by his social relations and association. As Ehrlich notes, (social) associations, whether they are organised or unorganised, and whether they are called country, home, residence, religious communion, family, circle of friends, social life, political party, industrial association, or good will of a business – constitute the order of the human associations, and it is their specific function to coerce the individual members of the association to submit to the order. In this connection, the state is not the only association that determines the main parameters of everyday social behaviour, but there are many other (social) associations that make certain demands on individuals in exchange for that which they give; and the social norms which dominate in these communities influence individuals' social behaviour more forcibly than the laws of the state. Thus, Ehrlich argues that state operations can only be effective on a long-term basis if they are compatible with the social order produced by the living law.

As mentioned above, there have been extensive discussions in academic circles of the contemporary relevance of Ehrlich's 'living law'. One of the main issues

raised focuses on the differences between Roscoe Pound's 'law in action' and Ehrlich's 'living law' (e.g. Nelken 1984). In this regard, the reader might wish that I had explained why Eugen Ehrlich's 'living law' has stronger relevance to my thesis than Roscoe Pound's 'law in action'. When explaining why Ehrlich is more central to my thesis than Pound, it is important to consider the political and socio-economic conditions at the time that provided background to Ehrlich's ideas. Ehrlich, living in a multicultural and politically unstable Bukowina, experienced that the law imposed from Vienna played a very limited role in regulating human relations and activities in Bukowina; rather, social life and behaviour was mainly regulated by informal rules that are quite distinct from the Vienna law. In contrast to Ehrlich, Pound, living in a more or less law-based and politically stable society – the United States – was preoccupied with the social engineering role of the law, focusing on the difference between 'law in books' and 'law in action'. One of the most accurate explanations of the differences between Pound's and Ehrlich's ideas can be found in David Nelken's (1984) *Law in action or living law? Back to the beginning of sociology of law*. As Nelken describes, Pound mainly focuses on the instrumental usefulness of norms, maintaining that they are manipulable by individuals while Ehrlich claims the opposite, that the individuals are moulded by norms. Pound, as Nelken asserts, does not make a connection between norms and their effect on social action. Therefore, Pound's concepts refer basically to the activities of lawmakers and law enforcers, and are hardly applicable to the analysis of the action by citizens. But in Ehrlich's work, as Nelken (1984, 163) explains, we find the discussion of the connection between norms, social action and social structure. Unlike Pound, norms are seen by Ehrlich to express common patterns of behaviour and feeling, to unify groups and bolster identity. From this perspective, Ehrlich's 'living law' has a special importance to my thesis since it focuses on the connection between norms, social action and social structure, which is instructive to understand the issues of political stability and state-society relations.

Another important dimension of Ehrlich's 'living law' is its approach to empirical research, or method broadly conceived. Ehrlich claims that if we want to reify the 'living law' we should attentively observe everyday life, ask people and note down their replies. Further, he advises that people's feelings and reactions are instructive in dissecting the social significance of law and other social norms. In order to demonstrate the omnipotence of the 'living law', Ehrlich suggests that sociology of law, as a scientific field, should be concerned with detaching the 'living law' that governs, orders, and determines society from the mere 'norms for decision' that apply in very rare cases. In this regard, sociology of law should focus on the elucidation of the 'living law' by making empirical observations, not via the abstract legal texts or doctrines. Ehrlich asserts that the scientific value of the 'living law' is not limited to its influence on the norms for decision or on the content of legal statutes. The scientific significance goes far beyond. Rather, 'living law' has an

independent value consisting of the fact that it constitutes the foundation of the legal order of human society. Ehrlich suggests that if we want to better understand the actual state of the law in regulating social relations, we must empirically observe the actual habits of people, relations of domination, legal relations, contracts, articles of association, and declarations in last will and testaments.

As was shown above, Ehrlich's 'living law' is not about individual behaviour; it is concerned with understanding the intersections between norms, social action and social structure, and the role of the state law in these processes. In other words, Ehrlich's 'living law' is concerned with conceptually breaking down states and societies and the junctures between them. Ziegert (2010) notes that Ehrlich's concept of 'living law' and the finding of an 'inner order of associations' provided a forceful argument for legal anthropology in 'stateless' and 'lawless' societies. Similarly, Nelken (1984) suggests that Ehrlich's 'living law' should not be thought suited only to settings such as Bukowina, as is commonly asserted, but instead it can be used to understand the normative pluralism inherent in different working normative orders. Thus, the concept of 'living law' is very instructive for those interested in analysing state-society relations and political stability in the social settings where different normative orders come to interplay. Ehrlich's 'living law' in this sense has a strong relevance to the central problem of my thesis, since it aids in understanding the social arenas and contexts in which the patterns of state-society relations and forms of political stability can be better gleaned.

In the next section I describe the benefits of adding the 'state-in-society' approach developed by Joel S. Migdal to Ehrlich's 'living law'. This is an approach that provides tools for understanding interactions and struggles between normative orders on different levels of society (micro-, meso- and macro-levels).

2.3. The 'State-in-Society' Approach

This section focuses on Joel S. Migdal's seminal work on state-society relations in the developing world and the theory that he calls the 'state-in-society' approach (Migdal 1988, 1994, 2001)⁷. According to Migdal, scholars of state-society relations have in the last two decades favoured the state-centred approaches and emphasised the central institutional and coercive role of the state in moulding patterns of domination. In doing so, scholars have focused on major battles among large-scale social forces, such as entire states, social classes, and civil society institutions that operate on some grand level. Conversely, Migdal argues that there

⁷ Unless otherwise indicated, all references to Migdal and his 'state-in-society' approach refer to Migdal (1988, 1994, 2001).

is a need to move away from extreme state-centred theories, resituating the study of states in their social setting. The 'state-in-society' could thus be understood as a reaction to extreme state-centred theories that treat the state as a prime mover of social change. As Migdal suggests, if we want to understand why states do what they do, under what circumstances states are effective, and why states differ in their respective roles and effectiveness, we should focus on both the state and society, treating them as intertwined entities that engage in mutually transforming interactions. The 'state-in-society' approach has been very influential in state-society scholarship, as it has led many social scientists to reassess the character and capabilities of states such as China, India, Egypt, Brazil, Senegal and Indonesia (e.g. Boone 1994; Hagopian 1994; Kohli 1994; Shue 1994; Vitalis 1994; van Klinken and Barker 2009). Based on their empirical findings, these scholars have emphasised that state strength is infrequently translated into effective action, and that there is a need to move the focus from extreme state-centred theories to a more society-centred perspectives.

Migdal's view of state-society relations starts with the argument that the society consists of numerous social organisations (forces), the state being one of them. For Migdal, the patterns of domination in society are mainly determined by key struggles spread through what he calls 'society's multiple arenas of domination and opposition'. The state, as one of the organisations in society, is subject to the 'pushes and pulls' in society's arenas, facing enormous resistance from social forces that promote different versions of how people should behave.⁸ States are not very different from any other social organisations in this regard. All types of social organisations (including the state) come into contact with one another, attempting to impose their own norms on ordinary life, everyday social relations, and the way people understand the world around them. The key figures in these struggles are functionaries at different levels of the state (central, regional, district, local, village) that interact sometimes or come into conflict with an entire constellation of social forces in disparate arenas. The nature and outcome of these struggles give societies their distinctive structure and character. Similarly, Migdal suggests that if we want to understand the nature and forms of state-society and political stability in a particular country, we should focus on the accumulation of struggles and accommodations in society's multiple arenas.

A central idea of the 'state-in-society' approach is that the state and society are not separate entities; rather, they are intertwined entities that engage in mutually

⁸ Migdal offers a different definition of the state from Weber's. According to Migdal (2001, 15), 'The state is a field of power marked by the use and threat of violence and shaped by (1) *the image of a coherent, controlling organisation in a territory, which is a representation of the people bounded by that territory*, and (2) *the actual practices of its multiple parts* '.

transforming interactions. According to Migdal *et al.* (1994, 3), 'states are parts of societies. States may help mould, but they are also continually moulded by, the societies within which they are embedded. . . . Societies affect states as much as, or possibly more than, states affect societies.' The 'state-in-society' approach is based on the following four main interrelated claims:

- (1) States vary in their effectiveness based on their ties to society. The capabilities and effectiveness of the state is determined by the degree of its reach to society.
- (2) States must be disaggregated. It is important to study not only the central structures of the states and grand level social forces, but also state-society interactions at the local level, paying attention to micro-level social structures.
- (3) Social forces, like states, are contingent on specific empirical conditions. The political action and influence of social group are not wholly predictable from the relative position of that group within the social structure.
- (4) States and other social forces may be mutually empowering. Some interactions between state structures and social forces can create more power for both. Some favour one side, and other interactions weaken the power of each side. And in still other interactions, state actors might ally with select social forces against other forces.

Migdal maintains that all societies have ongoing battles among different social organisations pushing different version of social behaviour. States are rarely the only central actors in societies and are almost never autonomous from social forces. The social forces can encompass both informal organisations (such as family, tribes, patron-client networks or clan networks) and formal ones (large industrial organisations, churches). They can also be social movements, including those held together by common, strongly motivating sets of ideas. From this perspective, the state is just a sprawling organisation within society, and not very different from other informal or formal social forces, and coexists symbiotically with other social organisations. States face enormous resistance from other social forces in implementing their policies, since their laws and regulations must compete with the norms of other social forces that promote different versions of how people should behave. Therefore, it is not simply poorly designed policies, incompetent officials or insufficient resources that explain corruption and inefficiencies in the public administration system; it is the social forces that affect politics at the highest levels of the state and the actions of implementers of state policy at much lower levels. Likewise, Migdal claims that states are not always the autonomous principal agents of macro-level societal change they are portrayed to be; rather, their autonomy, the outcome of their policies, the behaviour of their functionaries, and their coherence are greatly shaped by the societies in which they operate. As state

organisations come into contact with other social forces, the social forces induce the state to adapt to a different moral order. Hence, various social forces interact with one another over material and symbolic issues, vying for domination through struggles and accommodations, clashes and coalitions. These struggles and accommodations not only occur in 'policy arenas' where various forces attempt to shape the outcomes of public policy, but also take place over the basic moral order and the very structure within which the rights and wrongs of everyday social behaviour are determined.

As shown above, Migdal emphasises the importance of taking society's norm structures into account when analysing state-society relations. From this perspective, Migdal's 'state-in-society' could be comparable to Ehrlich's 'living law'. The state-in-society approach focuses on conflict-laden interactions of multiple sets of formal and informal rules. Migdal asserts that there is no single, uncontested universal code – whether codified in state law or sanctified as religious scriptures or enshrined as the rules of etiquette for daily behaviour – in any society for guiding people's lives. The state's laws and regulations must contend with (social) norms of other social forces. Subsequently, what may be defined as corruption, such as nepotism or cronyism, might be regarded as morally good behaviour according to the norms of organisations other than the state. For instance, nepotism, though it contravenes state law, may be a cardinal norm within the family or clan. For Migdal, social forces are powerful mechanisms that are able to generate strongly motivating sets of ideas for associative behaviour. Due to their hierarchical structure, ability to use resources at hand, and capacity to exploit or generate symbols to which people develop strong attachments, social forces efficiently influence social behaviour and beliefs. Therefore, Migdal suggests that if we want to understand capabilities and character of states, we must zero in on the social (norm) structures that exercise social control, since the strength of other social organisations influences the ability of state agencies to enforce laws and implement policies. These social organisations, ranging from families and neighbourhood groups to churches, use different types of meanings (normative elements) to induce people to behave according to their rules. These normative elements define the boundaries of what is acceptable behaviour, and they may include at what age to marry, what crop to grow, what language to speak, and much more. Such types of social control maintained even by small social groupings in remote areas obstruct the efficiency of public policies. Therefore, the key struggles in many societies, particularly those with fairly new states, rise over the question of who has the right and ability to make the unlimited rules that guide people's social behaviour.

The 'state-in-society' approach proved to be a useful theoretical framework for analysing the state-society relations and political stability issues and was used in two articles (Article II and Article IV) of the thesis that will follow. As I

demonstrated through Migdal's 'state-in-society' approach, there are multitude of informal rules in society that vie for the power to determine the main parameters of everyday life and social behaviour. Migdal's 'state-in-society' approach in this sense leads to the conclusion that we need to take conflicts and interplay of different normative orders (norm structures broadly conceived) into account when analysing state-society relations and political stability processes.

2.4. Bridging the Theory and Method through Concept of Norms

Neither Ehrlich nor Migdal presents a well-defined concept of norms suitable for ethnographic studies. Ehrlich, however, pointed out that there is no real ontological difference between law and other norms: 'The legal norm, therefore, is merely one of the rules of conduct, of the same nature as all other rules of conduct. For reasons readily understood, the prevailing school of juristic science does not stress this fact, but, for practical reasons, emphasises the antithesis between law and other norms, especially the ethical norms, in order to urge the judge at every turn as impressively as possible that he must render his decision solely according to law and never according to other rules' (Ehrlich *et al.* 2002, 39). This indicates that the difference between legal and social norms (in fact all norms, including legal, are social according to Ehrlich) does not lie in the nature of them, but rather in how they are practiced. The task of creating a socio-legal concept of norms is then to define the essential attributes of norms. For this reason I will rely on the socio-legal concept of norms developed by Måns Svensson in his thesis (2008) and then published in English (Hydén and Svensson 2008; Svensson and Larsson 2012; Svensson 2013). This concept is built on an ontological analysis that combines three perspectives from behavioural, social and legal sciences. Svensson distinguishes between 'essential' and 'accidental' attributes of norms. Determining different essential attributes will lead to a general definition of the socio-legal concept of norms, whereas finding accidental attributes will be necessary when trying to categorise the norms (i.e. when separating different kind of norms into categories such as legal, social, religious). As I will show in the analysis section, by focusing on essential and accidental attributes of norms, it is possible to understand the conflict and interplay among different normative orders (e.g. legal, social, religious, etc.) in state-society relations. As Svensson (2013) claims, all types of norms have two ontological attributes and one behavioural. Accordingly, norms are:

- (1) imperatives (the 'ought' dimension of the norm; ontological)

- (2) social facts (the 'is' dimension of the norm; ontological)
- (3) beliefs (the psychological dimension of the norm; behavioural).

For Svensson (2013), 'These three essential attributes can also be described as norms being (a) normative statements that are (b) socially reproduced and (c) represent the individual's perception of the expectations surrounding their own behaviour. The first essential attribute (the "ought" dimension) is best represented by the positivistic legal science, where norms (and law) are considered to be essentially "ought" statements (normativities) that should be studied deductively (Kelsen 1967). The second essential attribute (the "is" dimension) is tied to sociology and structural functionalism, which argues that norms (social facts) should be considered as things/data that can be studied empirically (Durkheim 1982) and inductively. The third essential attribute of norms comes from the theory of planned behaviour in social psychology (Ajzen and Fishbein 1980; Ajzen 2005) in which norms are interpreted as a belief in the form of the individual's understanding of the surrounding expectations regarding his or her own behaviour.

While conducting the ethnographic studies in Uzbekistan, this definition of norms, together with Migdal's 'state-in-society' approach, have served as a guide in conducting observations and interviews, thereby enabling me to glean the patterns of struggles and interactions among the inner orders of relevant associations. Ehrlich's concept of 'living law' has served as the main conceptual framework when creating a model for analysing the studies and articles included in this thesis. This model is presented at the end of the following chapter.

Methodology

3. Studying Political Stability

This chapter provides an account of the methods that are used in my research. Due to its complex and multidisciplinary nature, there was a need to combine various qualitative approaches to better address the research questions. More specifically, I will focus here on the ethnographic method, literature review, historical method, socio-legal method, and then present a model for analysing the empirical material gathered in the articles included in this thesis. The choice of the aforementioned research methods is in accordance with the theoretical framework presented in chapter 2. According to Migdal (2001), if we want to understand the issues of state-society relations and political stability, we should not only study the central structures of the states and grand level social forces, but also state-society interactions at the local level, paying heed to social (norm) structures that exercise social control. Ehrlich (2002) claims that the patterns of the 'living law' can be gleaned by direct observation of everyday life, of commerce, of customs and usages and of all associations, not only those that the law has recognised, but also those that it has overlooked, indeed even those that it has disapproved. Hence, the 'living law' can be found in the way people behave themselves in their surrounding associations and activities in everyday life.

Many of the methods used have been sufficiently described in the articles and there is no need for unnecessary repetition here. However, considering the usefulness of a general methodological discussion for answering the research questions, I will give a detailed account of the methods, discussing their strengths and pitfalls, as well as assessing the reliability and validity of the empirical results. All the methods listed above that were used complement one another in one way or another. The first-hand data collected during my ethnographic study in Uzbekistan was complemented with the secondary data obtained from literature reviews, historical research, and socio-legal analysis. Ethnographic studies often start with a pilot study on the background of the subject that is to be examined. As Sjöberg

(2011, 67) claims, the starting point for doing ethnographic research is most often an examination of the existing literature on a phenomenon. With this in mind, before providing an account of my ethnographic study I will describe the literature review that I conducted to gain critical insight into my research topic.

3.1. Literature Review

In social sciences, the originality of a research topic often depends on a critical reading of relevant previous research, or a literature review broadly conceived. Hart defines (1998, 1–2) the literature review as ‘the use of ideas in the literature to justify the particular approach to the topic, the selection of methods, and demonstration that this research contributes something new’. Robinson and Reed (1998, 58) also state that the literature review is ‘a systematic search of published work to find out what is already known about the intended research topic’. Hence, the more knowledgeable we are, the better we will be able to understand our problem (Leedy 1989, 66). In this regard, without a systematic literature search and critical reading of the literature it would be very difficult to demonstrate how our research contributes to knowledge.

I have conducted a systematic literature search and critically reflected upon the relevant previous research in order to identify and analyse information on my topic, and gain insight and understanding into the problem at hand. Literature reviews were conducted in all four articles of the thesis. I have reviewed the literature mainly in the following fields of study (topics): corruption, informal economy, political stability, state-society relations, post-Soviet studies, Central Asian studies (*mahalla*, clans and regional patronage networks, networks of reciprocity and exchange, authoritarianism, Islam), welfare state, history of the Swedish welfare state, and public administration issues. When carrying out the literature review, my goals were: (a) to distinguish what has been done from what needs to be done, (b) to make connections between ideas and find a gap in the literature, (c) to familiarise myself with the latest developments in the area of my research, (d) to discover important variables relevant to my topic, (e) to relate my own research and ideas to previous research, (f) to enhance and acquire the subject vocabulary, (g) to identify the main methodologies and research techniques that have been used, and (h) to place my research in a historical context to show my familiarity with the state-of-the-art developments.

3.2. 'Being in the Field' – Ethnographic Fieldwork in Uzbekistan

Before describing my fieldwork process in Uzbekistan, a brief description of the ethnographic method is in order. The ethnographic method is one of the methods in social sciences. It explores how daily activities in a society are conditioned by various rules, habits and norms, and it must be carried out using the expressions and categorisations of the group studied (Sjöberg 2011). Those who are being studied are considered actors rather than passive objects. The most central aspect of ethnography is 'thick description' – a term popularised by Geertz (1973). 'Culture' Geertz describes, 'is not a power, sometimes to which social events, behaviours, institutions, or processes can be causally attributed; it is a context, something with which they can be intelligibly – that is, *thickly* – described' (1973, 14). 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). 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, researcher sees 'the remarkable in the mundane' (Silverman 2007, 13). Sjöberg (2011, 164) maintains that the field is not an absolute concept, but rather is constructed by the ethnographer as the study process proceeds. Thus, ethnography is both a process and a product (Merriam 2009). 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). The ethnographic study I conducted in Uzbekistan is based on these insights.

This thesis is based on three periods of ethnographic fieldwork conducted between 2009 and 2012 in the Ferghana valley (hereinafter 'rural Ferghana'), Uzbekistan. The Ferghana valley is one of the most politically unstable, ethnically diverse, impoverished and densely populated areas of Central Asia where the struggle for survival is the highest and where rural unemployment has been

reported as a problem for a long time (e.g. Lubin 1984, 1995; Broxup 1990; Nunn *et al.* 1999; Megoran 2006, 2007; Dankov 2007). *Shabboda* village⁹, from which most of the ethnographic material that follows is drawn, is located in rural Ferghana, consisting of 28 *mahalla*, and has a population of more than 18,000 people. The ethnic composition of the village is also diverse, including Uzbek and ethnic minorities such as Tajik, Russian, Tatar, Kyrgyz and Gypsies. *Shabboda* was specifically selected as a field site because it is not in any major way atypical, extreme, deviant, or intensely unusual. In this respect, the selected field site reflects the average representation of the phenomenon of interest. Observations were also made in Tashkent (Uzbekistan's capital city) during the first field trip. The first field trip was conducted in April-May of 2009, the second lasted for 3 months, June through August 2010, and the last was undertaken in June-July 2012. The different time stages were chosen to clarify and deepen the understanding of the dynamic nature of state-society relations and political stability. Being a native Uzbek, I had the advantage of knowing the language, and possessed the pre-understanding of local conditions and situation, whereas my thesis supervisor, Dr. Måns Svensson from Sweden (non-native), added an external perspective to the study. We both went to Uzbekistan for the first field period in 2009 and stayed in the field site together. I conducted the second and third field trips alone in 2010 and 2012. My fieldwork in this sense combines both 'insider' (emic) and 'outsider' (etic) accounts of the social setting in question. The methods employed for data collection were participant observation, informal and semi-structured interviews. The ethnographic material obtained in the field has been used in three articles (I, III and IV).

The main goal in the fieldwork was to understand what the possibilities were to promote long-term political stability and security in post-Soviet Central Asia. To better understand the issues of state-society relations and political stability, I examined struggles and interactions among different normative orders. More specifically, I was interested in observing the role of law in everyday life and, directly or indirectly, in various social arenas, observing for example how state officials enforced laws and to what extent people conformed to laws when dealing with state officials. Hence, I tried to observe the commonplace and more or less taken-for-granted activities that signal the key features of social structures, norms and interactions, and that can stand for broader public policy developments. As Sjöberg (2011) advises, one important task of ethnographic studies is to explore how norms and rules are practiced on an everyday basis. Armed with the concept of norms presented in chapter 2, I studied the norms as expressions of the

⁹ The name of the village has been changed to protect the anonymity of informants.

individuals' understanding of the surrounding expectations regarding their behaviour.

When carrying out observations, I was primarily interested in understanding the people, listening to people's voices, trying to understand them on their own terms and practices, and treating them as experts. By 'being in the field site', I continuously adjusted my focus and research questions as I became more intimately immersed in the field. My observations frequently took the shape of informal chats, questions that arose on the spur of the moment. In this regard, the findings of the fieldwork not only originated from observations, but also were derived from informal conversations with 'natives' in the field site. Being immersed in the field and exposed to local conditions and situations, I came to the conclusion that the case of the *mahalla* institutions provides an analytical prism through which social structures and norms influencing the state-society relations and political stability can be articulated and visualised. In this regard, I focused my attention on *mahalla*-based informal economic practices and coping strategies, such as weddings, reciprocal exchanges of money, goods and services, informal income-generating strategies, and informal trade and labour activities, as sites in which the nature and forms of political stability and state-society relations are locally manifested.¹⁰ During the first field trip, my supervisor and I observed three wedding ceremonies that were hosted and attended by different social groups, ranging from local elites to ordinary farm workers. I observed the next three weddings during the second field trip. The weddings took place in rural Ferghana between April 2009 and August 2010. During the first field trip, I also conducted informal interviews with *mahalla* residents and observed *mahalla*-based informal economic activities, such as drainage building, asphaltting of roads, informal labour, and commercial activities.

In addition to observations and informal interviews, I conducted eight individual semi-structured interviews during the second and third field trips with the following key informants: *oqsoqol* (informal leader of the *mahalla*), *rais* (formal leader of the *mahalla* committee), *dasturhonchi* (women ritual specialist in the *mahalla*), *ustalar* (wedding logistics co-ordinators in the *mahalla*), *rossiychilar* (*mahalla*-based group of [informal] traders that export local agricultural products to Russia) and *imam* (worship leader of a mosque). I interviewed 2 *oqsoqol*, 1 *rais*, 1 *dasturhonchi*, 1 *ustalar*, 2 *rossiychilar*, and 1 *imam*. The key informant technique is an ethnographic research method. Marshall (1996, 92) advises that the following five 'ideal' criteria should be considered when choosing key informants: role in the community, knowledge, willingness, communicability, and impartiality. With this

¹⁰ Detailed descriptions and analyses of the *mahalla*-based informal economic practices and coping strategies can be found in Articles I, III and IV.

in mind, I selected key informants on the basis of their role in the community, knowledge, willingness, and communicability. The socio-legal concept of norms developed by Svensson (2008, 2013) proved to be a useful guide when interviewing the key informants. For instance, I asked informants what they thought about the opinions from relevant people in the surrounding environment, what they thought about proper social behaviour and related this to how they assessed the opinions of these different people in the environment. Because I was a native, I entered the field as a participant observer and carefully considered the safety and confidentiality concerns of my informants. I was able to develop friendships with residents of the investigated *mahalla* that provided access to social activities in the field.

The interviews were more free-flowing and focused on such questions as the role of the *mahalla* and mosque in everyday life, the importance of monetary and gift exchanges in social interactions, the relationship between citizens and state officials, local traditions, values and norms, the arrangement of life-cycle rituals, political stability and security, coping strategies and informal income earning opportunities, public perceptions of social hierarchies, the importance of kinship relations, redistributive activities, proper social behaviour, and the perceived role of the state and its laws in everyday life. My second fieldwork trip was conducted when the Kyrgyz-Uzbek ethnic conflicts flared up in southern Kyrgyzstan in June 2010. Consequently, in my interviews, informants spoke openly about political stability and security issues, comparing the political stability in Kyrgyzstan and Uzbekistan.

During the course of the interviews I refined the questions with regards to the informants' interests and wording, as I learned what was important and how people talked about it. I used the questions mainly as a guide, adapting them to the pace of interview. For instance, the *rossiychilar* were asked a different set of questions than the *dasturhonchi*. Sometimes informants asked me questions to confirm their beliefs or to confirm that I had understood what they are saying. Due to the informants' concerns about safety and confidentiality, I neither took notes nor recorded the interviews. Instead, immediately following an interview, I wrote down my recollections of the substance of what the informants had said. I conducted interviews in the Uzbek language. The interviews lasted from 45 minutes to 2 hours, depending on the informants' status, location, and available time. The interview with the *rais* took place in his office, while the other seven interviews were conducted in the *choyhona* (teahouse) or in private locations. To protect the anonymity of my informants, I do not mention their names in the text.

3.3. Studying Law through a Socio-Legal Approach

As Griffiths (2005, 113) notes, 'Conventional legal theorists limit the scope of their inquiry to an analysis of law-as-text through a rigorous exposition of doctrinal analysis founded on a specific set of sources, institutions and personnel that gain their authority and legitimacy from a formal model of law derived from the nation-state'. Of course, the conventional (or dogmatic) legal analysis offers important knowledge about the phenomenon in question. However, it is not sufficient when trying to understand the role and application of the law in settings like Central Asia where society is mostly based on an informal economy and clan and kinship networks. Therefore, I utilised the socio-legal approach to study the law rather than the legal dogmatic method promoted by conventional legal theory and discourse. This choice is also in harmony with the theoretical framework presented in chapter 2. Both Ehrlich (2002) and Migdal (2001) suggest that if we want to understand what are the actual rules of conduct (living law) or how the state law is applied, we should attentively observe everyday life and social relations, ask people what they think about proper social behaviour and their assessments of the opinions of relevant people in the environment.

Although all articles of the thesis are based on the socio-legal perspective, more concrete use of socio-legal methods can be found in Article I in relation to the analysis of *Mahalla* Law. I combined legal and ethnographic methods when collecting and analysing the data about *mahalla* institutions in Uzbekistan. I analysed the application of *Mahalla* Law through my ethnographic observations and informal interviews, trying to understand whether the everyday practices in *mahalla* reflect the normative statements enshrined in *Mahalla* Law. The socio-legal approach I have utilised to study *Mahalla* Law in Uzbekistan is closely associated with the anthropology of law tradition that extends the concept of law beyond rule-based formulations to incorporate views of 'law as process' (e.g. Pospisil 1971; Moore 1973, 1978; Nader and Yngvesson 1973; Griffiths 2005).

3.4. Historical Method

The historical method can be applied to all fields of study since it contains the origin, theories, growth, maturity, theory development, and personalities. There are various ways and sources that researchers can use when conducting historical research. Historical information about the subject in question can be collected through primary and secondary data sources. I have utilised the historical method in Article II to provide historical insights about the background and growth of the welfare state in Sweden. As Tuchman (1994) notes, secondary sources are very useful for the researcher to grasp in-depth information about the subject and may provide extensive bibliographic information for delving further into a research

topic. When conducting historical research I critically reflected on the secondary data sources that were collected, analysed and interpreted by other researchers who studied the origins and development of the Swedish welfare state. Hence, secondary resources proved to be very useful in my study, since I critically assessed different conflicting sources when trying to understand the development of the welfare state in Sweden.

3.5. Dealing with Validity and Reliability Issues

One important discussion in social sciences focus on the issue of how one can produce valid and reliable knowledge in an ethical manner, and whether objectivity in qualitative research is possible or even desirable (e.g. Martin and McIntyre 1994; Smith 1998; Bishop 2007). As Merriam (2009, 165–6) notes, unlike experimental designs in which validity and reliability issues are addressed before the investigation, rigour in qualitative research stems from the researcher's presence, the nature of the interaction between researcher and participants, the triangulation of data, the interpretation of perceptions, and rich, thick description. I discuss in this section the issues of internal validity, reliability and external validity in order to assess the rigour of my qualitative research. However, when discussing these issues it should be noted that ethnography is not the only method used in the thesis; rather it is based on a combination of several methods, such as an historical method, a literature review, and a socio-legal method. I will return to this when I discuss the external validity (generalisability) issue.

Internal validity (credibility) is concerned with the issue of how research findings match reality (Merriam 2009). Although social scientists can never find an objective 'truth' or 'reality', there are several strategies that we can utilise to enhance the internal validity of our findings. The most commonly used strategy is triangulation. Denzin (1978) offers four types of triangulation: (a) the use of multiple methods, (b) multiple sources of data, (c) multiple investigators, and (d) multiple theories. As shown in previous sections, my data collection strategies, choice of methods and theoretical framework clearly correspond with Denzin's four types of triangulation. I have used multiple methods of data collection – participant observations, interviews, literature reviews, the socio-legal approach and historical methods. For example, I have checked the findings of my interviews against what I observed on the field site or what I read in relevant literature. Since I have conducted three periods of fieldwork in rural Ferghana and the city of Tashkent, it can be asserted that my empirical findings also fulfil the triangulation criterion regarding the use of multiple sources of data. During the fieldwork, I compared and cross-checked the data collected through observations and

interviews in different field periods and in different places. The interview data were also collected from people with different perspectives and backgrounds. It can also be asserted that my empirical results fulfil the triangulation criterion concerning multiple investigators, since I conducted the first period of fieldwork with my supervisor, collecting, analysing and comparing our findings. I have approached the data with multiple theoretical concepts, such as Migdal's 'state-in-society' approach and Ehrlich's concept of 'living law' trying to see how each theory fares in relation to the data. Since my research findings encompass all four types of Denzin's triangulation, I argue that the issue of internal validity has been adequately addressed in the thesis.

There is also a neutrality problem connected to interviews. Some scholars claim that neutrality is a key to the validity and reliability of the interview data, since without it the data will be biased by the interviewer's story (e.g. Silverman 2007; Roulston 2010). According to Silverman (2007), the interview is not an objective record of reality, but is the 'manufactured data' that reflects the researcher's values, expectations or preconceptions of the data. Silverman instead suggests that we can eliminate the interference or the contamination of researcher's values and expectations by conducting observations. By using our eyes and ears, as Silverman maintains, we are better equipped to find 'naturally occurring data' in their true context (Silverman 2007, 44–5). On the other hand, the constructivist critique of interviewing argues that the neutrality practice is misleading (Rapley 2004). As Rapley states, *being* neutral is impossible; it is rather relevant to talk about '*doing neutrality*'. 'Doing neutrality', for example, implies asking open (and not leading) and free flowing questions and not offering one's own thoughts and experiences. Both Silverman (2007) and Rapley (2004) assert that it is not possible for an interviewer to not influence the interview and indirectly reality. Even the self-proclaimed neutral interviewer is not able to exclude subjectivity from the data produced during an interview. Agreeing with both Rapley and Silverman, when doing ethnographic fieldwork in rural Ferghana I conducted interviews 'doing neutrality', and complemented my interviews with participant observations in order to include the elements of the 'naturally occurring data' in my study.

As Merriam (2009) explains, reliability (replicability) refers to the extent to which research findings can be replicated. Hence, reliability is based on the assumption that there is a single reality, and that studying it repeatedly will yield the same results (*ibid.*). However, as O'Reilly (2005, 227) contends, calls for replicability rely from a social science perspective on a naïve realist assumption, since everyone has his or her own account of the world and there is no way of judging between them. This is probably the most debated issue in the social sciences; human behaviour and social life are so dynamic that no study can be replicated exactly, regardless of the methods and designs employed (LeCompte and Goetz 1982, 35). However, Merriam (2009, 221) claims that the impossibility of a

yielding the same results in qualitative research does not automatically discredit the results of the particular study; rather there can be numerous interpretations of the same data.

Since I have used multiple methods in my research, it is important to provide a detailed discussion on whether other researchers can replicate my study and arrive at similar results. The thesis is based on a combination of an ethnographic method, historical method, socio-legal method and a literature review. Replication of the last three is possible, and it is highly probable that other researchers could produce similar results if they followed the procedures described in previous sections. However, reliability is problematic in ethnography, and hence there is a need to explain whether my ethnographic study can be replicated. Before discussing these issues, some clarifications on the nature of ethnographic research may be in order. Ethnographic research differs from positivistic research, since it is influenced by subjective experiences of both the participants and researcher (LeCompte and Goetz 1982, 32). Ethnographies are unique in the sense that ethnographic research occurs in natural settings and often is undertaken to record processes of change. The ethnographic process is also personalistic, since the data are often collected and analysed by a single researcher; no researcher works just like another (LeCompte and Goetz 1982); even the most exact replication of research methods may fail to produce identical results (LeCompte and Goetz 1982; LeCompte and Schensul 2010). Due to these factors, ethnographic research may approach rather than attain reliability (Pelto and Pelto 1978; Hansen 1979). Nevertheless, disregarding threats to reliability may weaken the results of such research. According to LeCompte and Goetz (1982, 37), addressing threats to credibility in ethnography requires techniques different from those used in positivistic research. For LeCompte and Goetz, ethnographers can enhance the replicability of their data by recognising and handling five major problems: (1) researcher status position, (2) informant choices, (3) social situations and conditions, (4) analytic constructs and premises, and (5) methods of data collection and analysis (*ibid.*). I will now discuss these five major issues and show how I acknowledged and addressed them in my ethnographic study.

(1) *Researcher status position.* As LeCompte and Goetz (1982, 37) note, this issue can be phrased ‘to what extent are researchers members of the studied groups and what positions do they hold’. Ethnographic data are contingent on the researcher’s social role and status in the field site. Characteristics such as gender, age and ethnicity are also important when conducting an ethnographic study. Hence, other researchers will not be able arrive at comparable results unless they develop corresponding social positions or share similar gender or ethnicity characteristics (*ibid.*). In this sense, researchers must clearly identify their role within the group investigated. My ethnographic study fulfils the criterion regarding the specification of the researcher’s status position, since I have sufficiently

explained my social role and status in the field site by describing how I developed social relationships with residents of the *mahalla*. This explanation can be found in section 3.2. Although full replication of my study is hardly possible, other researchers may obtain comparable results if they share similar characteristics and develop corresponding social relationships.

(2) *Informant choices*. According to LeCompte and Goetz (1982, 38), the reliability of ethnographic studies also depends on the choice of informants who provide the data. Since different informants represent different groups of constituents, it is highly important to identify the appropriate informants who can provide accurate knowledge about the phenomenon of interest. LeCompte and Goetz advise that threats to reliability posed by informant bias can be effectively handled by careful descriptions of the types of people who served as informants and the decision process invoked in their choice. The choice of key informants in my ethnographic study was significantly informed by these considerations. The careful delineation of the type of people who served as key informants and the decision process invoked in their choice can be found in section 3.2 and Articles III and IV. Thus, it can be asserted that threats posed by informant bias have been adequately addressed in my ethnographic study.

(3) *Social situations and conditions*. The content of the ethnographic data can be influenced by the social context in which they are collected (LeCompte and Goetz 1982, 38). The information that informants reveal is dependent on the context or place where the interview is conducted. In some contexts or circumstances, informants may feel it is appropriate to reveal information, and inappropriate under others. One study showed that there is a difference between data collected from participants alone with the researchers and data obtained from participants in groups (Becker *et al.* 1962). In this regard, descriptions of the physical, social, and interpersonal contexts in which data are collected increases the replicability of ethnographic studies. Given the nature of the political regime in Uzbekistan, I recognised that the content of the ethnographic data could be influenced by the political and social context if I conducted interviews in groups. I thus conducted all eight semi-structured interviews individually, and in places (e.g. in a teahouse or private location) where informants felt most comfortable. In addition, considering the safety and confidentiality concerns of informants, I neither recorded nor took notes during the interviews, and thereby gained the trust of my informants. Thus, regarding the replicability of my study, other researchers may acquire comparable results if they follow the aforementioned procedures.

(4) *Analytic constructs and premises*. As LeCompte and Goetz (1982, 39) claim, 'Even if a researcher reconstructs the relationship and duplicates the informants and social contexts of a prior study, replication may remain impossible if the constructs, definitions, or units of analysis which informed the original research are idiosyncratic or poorly defined'. In this regard, replication requires that the

researcher explicitly identifies assumptions and meta-theories that underlie the choice of terminology and methods of analysis. In both the theory and methodology chapters, I provide detailed discussions on the theoretical framework, explicitly define my units of analysis and analytical constructs, and present an operationalisation model for analysing the ethnographic material gathered and the articles of the thesis. It can be stated that the delineation of analytic constructs and premises provided in the thesis facilitates replication by other researchers.

(5) *Methods of data collection and analysis.* According to LeCompte and Goetz (1982, 40), without precise identification and thorough descriptions of data collection strategies, it is impossible to replicate an ethnographic study. Therefore, only those ethnographies that specify data collection strategies in sufficient detail will be replicable. As can be seen in section 3.2, I provide precise and detailed descriptions of my data collection strategies. In this regard, other researchers can arrive at comparable results if they utilise these data collection strategies.

External validity (generalisability) is concerned with the extent to which the results of a study are generalisable (Merriam 2009). The value of scientific research is thus partially dependent on the ability of individual researchers to generalise their findings. Consequently, questions are often raised about the generalisability of qualitative studies. Some qualitative researchers ignore such criticisms; others have designed alternatives to validity and reliability (Schensul *et al.* 1999). Qualitative or ethnographic researchers try to address the generalisability issue by providing a holistic view and in-depth discussions of the phenomenon of interest that leads to general patterns. These patterns are then investigated in other settings, contexts, or populations to see what implications they have for the new setting or context. In qualitative and ethnographic studies this is often referred to as transferability, analogous to external validity, that is, the extent to which findings can be generalised (Guba and Lincoln 1981). Another account gleaned from the scholarly literature claims that to some degree it is possible to generalise the results of qualitative research. For example, Fine (2003) suggests that researchers can increase the generalisability by using the ‘peopled ethnography’ approach. The term ‘peopled ethnography’ suggests that ‘it is not the individuals being observed who direct our interest but rather their position within a group or social system: the set of actors and their group ‘peoples’ the ethnographic analysis and description’ (Fine 2003, 46). According to Wiersma and Jurs (2005), another way to strengthen generalisability is to conduct ‘multi-site studies’. If a phenomenon is likely to be consistent across a number of studies, then generalisability is increased; whereas if there is inconsistency in the phenomenon, there are limitations to the generalisation or special conditions of generalisation.

It can be stated that the generalisability issues discussed above have been addressed in my thesis. Since my ethnographic material is based on a holistic approach and in-depth discussions, the general patterns I describe can be

investigated in other analogous settings, contexts, or populations. In this sense my ethnographic study meets the transferability criterion. Given that I focused on the commonplace and taken-for-granted activities, social structures, norms and interactions during my fieldwork, it can be asserted that I have conducted ‘peopled ethnography’. I conducted fieldwork in rural Ferghana and the city of Tashkent, and the phenomena observed were consistent in both areas. Hence, generalisability of my results has been enhanced through multi-site studies.

It should be noted that the ethnographic method is not the only method I used in my research. Thus, I do not seek to generalise only from the specific ethnographic study because I utilised the ethnographic method in combination with several other methods, such as an historical method, a literature review, and a socio-legal method. I supplemented the bits and pieces I collected from rural Ferghana and Tashkent with additional data in order to generalise my research findings. For example, when carrying out the literature review I dealt with extensive literature focusing on all five states of Central Asia, and linked the results to my ethnographic material. The use of multiple methods has provided important knowledge of whether or not the states in post-Soviet Central Asia have been able to valorise their laws and centrally designed policies in everyday life. Furthermore, the Ferghana Valley, where I conducted most of my fieldwork, is a more viable and natural politico-economic site than Uzbekistan as a whole, since it is divided both linguistically and politically, with parts ruled by three states: Kyrgyzstan, Tajikistan and Uzbekistan. That is why scholars such as Frederick Starr called the Ferghana Valley ‘the heart of Central Asia’ (Starr *et al.* 2011). Dankov (2007, 1) also notes that ‘the Ferghana Valley is a territory where all the problems of the Central Asia region (border conflicts, poverty, shortage of fertile land and water resources, unemployment, ethnic disputes) are concentrated and come together in a tangled ball of contradictions. So an analysis of the main, primarily economic problems of the Ferghana Valley is vital to understanding the overall situation in Central Asia and around it’. Thus, the results of the thesis are generalisable to other Central Asian countries.

3.6. Model for Analysis of the Empirical Data

As mentioned in the previous chapter, I have developed from the theoretical concepts a model for analysing the empirical data from the articles included in the thesis. This analysis is presented in chapter 4. The model is based on the following seven propositions:

(1) *The concept of norms is crucial when trying to understand state-society relations and political stability issues.* One important role of the socio-legal research on norms is to unveil and explain conflicts and tensions in society. Hence, when analysing the

role of norm structures in state-society relations and political stability processes, it is important to define what constitutes 'norms'. As presented in the previous section, norms are (a) normative statements (behavioural instructions) that are (b) socially reproduced and (c) represent individuals' perceptions (beliefs) of surrounding expectations regarding their own behaviour (Svensson 2008). This definition enables us to better understand the specifics of the social context or arena in which the strongly motivating sets of ideas for associative behaviour are reproduced and where expectations emerge.

(2) *Norms are essential components of social control (both informal and formal).* This is because they create strongly motivating sets of shared expectations and behavioural instructions for social behaviour and everyday social relations. Social problems create incentives for their own solutions, and social arrangements, such as norms, then emerge to solve these problems. Thus, if we want to better understand how political and social stability is established, maintained and transformed in a particular society, we should focus on the norm structures that exercise social control in that society.

(3) *The state and its laws are constructed and reconstructed, invented and reinvented when they come into contact with competing informal norms (unwritten sets of rules).* There is no single, uncontested universal normative order – whether codified in state law, sanctified in religious scriptures or enshrined in the rules of etiquette for daily behaviour – in any society for guiding people's social behaviour and everyday economic and social relations. The state's laws and regulations are not the only means of social control; they have to compete with the informal norms that promote different versions of social behaviour. Informal norms influence social behaviour and everyday life as much as, or possibly, more than laws do. Informal systems of external social control are far more important than laws in many contexts. These patterns can be basically found in the way people behave themselves in their surrounding (social) associations and mundane activities in everyday life. For instance, Ehrlich (2002) suggests that if we want to understand what the 'living law' is (actual rules of conduct), we should focus on everyday social interactions, and how people in society conduct themselves under ordinary circumstances. Ehrlich claims that informal rules such as morality, religion, ethical custom, decorum, tact, even etiquette and fashion not only influence the social interactions and behaviour, but also the legal sphere at every turn (*ibid.*). Therefore, if we want to better understand state-society relations and political stability issues, we should focus not only on the state and its legal system, but also on other competing, multiple norm structures that influence the ability of state agencies to enforce laws and implement policies.

(4) *There are multiple social associations (both formal and informal) in society that attempt to impose their own norms and symbols on ordinary life, everyday social relations, and the way people understand the world around them.* As both Ehrlich (2002) and Migdal (2001) maintain, a society consists of a multitude of (social) associations, and the state is one of these. All types of social organisations (including the state) struggle and interact with one another over material and symbolic issues. These struggles and accommodations not only occur in 'policy arenas' where various forces attempt to shape the outcomes of public policy, but also when it comes to the basic moral order and the very structure within which the rights and wrongs of everyday social behaviour are determined. As state organisations come into contact with other social associations, the latter induce the former to adapt to the moral order. In addition to the state and its legal system, social associations may generate strongly motivating sets of ideas and normative elements (norms) for associative behaviour. There are various social associations in society that influence social behaviour and everyday social relations. By analysing social associations and their inner order it is also possible to understand the gender relations in society. Hence, more meaningful normative elements may come from social associations, not from the state's laws and regulations. Such social associations can be residential neighbourhood associations, religious organisations (mosque or church) and movements, family, clans and regional patronage networks, labour unions, patron-client networks, mafia, circle of friends, political party, industrial association, etc. Therefore, we need to take these multiple social associations into account when analysing state-society relations and political stability issues.

(5) *The very nature of state-society relations and forms of political stability is determined by the outcomes of struggles and interplay among different norm structures (legal, social, religious, etc.).* The nature and outcome of these struggles and interactions give societies their distinctive structure and character. Thus, if we want to better understand the nature of state-society relations and forms of political stability in a particular country, we should focus on struggles and interactions among different norm structures in society's multiple arenas and levels (central, regional, district or village).

(6) *When analysing state-society relations and political stability issues, there is a need to resituate the focus from extreme state-centred approaches (macro-level structures) to social norm (micro-level) structures. Macro- and micro-level developments are interconnected and influence one another. The normative elements that come from even remote areas of the state can mould public policies.* For Ehrlich (2002), the same classes, orders, and interests that control society prevail in the state. Migdal (2001) claims that functionaries of the state at different levels (central, regional, district or

village) interact sometimes or conflict with an entire constellation of social forces in disparate arenas. Social control maintained even by small social groupings in remote areas obstructs the efficiency of public policies (*ibid.*). Thus, both Migdal (2001) and Ehrlich (2002) assert that the state and society are not separate entities; rather they are intertwined, engaging in mutually transforming interactions. When these two perspectives are combined, one possible inference is that there exists a strong interlinkage or even reciprocal action between the micro-level and macro-level structures. In this connection, Anthony Giddens' (1984) 'theory of structuration' and his descriptions of the relationship between the micro- and macro- levels are comparable to the ideas of Migdal and Ehrlich. As Giddens claims, the micro- and macro-levels should not be treated as fundamentally separated from each other – in fact they are interconnected and shape one another. One of the main propositions of structuration theory is that the rules and resources drawn upon in the production and reproduction of social action are at the same time the means of system reproduction (the duality of structure) (Giddens 1984, 19). If we want to better understand the nature of state-society relations and forms of political stability, we should focus not only on macro-level structures, but also on micro-level (norm) structures.

(7) If we want to glean the patterns of state-society relations and forms of political stability, we should empirically study society's norm structures. We do this by employing of anthropological-sociological (ethnographic) methods, such as attentively observing everyday life and social relations, asking people what they think about proper social behaviour and how they assess the opinions of different relevant people.

Results and Analysis

4. Results and Analysis

I have four main goals in this chapter. First, I present an overview of the results of the four articles to clearly show the usefulness of each in answering the sub-research questions of the thesis. This provides a background to the analysis that follows in section 4.2. Second, I analyse the four articles by using the seven propositions of the analysis model presented in chapter 3. The model provides the reader with a deeper and more nuanced understanding of the state-society relations and political stability in post-Soviet Central Asia. My third aim is the principal one: to answer the sub-research questions and the overarching research question of the thesis. I want to spell out what the possibilities are to promote legitimate and long-term political stability in post-Soviet Central Asia. Finally, I discuss the empirical and theoretical contributions of the thesis and suggest future avenues of inquiry.

4.1. The Primary Results of the Articles

In this section, I will present the primary results of the four articles in order to provide a background to analysis section. The four articles that follow answer the four sub-research questions of the thesis. Since the last (fifth) question is of a purely theoretical nature, I address it in a separate section when discussing the theoretical and empirical contributions. Some articles specifically focus on one of the particular research questions, whereas others address more than one question. Articles III and IV focus on informal economy and corruption issues, examining their ramifications for political stability and security. This is because these are the main arenas in which we can find the patterns of the ‘living law’ and thereby better understand and demystify how political stability is maintained in post-Soviet

Central Asia, in spite of the obvious failure of governments to secure the basic needs of its citizens.

4.1.1. Maintaining Political Stability through (Informal) Social Institutions

The first sub-research question focuses on the relationship between welfare structures and political stability in post-Soviet Central Asia. More specifically, it is concerned with understanding the possible changes that may occur in the nature of state-society relations and forms of political stability when the state retreats from its social welfare responsibilities. Article I, *Law, Social Norms and Welfare as Means of Public Administration: Case Study of Mahalla Institutions in Uzbekistan*, was an attempt to answer this question. The article aimed to understand the issue of how political and social stability is maintained when the state fails to secure the basic needs of the populace. The article starts with a critical analysis of public policy developments in Uzbekistan since the collapse of the Soviet Union, highlighting numerous problems, such as deteriorating social welfare services, decline in living standards, extremely high unemployment rates, the growing number of Uzbek labour migrants in Russia and Kazakhstan, radical Islam, etc. The conventional wisdom suggests that under these circumstances, Uzbekistan should have already fallen into the trap of revolutions, civil war or ethnic conflicts from below. In the light of these problems, the article poses a question – how Uzbekistan succeeded in preserving political stability and did not record any considerable cases of interethnic or interfaith conflict, regime change or civil war, whereas neighbouring Kyrgyzstan, labelled ‘an island of democracy’ by the Western world, had experienced numerous conflicts and chaos, ranging from ‘colour revolutions’ to ethnic conflicts.

This issue triggered bitter debates within academic and policy communities. Previous studies explained the political stability of Uzbekistan by referring to state-centred approaches and macro-level topics, focusing frequently on policies of repression and an authoritarian regime, administratively commanded economic policies, or to the political apathy of ethnic minorities in Uzbekistan. The article suggests that the state-centred approaches cannot satisfactorily demystify why and how Uzbek authorities have managed to retain political stability and security; rather, there is also a need to pay heed to (informal) social institutions, notably the *mahalla*, when trying to understand the nature of political stability in Uzbekistan. In the article it is argued that Uzbek authorities deployed traditional *mahalla* institutions to meet political and social instability, since the *mahalla* represents a comprehensive system of social control and offers informal social safety nets.

As the findings demonstrate, *mahalla*, a somewhat traditional informal institution, has become partly formalised (through legislative codification and

executive incorporation) and now operates partly on behalf of the state and partly community-driven as a local-level provider of social welfare and, increasingly, as the [state] mechanism of social control. The transfer of social service delivery functions to *mahalla* institutions has provided a fertile ground for the state to absolve itself from the responsibility of service provision. Given its welfare provision potential and social control function, the *mahalla* plays a pivotal role in promoting social order and political stability in Uzbekistan. Thus, this article responds to the first question (and indirectly the third): when the state fails to secure the basic needs of its citizens, the informal community-based organisations (social institutions) like *mahalla* assume the basic functions of the 'welfare state' and prevent the occurrence of political instability. The findings of the article are not only illustrative of the changing state-society relations in Uzbekistan, but also have implications for the other four Central Asian countries where informal social safety nets and community-based institutions make up for the incapacity of state (e.g. Falkingham *et al.* 1997; Falkingham 1999, 2005; Collins 2002, 2006; Luong 2002, 2004; McMann 2007).

4.1.2. Welfare as a Means for Political Stability

The second research question refers to the cultural factors affecting political stability, asking to what extent a 'culture of consensus' is a prerequisite when utilising welfare as a means for political stability. In Article II, *Welfare as a Means for Political Stability: A Law and Society Analysis*, this question is addressed by analysing the origins and development of the welfare state in Sweden. Article II starts with a discussion of why some countries develop into welfare states while others do not. Two main factors highlighted in these scholarly discussions are economic growth and the need for political stability. In these discussions, the example of Sweden, where the welfare state allegedly emerged from a 'culture of consensus', has often been treated as an historic exception. The aim of the article was to examine whether Sweden was indeed exceptional in this manner or if welfare in Sweden emerged as a product of strategies aimed to promote political stability, and thereby followed a pattern similar to other Western European countries.

The results of the article show that: (a) until the mid-twentieth century, Sweden was a highly unstable, conflict-ridden class society, and thereby followed a similar pattern to other Western European countries; (b) welfare reforms in Sweden were initiated as a means of addressing political and social instability; (c) Sweden is therefore no exception to the theory that deep political crises trigger welfare reforms. The study conducted for Article II debunks the exceptionalist argument for Sweden's emergence as a welfare state. It also challenges the arguments that

claim enduring consensus, demonstrating the tensions and struggles among different normative orders that had existed in Sweden until the mid-twentieth century. Thus, the article provides an answer to the second research question by claiming that the ‘culture of consensus’ is not a prerequisite when utilising welfare as a means for promoting political stability. This leads to the conclusion that the welfare state can successfully serve as a ‘political stability and security’ project in countries that suffer from chronic political instability and insecurity.

4.1.3. Informal Economy and Political Stability

Although the four articles included in this thesis differ from one another in terms of scope and content, they are interlinked and overlap in the sense that they address more than one research question. Article III, *Understanding Informal Economy as a Welfare System: Case Study of Mahalla Institutions in Post-Soviet Uzbekistan*, is of the same nature as it addresses the first and third research questions. This article examines the informal economic practices as an alternative welfare system and thereby challenges the validity of international reports (e.g. World Bank reports) and policy analyses on Uzbekistan, and possibly on other Central Asian countries, that treat the informal economy as a ‘social evil’ that undermines the efficiency of public policies. Another equally important aim of the article is to study the ramifications of informal economic practices on state-society relations and forms of governance in Uzbekistan. In trying to accomplish these aims, the article uses the case of *mahalla*-based informal economic practices.

The article puts forward the view that the informal economic practices are not automatically negative; rather, they are people’s desperate reaction to failure of the state. While the state has not been able to secure the basic needs of its citizens, the *mahalla*-based informal economic practices have become an alternative coping strategy in post-Soviet Uzbekistan. The results of the study clearly reveal that informal economic practices make up for the incapacity of the state, and prevent possible political instability by serving as an alternative source of job creation and social safety nets. Hence, the informal economy is not just a ‘social evil’ that is abnormal and exceptional to the rule of law, but it can also be regarded as an alternative welfare system when the state fails to fulfil its responsibilities. As the study concludes, any attempts at eliminating informal strategies, without creating alternatives, might lead to destabilisation and create social discontent in an already troubled and impoverished Uzbek society.

The findings of the article address the first and third research questions by: (a) showing that the informal economic practices become an omnipresent feature of everyday life when the state retreats from its social welfare responsibilities and fails to provide formal income earning opportunities; and (b) illustrating that informal

economic practices can contribute to political and social stability by serving as an alternative source of job creation and social safety nets. However, when the coping strategies are based on an informal economy, the state loses its legitimacy and image as an agent of development, and the political stability of the country becomes very shaky, since the informal economy cannot address the large-scale problems.

4.1.4. Corruption in a Culture of Money

The results of Article IV, *Corruption in a Culture of Money: Understanding Social Norms in Post-Soviet Uzbekistan*, have relevance for more than one thesis research question, notably the first and fourth. The article takes its point of departure from the critical analysis of previous research and international legal definitions of corruption. According to the 2011 Corruption Perceptions Index, released annually by the Transparency International, Uzbekistan is among the 10 most corrupt countries in the world. Thus, the main aim of this article was to investigate whether the working definition of corruption presented by the Transparency International (TI) has validity and relevance when discussing and measuring corruption in non-Western societies like Uzbekistan. In undertaking this task, the article focuses on socio-economic structures such as networks of reciprocity and exchange in Uzbekistan and uses ethnographic data on wedding ceremonies to show the local moral codes and values of informal transactions and how these can undermine a pure Western perspective on corruption.

The central claim of the article is that the bulk of informal transactions in everyday life are manifestations of alternative coping strategies and/or deeply embedded social norms and customs in Uzbekistan, simply a 'culture of money', characterised by networks of reciprocity and exchange. The results of the article show that the informal transactions in Uzbek society are surrounded by a different cultural and functional meaning than in most of the Western world. Accordingly, not all informal transactions are corrupt and one should consider social norms, moral codes and local perceptions when talking about (or measuring) corruption in Uzbekistan's context. The article concludes that due to the retrenchment of social welfare services and the continuous decline of living standards, ordinary people in Uzbekistan have become increasingly reliant on informal coping strategies for securing their basic needs. Thus, the informal coping strategies are incorporated into Uzbek culture as a rational way of getting things done and have little to do with abuse (corruption).

Article IV has important implications for the thesis' research questions for the following two reasons: (a) The study demonstrates that the decline of the social welfare services and absence of formal income earning opportunities leads to a

general informalisation of state, society and lifeworlds, thereby making informal coping strategies the only means of survival. This finding addresses the first research question; (b) The study shows that the informal structures and norms pervade both formal state arenas and social life in Central Asia by creating networks of reciprocity and exchange. This implies that the state and its laws have limited meaning and impact in everyday life; rather, social norms and customs constitute the actual rules of conduct, thereby rendering a strong influence on the design and implementation of laws in Central Asia. This finding addresses the fourth research question of the thesis.

4.2. Analysing the Empirical Data and the Four Articles of the Thesis

I will now begin to analyse the empirical findings and articles of the thesis by utilising the seven propositions of the analysis model presented in methodology chapter. This will be done in sections 4.2.1 and 4.2.2. Based on this analysis, I will address sub-research questions and the overarching research question of the thesis.

4.2.1. Living Law and Political Stability in Central Asia

One primary aim in studying state-society relations and political stability in Central Asia was to understand the specifics of the social and political contexts in which the strongly motivating sets of ideas (shared expectations) for associative behaviour emerge and are reproduced. The socio-legal definition of norms developed by Svensson (2008, 2013) has served as a guide when studying the specifics of the local context in Central Asian countries, thereby enabling me to identify what the local people themselves recognise as actual rules of conduct. Putting it in Ehrlich's words, I employed the socio-legal concept of norms to glean the patterns of 'living law'. Likewise, while looking at Central Asia through the lenses of norms, one important insight I obtained was that everyday life is dominated by pluralistic and syncretic norms.¹¹

¹¹ By pluralistic norms I imply a situation in which two or more normative orders coexist or compete in the same social field, social processes. By norm syncretism I denote a social situation in which different forms of beliefs and social practices are reconciled or merged.

The case of wedding ceremonies was particularly insightful, serving as a ‘magnifying glass’ to reify the ‘living law’ of Central Asia (Urinboyev and Svensson 2013). While observing wedding ceremonies, it became clear that the social and economic relations were governed by pluralistic and syncretic normative orders, characterised by complex processes of mutual interpenetration of elements of Islamic and Soviet practices. For instance, at weddings, men and women sit separately, the groom and bride visit the mosque for the religious ceremony, wedding guests say *bismilloh* (‘In the name of God’) and then drink vodka, people put money on the dancing guests’ *duppi* (headgear), and the bride wears a Western style white wedding gown. The visibility of money during the wedding dance is striking; everybody, from children to the elderly, dances with money in their hands. Another important aspect of the case of weddings was its ability to explain and visualise society’s political structure. The system of social hierarchies and reciprocal exchanges of money and gifts that I observed in weddings provided important clues about underlying social structures. During the wedding feast, the ‘people of influence’ (e.g. state officials, the wealthy and businessmen) were seated at the best tables and served quickly, whereas the guests with lower socio-economic status got the modest tables. Weddings also clearly visualised the very traditions, customs and moral codes underpinning the patriarchal social system in Central Asia. Thus, weddings are sites where the degree and importance of social hierarchy can be easily discerned: social status, age and gender hierarchies, charisma, power and wealth are not easily neglected. Looking at such a hierarchical and stratified nature of social interactions, it can be argued that authoritarianism has strong social roots in Central Asian societies. If we interpret these observations through the lens of the ‘state-in-society’ approach, it can be stated these normative patterns have strong implications for the formal state arenas.

As Perlman and Gleason (2007, 1333) note, the ‘Asian path is different from other competing approaches in that it is synthetic-binding together the interests of the state, the society, the family, and the individual’. As case studies of *mahalla* and wedding ceremonies indicate, ‘living law’ (informal coping strategies) has become the dominant normative order in post-Soviet Central Asia (Urinboyev 2011; Urinboyev and Svensson 2013). When looking at the magnitude of *mahalla*-based informal coping strategies, it becomes obvious that the state has not been able to valorise its laws and symbols, while informal rules and norms (‘living law’) has developed into a parallel system of governance in everyday life. Based on these findings, it can be asserted that the state and its laws in Central Asia are reconstructed and reinvented when they come into contact with the ‘living law’ of everyday life. Taking the example of rural Ferghana, it can be argued that local struggles and local forms of coping strategies have transformed the nature of state-society relations, making the ‘living law’ a parallel system of governance that fulfils the functions from which the state law has withdrawn. Therefore, we need to focus

on informal coping strategies if we want to better understand the nature of state-society relations and political stability in the region.

This argument brings us back to the question of how the ruling regimes in Central Asia still maintain their firm grip on power, and ensure political stability despite their potential failure to address the social welfare needs of the populace. There are many ways to approach this. There is extensive literature addressing this question (e.g. Kubicek 1998; Melvin 2000, 2004; Schatz 2001; Human Rights Watch 2003; Starr 2006; Fumagalli 2007; Kandiyoti 2007; Markowitz 2008). The bulk of these scholars argue that political stability and regime longevity in Central Asia can be explained as an outcome of continued use of coercion and intimidation. As the findings of this thesis indicate, political stability in Central Asia can also be explained by reference to informal economic structures that serve as 'palliative' mechanisms when the state fails to provide viable means of survival. *Mahalla*-based informal economic practices are one good example. In rural Ferghana, the word '*hasbar*' is generally used to refer to non-compensated community project in which *mahalla* residents co-operate with one another by the reciprocal exchange of labour, money, material goods and services. During my fieldwork I have observed that *mahalla* residents arranged *hasbar* for a variety of reasons, for example, for the construction of irrigation facilities, cleaning of streets, the asphaltting of roads, the construction of dwellings or mosques, the organisation of weddings, funerals and circumcision feasts, and many other services not provided by the state. *Mahalla* served as a source of job creation and as a social safety net.

The example of wedding ceremonies is also illustrative of the changes in coping strategies in the post-Soviet period. Notably, during the Soviet times, only relatives and close friends were expected to give *toyana* (gifts such as carpets or cash gifts) at weddings, and other guests such as *mahalla* residents were not expected to. However, as I observed during my fieldwork, the post-Soviet economic decline has resulted in the emergence of new social norms that have transformed weddings into a mechanism that distributes the livelihood risks within the wider community; now all guests are expected to give *toyana* at weddings. Since weddings are very expensive, the *toyana* considerably lessens their burden on families. Hence, the informal economy is the main 'palliative' arena where we can find the patterns of living law, since it signifies social practices embedded in a Central Asia context and a parallel system to the state-driven welfare distribution. Thus, informal economic practices make up for the incapacity of the state, and contribute to political and social stability by serving as an alternative source of job creation and social safety nets.

Conversely, when coping strategies are based on informal rules, the laws and regulations of the state gain a secondary character, and the 'living law' that regulates informal relations becomes a parallel system of governance. Although this

parallel system does not overtly challenge both the real and symbolic order of the state, it becomes an omnipresent phenomenon and thereby unofficially reshapes central policies, especially when not tailored to context and place. One possible inference is that these informal economic practices and coping strategies can be regarded as ‘everyday forms of resistance’ in the sense that they manifest the failure of the state to meet the basic needs of citizens, and therefore do constitute a form of production of political and social order by a strata of the population that are excluded from the core political processes. In this regard, informal economic practices can be seen as people’s silent but desperate reaction to state failure. However, informal economic practices provide a short-term solution to structural inequalities and national (socio-economic) threats. They also modify the state-society relations in the long-term, thereby weakening the legitimacy of the state. As the thesis research findings demonstrate, an informal economy cannot address the large-scale problems; consequently, the political stability of Central Asia has become shaky.

4.2.2. Interlinkage Between Macro, Meso and Micro-Level Structures

The results indicate that there are multiple social associations in Central Asia, and the state is one. In addition, there are other associations such as clans, patron-client networks, *mahalla*, and religious movements that promote different versions of social behaviour. All these associations interact and struggle with one another over material and symbolic issues, attempting to impose their own norms and symbols on ordinary life, everyday social relations and the way people around them understand. Hence, in post-Soviet Central Asia, the relations between the state and society are more driven by social forces, such as *mahalla*, rather than Western type civil society institutions.

This thesis focuses primarily on the *mahalla* as a socio-political structure that reshapes the ‘political and social order’. In Central Asia, what we might think of as ‘political’ emerges through the flow of (*mahalla*) informal norms and expectations, moral values, traditions and reciprocal exchanges (Urinboyev 2011; Urinboyev and Svensson 2013). Previous studies have largely regarded *mahalla* as instruments of authoritarian control and human rights abuse (Abramson 1998; Human Rights Watch 2003; Kassymbekova 2003; Kamp 2004; Masaru 2006). Much of this literature argues that the ruling regime in Uzbekistan tries to extend its authoritarian control through *mahalla*. Equipped with the concept of ‘living law’ and the ‘state-in-society’ approach, this thesis takes a rather different approach by focusing on the *mahalla* as social associations with their own inner orders, and thereby treating them as a parallel normative order that promotes different versions of how people should behave (or ‘living law’ in Ehrlich’s term). Even though Uzbek authorities have attempted to formalise the *mahalla* by devolving the social

service delivery responsibilities, the results of the thesis research indicate that the *mahalla* still remains largely an informal association (Urinboyev 2011). Massicard and Trevisani (2003) claim that '*mahalla* is a socio-political object, and it offers an understanding of the relationship between state and society. The devolution of power to *Mahalla* creates an arena for different strategies of action. Not a negotiated social consensus, but the interplay of different (group) interests, local knowledge, strategies, norms, conflicts, compromises and truces that together makes up the social structure, decides issues of structural change' (*ibid.*). In other words, the *mahalla* is the arena where the laws of the state and the 'living law' of everyday life come to interplay and clash.

Accordingly, when discussing how political stability is maintained in Central Asia, there is a need to focus on 'living law' produced by *mahalla* structures. The 'living law' can be found by observing everyday social interactions, how people behave in their social associations, people's coping strategies and how people 'get things done'. The *mahalla* as a socio-political object influences social behaviour and everyday life more visibly than the state. This can be seen by looking at how the *mahalla*-based normative order produces the networks of solidarity that are based on kinship, strong social hierarchies and patron-client relations. By contributing to the emergence of the initial elements of nepotism, cronyism, and patron-client relations, *mahalla* in one way or another creates an alternative normative order in Uzbekistan. In the thesis research, these processes are manifested through the ethnographic description of wedding ceremonies and *mahalla*-based informal economic practices. When viewed through the lenses of 'living law' concept and the 'state-in-society' approach, the *mahalla* constitutes a parallel system of governance in Uzbekistan, since its inner order dominates everyday life, reducing the meaning and impact of state law. Thus, one important finding of the thesis is that *mahalla* structures are the traditional sites of political production in post-Soviet Uzbekistan. There are similar *mahalla* type institutions in the other four Central Asian countries as well (e.g. Open Society Institute LGI 2002).

The networks of solidarity that I observed in the *mahallas* of rural Ferghana are based on kinship, cronyism and patron-client relations. Most of the people I interviewed during my fieldwork stated that the individual is expected to share his or her economic resources and political influence with his kin and social networks once they become available. As my informants explained, this is the 'living law' of rural Ferghana. In this regard, state officials in rural Ferghana are torn between loyalty to their kin and networks, and honesty at work. These networks of solidarity prevail in politics, business and social life in Central Asia, since such a collective nature of society limits the scope and penchant for individual choice. Therefore, maintaining loyalty and respect for such networks and kin often comes at the expense of formal structures, thereby leading to an omnipresence of

corruption and rent-seeking behaviour in formal arenas. This indicates that behavioural instructions promoted by the 'living law' influence the implementation of state laws and regulations. Although the 'living law' described here may seem illicit or abnormal to Western observers, it is an essential part of everyday life in Central Asia that helps 'get things done'. As primary providers of social guarantees, *mahalla* deplete the state's organisational prowess by promoting informal rules (social norms) and moral codes that differ from the laws and policies of the state. Even an authoritarian and coercive state as that of Uzbekistan finds itself moulded by the *mahalla* structures. One possible conclusion is that the very nature of state-society relations and forms of political stability in Central Asia are determined by the outcomes of struggles and interplay among different social associations.

Thus, the law is not the only regulator of everyday life, but there are many other competing normative orders in society that influence social behaviour much more forcibly than the law. Bearing this in mind, one inference is that there is a need to move the focus from extreme state-centred approaches and macro-level topics to micro-level structures, treating macro-, meso- and micro-level developments as interconnected and mutually transforming one another. The *mahalla* is the traditional arena of political production in Uzbekistan, as it is the site where the initial interaction between the state and citizens takes place. The results of my study show that policies are not only conceived, but also reshaped informally when they come into contact with *mahalla's* 'living law'. Thus, society articulates itself under conditions characterised by the absence of rule of law, leading to the emergence of a dichotomy between centrally designed laws and policies, and the local *mahalla*-based social order. From this perspective, the more the focus moves from macro- to micro-level analyses of public policy developments in Central Asia, the more it becomes discernible that everyday life is regulated by the *mahalla's* 'living law'.

When talking of the role of *mahalla* as a socio-political structure, the attention should be placed on the *mahalla's* short-term gains and long-term impact. As shown in Article I of the thesis, there is a need to consider the role of the *mahalla* when explaining how political and social stability is maintained in Uzbekistan (Urinboyev 2011). Due to its social control function and ability to provide alternative social safety nets, *mahalla* contributes to political stability in Uzbekistan. This can be considered as a short-term gain of *mahalla*. However, the reach of the *mahalla* as a 'political stability project' is limited in the sense that it can only address the micro-level issues, not the macro-level problems, thereby preserving the coercion-based political environment in Uzbekistan. In addition, *mahalla* as a traditional site of political production preserves the existing social hierarchies, stratification and patriarchal norms, thereby preventing the occurrence of real democratic changes in Uzbekistan. In this regard, the thesis highlights the need for the introduction of new factors into a social arena (e.g. additional capital,

innovative forms of social control, or the depletion of old elements) as a means to promote legitimate and long-term political stability in Uzbekistan in particular, and Central Asia in general.

4.3. Conclusions

As explained in the introduction chapter, current understandings of political stability in Central Asia continue to be trapped in the ‘discourse of danger’ that makes it difficult to recognise what is actually happening and changing in everyday life. Hence, state-society relations in Central Asia are highly influenced by alleged threats of Islamic upheaval, ethnic conflicts and civil war. I set out to empirically contribute to a better understanding of the impact of political stability strategies on people’s livelihood and everyday life in Central Asia. Theoretically, I have relied on Eugen Ehrlich’s concept of ‘living law’, together with the ‘state-in-society’ approach and the concept of norms, in order to create a model for analysing the articles and empirical material. The overarching research question of thesis is expressed as: *Given the three suggested means of political stability that states have at their disposal, what are the possibilities to promote legitimate and long-term political stability in post-Soviet Central Asia?* To better understand the dynamic relationship between the three means of political stability referred to in the overarching research question, four empirical and one theoretical sub-research questions were formulated. In this respect, before addressing the overarching research question, I will provide a brief account of how I answered the specific empirical research sub-questions. I address the fifth (theoretical) research question in section 4.3.3 where I discuss the theoretical contribution of the thesis.

4.3.1. Addressing Sub-Research Questions

The following four empirical sub-research questions were asked:

- (1) *What changes can occur in the nature of state-society relations and forms of political stability when the state retreats from its social welfare strategies?*
- (2) *To what extent is a ‘culture of consensus’ a prerequisite when utilising welfare as a means for political stability?*
- (3) *What alternative coping strategies does the lack of formal welfare structures produce and how do coping strategies relate to political stability?*
- (4) *How do informal structures and norms influence the design and implementation of laws in Central Asia?*

I have answered the first research question by using the case study of *mahalla* institutions in Uzbekistan. As my results indicate, due to the retrenchment of welfare states in Uzbekistan in the post-Soviet period, the informal welfare structures (social associations) like *mahalla* came to serve as an alternative welfare system, and thereby prevent the occurrence of political instability. However, these developments had far-reaching repercussions for the state-society relations and political stability in Uzbekistan. Since informal social associations serve as alternative sources of job creation and social safety nets, the state in Uzbekistan faced a crisis of legitimacy. Consequently, the 'living law' (informal rules) promoted by *mahalla* institutions developed into a parallel system of governance in tandem with the law of the state. Due to this crisis of legitimacy, the political stability of the country has become very shaky, which is why the state increasingly relies on coercion and intimidation as an exclusive means of social control.

The second research question focuses on the relationship between cultural factors and political stability, asking to what extent a 'culture of consensus' is a prerequisite when utilising welfare as a means of political stability. This question has been posed to better understand the extent to which the three means of political stability suggested in the overarching research question are culture specific and under what conditions welfare can be used as a means for building political stability. I examined this question by using the case study of the Swedish welfare state, since many scholars argued that there is a close correlation between the development of welfare states and 'culture of consensus' in Sweden. However, as my findings indicate, Sweden was a highly unstable, conflict-ridden class society. Thus, even in Sweden, where the welfare state allegedly emerged from a 'culture of consensus', welfare reforms were initiated as a means of addressing political and social stability. Based on these results, it can be stated that a 'culture of consensus' is not a prerequisite when utilising welfare as a means for promoting political stability. This finding implies that the welfare reforms could also be utilised as a 'political stability' project in other countries that suffer from chronic political instability and insecurity.

The third research question is closely linked to the first, so the answers to them are also interlinked. As the research results indicate, due to the obvious failure of the formal economy and welfare system to address the structural inequalities and market defects, the informal economy has become an alternative means of survival for the ordinary population in Uzbekistan. Informal economic practices, serving as an alternative source of job creation and social safety nets, make up for the incapacity of the state, and thereby preclude the occurrence of political instability. As a result, the informality is quite an omnipresent phenomenon in Uzbekistan, while the laws and image of the state have limited meaning in everyday life. The 'living law' promoted by the *mahalla* influences everyday life more effectively than

the state law. The ‘culture of money’ described in Article IV and the *mahalla*-based informal economic practices presented in Article III are clear manifestations of the alternative coping strategies that are commonplace in Uzbekistan. The results indicate that the informal economy can provide only short-term solutions to political stability, and thus there is a need for more extensive state-driven welfare measures.

The fourth research question is linked to both the first and third. The results indicate that the state and its laws have limited meaning in everyday life in Central Asian societies; rather informal rules and institutions (living law) influence social behaviour and everyday life much more forcibly than the state law. In this regard, the ‘living law’ constitutes a parallel system of governance that fulfils the functions from which the state law has withdrawn. The results indicate that the design and implementation of laws are reshaped and reconstructed by networks of reciprocity and exchange. These networks are based on kinship, regional affiliations, cronyism and patron-client relations, and pervade both formal state arenas and social life in Central Asia. As the thesis findings suggest, the ability of the states in Central Asia to increase their meaningful presence in everyday life and on the society-wide level depends on their performance in social policy issues.

4.3.2. Possibilities to Promote Legitimate and Long-Term Political Stability in Post-Soviet Central Asia

Returning to the overarching research question, the state-society relations and political stability strategies in post-Soviet Central Asia are highly influenced by the discourse of enduring dangers and threats. As the thesis findings indicate, this discourse is losing its credibility in the light of deteriorating economic conditions. In the words of many of those I encountered in rural Ferghana, ‘the state no longer exists’, is simply ‘dead’ in Uzbekistan. Everyday life and daily conversations in rural Ferghana were mostly concerned with informal coping strategies or job opportunities in Russia. People often mentioned the word ‘government’ when talking about unaffordable healthcare costs, unemployment, corrupt state officials, and gas and electricity cuts. Sometimes, the people I encountered also gave credit to the government when drawing parallels to worn-torn Afghanistan and unstable Kyrgyzstan, thereby acknowledging the ability of the state to maintain political stability. Hence, my fieldwork findings show that the legitimacy of the state and its symbols are not only based on the state’s ability to maintain political stability and security, but also perceived in terms of the state’s capacity to secure the basic needs of its citizens.

The thesis findings also illustrated that states in Central Asia face enormous resistance from social forces in implementing their laws and policies. Such social forces, ranging from religious movements, patron-client networks to networks of

reciprocity and neighbourhood organisations, deplete the state's organisational prowess. In this thesis the emphasis has been placed on the *mahalla* as a socio-political structure that produces an alternative system of informal rules (living law) that influence social relations and everyday life more forcibly than the state's laws. Despite the *mahalla*'s short term gains as a 'palliative mechanism' that provides short-term solutions to political stability challenges, the results of this thesis show that *mahalla*-type informal institutions cannot address the large-scale problems, thereby preserving the shaky, illegitimate and coercion-based political environment in Uzbekistan. It was also noted that *mahalla*-based governance does retain the social hierarchies, stratification and patriarchal norms in Uzbekistan.

As shown above, the state-society relations in post-Soviet Central Asia continue to be trapped in the 'discourse of danger' that makes it difficult to envisage what the possibilities are to promote legitimate and long-term political stability in the region. This leads us to the three general means/policy options that states have at their disposal to promote political stability. As the thesis findings indicate, the states in Central Asia increasingly rely on coercion and informal institutions as means of political stability, and virtually do not utilise welfare as a mean for promoting political stability. As the analysis of scholarly literature shows, the states in Central Asia are highly vulnerable to waves of political instability due to the absence of genuine economic, political, and social reforms (e.g. Luong 2000, 2002; Melvin 2001; Naumkin 2003, 2005; Ilkhamov 2004; McMann 2004; Trisko 2005; Kandiyoti 2007). In this regard, most of these studies suggest that there is a need to introduce more intelligent policy strategies that can promote long-term political stability and democratisation in Central Asia.

Migdal *et al.* (1994, 22) claim that 'the ability of any social force, including the state, to develop the cohesion and garner the material and symbolic resources to project a meaningful presence at the society-wide level depends on its performance in more circumscribed arenas. The introduction of new factors into an arena, such as additional capital, compelling ideas, or innovative forms of social organisation, or the depletion of old elements, also benefits and harms social forces in very different ways'. The formation of politically stable and democratic nation-states in the countries of Western Europe, notably in Sweden, clearly reflects the ideas of Migdal. The Swedish development experience shows that the welfare can be used both as a 'political stability project' when the state faces instability, and as a 'state-building project' when the state faces resistance from various social forces. The Swedish experience shows that there is a close correlation between the formation of a politically stable democratic nation state and the development of a welfare state.

Although it is always risky to draw parallels to other socio-political contexts, one possible conclusion is that the strong welfare measures could also serve as a legitimate pathway for building politically stable nation-states in Central Asia. However, one can argue that Uzbekistan and Sweden are not comparable due to

their diverse contexts, and any attempts to compare them may lead to what has been described by Giovanni Sartori (1991) as ‘conceptual stretching’ (the distortion that occurs when a concept does not fit new cases). Of course, the local context of the Central Asia significantly differs from Sweden. One could also refer to the complex geopolitical positioning of Central Asia when contending that welfare as a means of political stability is not sustainable in this region. However, Sartori (1991, 246) claims that even ‘pears and apples are comparable as fruits, as things that can be eaten, as entities that grow on trees; but incomparable, e.g., in their respective shapes’. Hence, when comparing one should always ask the question: *comparable with respect to which properties or characteristics and incomparable (i.e. too dissimilar) with respect to which other properties or characteristics?* Sartori notes that ‘The comparisons in which we sensibly and actually engage are thus the ones between entities whose attributes are in part shared (similar) and in part non-shared (and this we say incomparable)’ (*ibid.*). Notably, despite their dissimilar social structures, culture and geopolitical positions, both Sweden and the Central Asian countries suffered from chronic political instability and insecurity: Sweden during the transition from an agricultural to industrial welfare society (1880-1955) and Central Asian countries after the collapse of Soviet Union (1991-2012) during their transition from communism to market economy. In this regard, the means (of political stability) Sweden and Central Asian states utilised to handle political instability can be compared.

As shown in Article II, until the mid-twentieth century, Sweden was a highly unstable, conflict-ridden class society, and there were many radical social forces, such as the Sharpshooters’ Association, Syndicalism, Fascist Parties (Svensson *et al.* 2012). In the light of the growing threat posed by the radical social forces, as well as turbulent labour conflicts, the Swedish Social Democratic Party looked to welfare reforms as a ‘political stability and security’ project that could effectively mitigate unstable political developments and weaken the position of radical social forces. By implementing universal welfare reforms, the Social Democratic Party succeeded in transforming Sweden from a conflict-ridden to a consensus society, eventually resulting in a politically stable and democratic nation-state.

The thesis findings indicate that states in Central Asia are facing a crisis of legitimacy due to their increasing reliance on coercion and informal institutions as a means of political stability. The collapse of authoritarian regimes in North Africa during the so-called ‘Arab spring’ shows that coercive strategies and informal institutions are unreliable in the long-run. Many people I met during my fieldwork in rural Ferghana expressed nostalgia for the former Soviet Union, giving credit to the strong social protection policies of the Soviet system. As I observed in my fieldwork, ordinary people are now compelled to turn to informal coping strategies in order to meet their livelihood needs. The image of the state as an agent of social

justice is virtually absent in everyday life, whereas the ‘living law’ of the *mahalla* that promotes social hierarchies and clientelistic norms has become the part and parcel of everyday life. As a result, Central Asian countries are considered to be the most corrupt in international reports and policy documents due to their large informal economies, even though these informal practices have a functional nature and reflect the coping strategies. Although Central Asian states continue to enjoy economic growth even in times of global economic crisis, few Central Asians reaped the rewards. The continuing flow of labour migrants from Central Asia to Russia indicates that economic and social policies of Central Asian countries have failed to secure the basic needs of citizens. As post-Soviet Central Asian states have retreated from offering social-welfare services to society, so is society retreating from loyalty to current governments, evidenced by increased popular disobedience to the (secular) legal system, growing informal economies and the rise of radical religious movements. It is actually the absence of the protective welfare state that makes the political environment of Central Asia unstable. Based on my findings, it can thus be suggested that strong welfare measures could serve as a legitimate pathway for building long-term political stability in Central Asia.

4.3.3. Empirical and Theoretical Contributions

The thesis’ contributions are twofold – empirical and theoretical. Empirically, the thesis contributes to a better understanding of the post-Soviet transformations in Central Asian societies by examining the effects of political stability strategies on everyday life and state-society relations. Theoretically, the thesis contributes to theory development in sociology of law to better understand the conflict and interplay of different norms in state-society relations and political stability.

Empirically, the thesis offers a distinctive perspective – supported by ethnography, socio-legal methods, a literature review and historical methods – to understanding political stability in post-Soviet Central Asia. Hence, the main empirical contribution of the thesis is in its effort to critically analyse political stability on different levels of society: macro-level (state’s laws and policies), meso-level (local social forces and strategies) and micro-level (everyday human social interactions). It is in the interplay and struggles among these levels that the picture of political stability and state-society relations emerges. The account of developments within these different levels and social contexts contributes to academic discussions on how political stability is established, maintained and transformed in post-Soviet Central Asia. Additionally, interesting insights into local forms and cultural meanings of informal coping strategies have been offered through the ethnographic study of wedding ceremonies and *mahalla* institutions. Hence the findings are likely to shed new light on issues of political stability and state-society relations in Central Asian societies.

The theoretical contributions of this thesis are several. However, it must be noted that they are interrelated. The first one lies in bridging the theories of two distinct academic fields – sociology of law and political science. The second contribution lies in establishing a nexus between norms, informal institutions and political stability. The third is concerned with the analysis model presented in chapter 3. The remainder of this section elaborates on each of these contributions, and links them to the fifth research question.

Sociology of law is a multidisciplinary field that often ‘borrows’ from other scientific fields. A critical synthesis of different academic traditions and theories, however, is a daunting task, and if well done, contributes to the further development of sociology of law as a scientific field. In the course of this thesis, sociology of law theories has been complemented with political science theory. The thesis draws primarily on Eugen Ehrlich’s concept of ‘living law’, but also on the ‘state-in-society’ approach (from political science) and the socio-legal concept of norms. The contribution of the thesis then lies in bringing together these different theories and suggesting that they are compatible. A nexus between norms, informal institutions and political stability is another theoretical contribution that this research suggests. The thesis emphasises the importance of considering struggles and interactions among multiple normative orders when analysing state-society relations and political stability. Furthermore, a model is developed by bringing together the aforementioned sociology of law and political science theories. This model is based on seven propositions that present both theoretical and methodological insights for analysing the issues of state-society relations and political stability.

By borrowing the ‘state-in-society’ approach, sociology of law can be developed to better address the issue of political stability and state-society relations. This approach is unique, since there have been no serious scholarly attempts in sociology of law to integrate these theories. The analysis of previous research shows that much attention has been paid to the implications of Ehrlich’s ‘living law’ for issues of legal pluralism, interplay of law and other (social) norms, law in action, legal cultures, and legal transplants (e.g. Pound 1922; Nelken 1984, 2008; Griffiths 1986, 1992; Merry 1988; Teubner 1991, 1997; Kleinhans and Macdonald 1997; Woodman 1999; von Benda-Beckmann 2002; Hertogh 2004; Melissaris 2004; Cotterrell 2006a, 2006b). However, scholarly emphasis has not been placed on the issue of how the concept of ‘living law’ can be used to understand the state-society relations and political stability. Ehrlich’s ‘living law’ goes beyond the abovementioned issues, and can be utilised together with political science theories, such as the ‘state-in-society’ approach for analysing political stability and state-society relations. Thus, the synthesis of sociology of law and political science theories can be regarded as a theoretical contribution of this thesis, not only in terms of content (i.e. the way those theories were utilised), but also as an

illustration of the research process as an ongoing learning exercise. These suggested theoretical contributions address the fifth research question of the thesis.

4.3.4. Future Research

This thesis has primarily focused on *mahalla* structures. However, *mahalla* is not the only social force; there are multiple social associations (both formal and informal) in Central Asia that influence state-society relations and political stability. Focusing on religious movements and clan networks as determinants of political stability can be future avenues of inquiry. Thus, the thesis highlights the need for further research in this field to develop a deeper and more nuanced understanding of the complexities and contradictions influencing public policy developments in post-Soviet Central Asian states.

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The Articles

This thesis includes four articles written between 2009 and 2012, and will be introduced in the following order:

Article I

Urinboyev, Rustamjon. 2011. Law, Social Norms and Welfare as Means of Public Administration: Case Study of *Mahalla* Institutions in Uzbekistan. *The NISPAcee Journal of Public Administration and Policy*, 4 (1), 33 – 57.

Article II

Svensson, Måns., Urinboyev, Rustamjon., and Åström, Karsten. 2012. Welfare as a Means for Political Stability: A Law and Society Analysis. *European Journal of Social Security*, 14 (2), 64–85.

Article III

Urinboyev, Rustamjon. Understanding Informal Economy as a Welfare System: Case Study of *Mahalla* Institutions in Post-Soviet Uzbekistan.

Article IV

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Law, Social Norms and Welfare as Means of Public Administration: Case Study of Mahalla Institutions in Uzbekistan

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Abstract

Despite numerous challenges, since its independence, Uzbekistan, with the exception of the May 2005 Andijan events, has enjoyed extraordinary political stability and not recorded any considerable cases of interethnic or interfaith conflict, regime change or civil war, whereas neighboring Kyrgyzstan, labeled an “island of democracy” by the Western world, has experienced numerous conflicts and chaos, ranging from “color revolutions” to ethnic conflict. However, for understanding Uzbekistan’s ability to cope with internal and external challenges, little recourse is made to the post-independence discourse on public administration known as “mahalla reforms”. In spite of the significant existing body of literature on the mahalla, there has been little systematic scholarly investigation of the role of mahalla in maintaining political stability and security in Uzbekistan. Previous studies did not provide an account of how the law, social norms and welfare come to interplay in the mahalla system and how this influences the public administration developments in Uzbekistan. This paper begins to redress this lacuna by analyzing public-administration reforms in post-independence Uzbekistan, namely mahalla reforms, with an effort to show how political and social stability is established through mahalla, and to what extent those reforms have affected the position of individuals vis-à-vis the public-administration system. In undertaking this task, the paper employs three theoretical concepts: the theory of norms, the welfare-pentagon model and the theory of social control. In this paper, I argue that public-administration reforms since 1991 have transformed mahalla into a comprehensive system of social control; and therefore, mahalla can be places of democratic involvement or sites of authoritarianism in Uzbekistan.

Keywords: mahalla; public administration; norms; social control; welfare.

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1. Introduction

It was believed that the introduction of the Western-type political institutions of democratic government and market-oriented economy would promote democratic transformations and contribute to the formation of stable nation-states in post-Soviet Central Asia (Gleason 2001). As a newly-independent state with democracy claims, Uzbekistan has proclaimed the creation of a secular democratic society based on the ideals of democracy, free market, social justice and universal human rights² with an effort to capture the international community's attention and attract foreign direct investment. However, like other post-Soviet states, during the early years of independence, Uzbekistan faced the necessity of re-designing its economic and social policies. While struggling to develop market economy, Uzbekistan simultaneously strived to retain a Soviet-type generous social-welfare system, given the unstable political situation in Central Asia during the 1990s.³ Uzbekistan has emphasized "stability at any cost" as its main aim in this period, rather than asserting economic growth (Spechler 2000, 295). Given the fact that the former Soviet social-welfare system did provide extensive social-welfare benefits and health-care facilities, the general population of Uzbekistan likely expected the same treatment and facilities from the new Uzbek authorities. Likewise, the main concern of Uzbek authorities in the early years of independence was the prevention of dramatic output loss, strong social protection and modernization of economy through a strengthening of the industrial sector (Ruziev, Ghosh and Dow 2007). The newly-introduced Uzbek economic development model, which was based on a gradual reform strategy, clearly illustrated this tendency.⁴ In this respect, welfare strategies of the 1990s were, in every sense, a political stability and security project retooled by Uzbek policy-makers to "buy off" the sympathy and loyalty of the general population towards the state; social policy was an effective and legitimate device to extend the coercive power of the state nationwide.

Despite its relatively better performance in the 1990s, Uzbekistan is nowadays facing complex political, economic and social challenges. The level of political liberalizations and economic reform was not sufficient to promote the social welfare of the population, as evidenced by a sharp increase of economic inequality and unemployment in the society. The growing number of Uzbek labor migrants in Russia and Kazakhstan provides clear evidence of the weakening nature of economic and

2 See *The Constitution of the Republic of Uzbekistan*. arts. 7, 13, 14, 18.

3 The political situation was largely unstable in Central Asia in the 1990s, e.g. ethnic clashes between the Uzbeks and the Meskhetian Turks in 1989, the Osh riots (ethnic conflict between Uzbeks and Kyrgyzs) in 1990, civil war in neighboring Tajikistan in 1992–1997.

4 In his book *Uzbekistan on the Way of Deepening Economic Reforms*, Islam Karimov, President of Uzbekistan, describes five fundamental principles that form the basis of the Uzbek development model: (i) the precedence of economy over politics; (ii) the leading role of the state during the transition period; (iii) the promotion of the rule of law; (iv) the provision of strong social protection; (v) the gradual and evolutionary transition to a market-based economy.

social policies. The preservation of a Soviet-type generous social-welfare system appeared to be a fiscally unaffordable task, since the tax revenues were very little compared to the scope of the welfare programs promised by the government. The living standard of ordinary people gradually fell, and the number of people applying for social-welfare benefits grew accordingly. Resource-strapped Uzbekistan had to move away from the Soviet-type generous social policy to a means-tested system. This issue had far-reaching repercussions for the preservation of security and stability in the transition period.

In light of growing social discontent, the provision of security has become a buzzword on the Uzbek policy agenda. The presence of wide police and security forces throughout the country clearly illustrates this tendency. As described by Clarke (1999), Uzbekistan has been trying to maintain a secular state in one of the most religious Muslim countries of the former Soviet Union, while facing the direct threat of political Islam in Afghanistan and Iran. Radical Islam has been growing due to the lack of political liberalization and accumulated economic and social problems. Moreover, the geopolitical positioning of Uzbekistan as the center of the Eurasian “Heartland”⁵ and its vast energy resources have attracted international attention and intensified the influence of external powers, such as Russia, the United States, China, Iran and Turkey. All these factors can promote instability and pose immense security threats to Uzbekistan. The existence of a wide variety of internal sources of instability might contribute to the emergence of conflicts in the future. In addition, the growing influence of foreign states and non-state actors might have a negative impact on the security and stability in the country, given the fact that external actors pursue their own agendas and interests. At the same time, local groups and interests might be prone to taking an advantage from the opportunities provided by the presence of external actors. Deteriorating social conditions and a decline in living standards might create an atmosphere of rivalry between different ethnic and religious groups and increase the tensions between them.

Under these circumstances, Uzbekistan should have already fallen into the trap of revolutions, civil war or ethnic conflicts from below.⁶ Domestic and external forces are pulling Uzbekistan into various directions. We can observe the struggle between secular and religious forces on the one hand and democratic and non-democratic forces on the other. The interplay between these forces might have possibly produced three scenarios in Uzbekistan. The first scenario is building an Islamic state based on Shariya law, as the developments since the independence

5 British geographer and politician Sir Halford John Mackinder, one of the founders of geopolitics as a science, called Central Asia the “Heartland” of the world. According to Mackinder, the interests of practically all major world powers collide in Central Asia. He described Central Asia as the political center of the world and predicted whoever controlled it would wield enormous power.

6 For studies of regime change, see, for example, Perry Anderson. 1974. *Lineages of the Absolutist State*. London: Verso; Alexander Gerschenkron. 1962. *Economic Backwardness in Historical Perspective*. Cambridge: Harvard University Press; and Barrington Moore Jr. 1966. *Social Origins of Dictatorships and Democracy*. Boston: Beacon.

period have shown a growing radicalization of Islam within the society. The second possible scenario is strengthening democracy through building close ties with the Western world. The third scenario is strengthening authoritarianism, which means closer relations with Russia and China.

So far, none of the aforementioned scenarios have entirely occurred in Uzbekistan. Despite numerous challenges, since its independence, Uzbekistan, with the exception of the May 2005 Andijan events, has enjoyed extraordinary political stability and not recorded any considerable cases of interethnic or interfaith conflict, regime change or civil war, whereas neighboring Kyrgyzstan, labeled an “island of democracy” by the Western world, has experienced numerous conflicts and chaos, ranging from “color revolutions” to ethnic conflict. This issue triggered bitter debates within academic and policy communities. Ilkhamov (2007) claims that the Uzbek regime has succeeded in neutralizing internal and external challenges due to its ability to benefit from formal and informal, modern and traditional institutions and practices, the mixture of which constitutes a neopatrimonial authoritarianism.⁷ The findings of Melvin (2000) and Fane (1996) maintain that the Uzbek regime has succeeded in establishing political stability through authoritarian control, policies of repression and stifling the economic reform. Conversely, Spechler (2000, 295) asserts that Uzbek authorities guaranteed political stability through subsidizing employment, controlling prices on essential goods and services, privatizing the largest state-owned enterprises only gradually and partially and pursuing self-sufficiency in energy and food supplies. Erdem (2006) explains it by referring to the level of political salience of ethnic groups, namely Tajik minorities; she maintains that ethnicity does not have political significance in Uzbekistan.

There are elements of truth in each of the above-mentioned arguments. However, for understanding Uzbekistan’s ability to cope with internal and external challenges, little recourse is made to the post-independence discourse on public administration known as “mahalla reforms”.⁸ Since mahalla enjoy local legitimacy and informal social safety nets, Uzbek authorities looked at the mahalla as a means for political stability and security. Due to the complexity of internal and external challenges, Uzbekistan deployed traditional mahalla institutions to meet political and social instabilities. In this regard, there has been little systematic scholarly investigation in the role of mahalla in maintaining political stability and security in Uz-

7 Ilkhamov explains Uzbekistan’s neopatrimonial regime as a combination of the following mutually supportive factors: (1) hyper-centralization of the administrative system and exceptional control of power assumed by the President; (2) selective adoption of the market economy and the legal administrative system, enabling the ruling elites to legalize resource and capital acquisition; (3) selective use of the legal-administrative system to neutralize open and hidden opposition to the present regime.

8 Mahalla is a traditional community-based organization in Uzbekistan. It is an Arabic word meaning “local community” and alludes to a group of people residing in a specific territory. For simplicity, I use the word “mahalla” to denote both the singular and plural meanings.

bekistan.⁹ Previous studies have largely illustrated mahalla as instruments of abuse (coercion) and authoritarian control (Abramson 2000a; Human Rights Watch 2003; Kamp 2004; Kassymbekova 2003; Louw 2007; Noori 2006) or as social safety nets (Coudouel and Marnie 1999; Micklewright and Marnie 2005; Sievers 2002). However, those studies did not provide an account of how the law, social norms and welfare come to interplay in the mahalla system and how this influences the public-administration developments in Uzbekistan. This paper begins to redress this lacuna by analyzing public-administration reforms in post-independence Uzbekistan, namely mahalla reforms, with an effort to show how political and social stability is established through mahalla, and to what extent those reforms have affected the position of individuals vis-à-vis the public-administration system. In undertaking this task, the paper employs three theoretical concepts: the theory of norms, the welfare-pentagon model and the theory of social control. In this paper, I argue that public-administration reforms since 1991 have transformed mahalla into a comprehensive system of social control; and therefore, mahalla can be places of democratic involvement or sites of authoritarianism in Uzbekistan.

2. Public-administration reforms in the post-independence period: Mahalla reforms

Until the introduction of the Mahalla Law, mahalla mainly reinforced cooperative relations among the residents through social norms (hereinafter 'mahalla norms'). The introduction of the Mahalla Law led to the fusion of mahalla (social) norms with the law, since most informal functions of the mahalla had become formalized. As a result, mahalla, somewhat traditional informal institutions, have become partly formalized (through legislative codification and executive incorporation), and now partly operate on behalf of the state and partly community-driven as a local-level provider of social welfare and, increasingly, as the (state) mechanism of social control. Today Uzbek authorities claim that the mahalla reforms (the elevation of mahalla's social norms to law) have greatly facilitated citizens' self-government activities and provided mahalla with wider opportunities and autonomy. However, many Western scholars (For example Kamp 2004; Koroteyeva and Makarova 1998; Noori 2006; Sievers 2002) and human rights groups (Human Rights Watch 2003) maintain that mahalla reforms have a negative impact on the democratic developments in Uzbekistan. The central critique is based on the concern that mahalla, as a distributor of the state's social-welfare benefits, is the first place or instance where people encounter corrupted system in Uzbekistan (Human Rights Watch 2003; Kamp 2004; Koroteyeva and Makarova 1998; Micklewright and Marnie 2005). An-

9 Although Eric W. Sievers does not explicitly mention the impact of mahalla reforms on political stability in Uzbekistan, his study shows that mahalla, as a social-security network, ease the economic problems of their residents in the absence of a universal welfare state in post-independence Uzbekistan. See Sievers (2002), 91–158.

other critique is centered on the argument that the state's legal interventions have transformed mahalla into extensions of authoritarian control (Human Rights Watch 2003; Noori 2006). Apparently, the case of mahalla appears to be an interesting case for studying the effects of the transition from "order without law" (the term is from Ellickson 1991) to "law from order" (the term is from Cooter 1997). In this regard, the next section of the paper will be devoted to studying the effects of legal interventions on mahalla with an effort to understand how the state and mahalla interact with each other.

2.1 Legal intervention in mahalla

Constrained by scarce financial resources and increasing inequality levels, Uzbekistan tried to reform its public-administration system with the aim of creating favorable conditions for stable nation-building processes in the transition period. In the same vein, the Uzbek government has revised its legal system and institutions in an effort to expand its reach both nationally and locally. As David Abramson notes, "beginning in the late 1980s and intensifying in the 1990s, the Uzbek mahalla became the centerpiece of a state-sponsored campaign to transfer responsibilities for welfare and other social services onto local shoulders" (Abramson 2000b. *Constructing Corruption: Foreign Aid, Bureaucratization, and Uzbek Social Networks* as quoted in Sievers 2002, 144). For a brief period during the first stages of the nation-building process, there was a widespread assumption that Uzbekistan would be able to build democratic institutions and market-based economy by revitalizing its pre-Soviet historical institutions and popular traditions. Accordingly, pre-Soviet mahalla institutions presented themselves as feasible solutions for promoting economic efficiency, social order and political stability. Thus, mahalla have become the focal point of all state and non-state functions (Sievers 2002).

Although the deployment of mahalla structures for politico-administrative purposes dates back to the Soviet years (Human Rights Watch 2003; Kassymbekova 2003; Masaru 2006; Noori 2006), as I demonstrate later, post-independence public-administration reforms, namely mahalla reforms, have significantly differed from the technologies that were originally deployed by the Soviet authorities. While the Soviet legislation vaguely defined the legal status and functions of mahalla as local village councils,¹⁰ post-independence legislation largely strengthened the legal status of mahalla and defined them as citizens' self-government institution. Mahalla reforms have been implemented under the discourse of democracy and decentralization in the post-independence period. Obviously, the main rhetoric behind these reforms was to abandon the traditional communistic public-administration

10 According to Neema Noori (2006), the first legislation on the mahalla came in the 1920s; the main aim of this legislation was to use mahalla for the modernization of Uzbek social life. The second Soviet legislation on mahalla in 1932 was concerned with the devolving state-service delivery to mahalla; mahalla were tasked to support local government functions. However, both legislations did not clearly specify the status of mahalla in the public-administration system.

in which the public-administration system was centrally-planned. As citizen's local self-government institution, mahalla have been tasked to target social-welfare benefits, facilitate public administration and preserve political and social stability.

Today the term "mahalla" is commonly used in Uzbekistan to describe a neighborhood or local community which is mostly characterized by common traditions, language, religion and ethnic background. Everyone in Uzbekistan technically belongs to one mahalla (Sievers 2002). There are about 12,000 mahalla in Uzbekistan, and each mahalla might contain 150 to 1,500 households. On average, approximately 400 households reside in one mahalla (Micklewright and Marnie 2005, 431). The Mahalla Foundation, established in September 1992¹¹, coordinates the activities of all mahalla throughout Uzbekistan. Mahalla, in both the historical and modern perspectives, represents a "clearly defined socio-demographic, cultural and spiritual entity, as well as an administrative-territorial one, in which people are united by traditions, customs and human, business and legal relationships" (Bektemirov and Rahimov 2001, 477). Mahalla bonds people based on the principle of common residence in a certain neighborhood with an established border.¹² As Sievers (2002) noted, the most universal and remarkable aspect of mahalla is that no member of the mahalla is, for class, profession or religious reasons, excluded from community events and interactions. Mahalla is valued by most people as a social safety net embodying moral ideas of solidarity and mutual help (Louw 2007). Something analogous to mahalla might exist in other Eastern cultures, but what makes Uzbek mahalla unique is that it has received the legal status of a citizen's local self-government institute. As the primary self-government unit, mahalla exist throughout Uzbekistan today based on the principle of decentralization (Bektemirov and Rahimov 2001).

The Law on Mahalla (1993, 1999) defines mahalla as an "an independent activity of citizens, guaranteed by the Constitution and the Laws of the Republic of Uzbekistan, for the purpose of resolving issues of local importance according to their own interests and historical peculiarities, as well as to national traditions, spiritual values and local customs."¹³ Apparently, this definition implies that mahalla are non-governmental organizations, and they are not part of the system of public administration. Since mahalla is a new phenomenon to many Western scholars, the legal status of mahalla has been the object of intense discussions. The Mahalla Law defines mahalla as a non-governmental organization, but, at the same time, the Mahalla Law delegates some rights and obligations to mahalla which are reminiscent of

11 Presidential Decree of 12 September 1992 on the Creation of the Mahalla Foundation, Sharq So'zi, 13 September 1992.

12 See *Local Government Situation and Development Prospects in the Countries of Central Asia*. OSI/LGI Report (2002). Budapest.

13 Law on Mahalla, 1999, art.1.

the functions of governmental agencies.¹⁴ Uzbek authorities proclaimed mahalla to be civil-society institutions, whereas the Western scholars and human-rights groups regard mahalla as extensions of authoritarian control at the local level (Human Rights Watch 2003; Kamp 2004; Noori 2006). Hence the conventional definitions of civil society that have a Western origin are largely irrelevant and inapplicable in the context of Uzbekistan. While Western-oriented values and beliefs on civil society promote individual opportunities and freedoms, the local understanding of civil society in Uzbekistan is largely based on the notion of collectivism and reciprocal relationships.¹⁵ In this regard, mahalla represents the local understanding of civil society in Uzbekistan or, as Abramson (2001) put it, “a civil society based on collective identities and the reciprocal relationships necessary to get things done.” Mahalla also have informal information channels. In the absence of genuine and free mass media in Uzbekistan, mahalla, though informal, represent alternative sources of information. If some event happens that has nationwide importance, residents first get information from their informal mahalla channels, not from the formal mass media channels.

Mahalla are currently run by both formal (elected according to law) and informal leaders (informally chosen by residents). Prior to the legal intervention, mahalla were administered basically by three informal leaders, *oqsoqol* (whitebeard, informal leader of mahalla),¹⁶ *boylar* (wealthy residents in the community),¹⁷ and *dasturhonchi* (a woman leader). These informal leaders were basically responsible

14 Mahalla perform a wide range of state functions which were mainly implemented by specialized state agencies during the Soviet period. According to the Mahalla Law (1999), mahalla citizens' assemblies nominate the candidates for national and local elections; mahalla can give recommendations to residents on the organization of wedding ceremonies and other kinds of celebrations; mahalla can collect voluntary contributions from residents for the purpose of enhancing the well-being of mahalla; mahalla can demand of enterprises on its territory to provide an environmental report; mahalla facilitates the implementation of public policies; mahalla organizes the logistics of local visits of deputies of the parliament, regional, district and city councils; mahalla must report any illegal religious organization and assist state law-enforcement bodies; mahalla also facilitate the tax-collection process and the implementation of state-funded programs targeted to vulnerable issues, such as elderly care.

15 The mahalla has always been a place where rich and poor, ordinary people and functionaries, Uzbeks and other ethnic minorities, people with different religious background come together and discuss issues that are of mahalla significance.

16 *Oqsoqol* is usually an older male in a mahalla chosen by consensus from his generational group for his personal reputation, intelligence, honesty, personal influence and leadership skills. Although the Mahalla Law uses the terms “*oqsoqol*” and “*rais*” interchangeably, I prefer to use the term “*oqsoqol*” to refer to an informal leader of mahalla, whereas the term “*rais*” refers to formal leaders of mahalla which are elected according to the Mahalla Law.

17 In both historical and modern contexts, the wealthy have more prestige and authority within the community, due to their donations to most of the community projects, such as irrigation, asphaltting of roads, building of mosques, community assistance to poor and vulnerable residents, etc. In comparison to others, wealthy residents usually contribute more to mahalla projects. Given this factor, wealthy residents have an equally influential role in the decision-making process in mahalla.

for organizing wedding, circumcision and funeral ceremonies, they also mediated disputes between residents and organized *hashar*.¹⁸ However, after the adoption of the Mahalla Law in 1993 (and the subsequent revision of the Mahalla Law in 1999), the number of mahalla leadership has doubled. Under the Mahalla Law (1999), a chairman, *rais*, who is a salaried state employee, leads the mahalla through citizens' assembly/council¹⁹ together with a formal female leader of the mahalla women's committee. The citizens' assembly (*fuqarolar yigini*) is the supreme body of mahalla, which elects a chairman (*rais*), an executive secretary, an advisor and chairmen of the auditing and administrative committees of mahalla. Under the Constitution, the chairman (*rais*) of mahalla is elected for a term of 2.5 years.²⁰ Residents over the age of eighteen are entitled to attend the citizens' assembly. Citizens exercise their right to self-governance by participating in the activities of citizens' assemblies. The citizens' assembly has the power to represent the interests of residents and make decisions on behalf of mahalla, which are effective on the respective territory.²¹ In turn, the citizens' assembly approves the members of the assembly council (*kengash*), which includes the chairman of the citizens' assembly, various advisors, chairmen of assembly commissions and the executive secretary. The citizens' assembly council implements the decisions of the citizens' assembly and carries out daily self-government activities of mahalla between sessions.²²

The legal intervention has also empowered mahalla to implement the state's social-welfare legislation. In this sense, mahalla might look like parastatal organizations from the Western perspective, given the fact that they implement the state's social-welfare legislation. Social policy-makers in Uzbekistan found mahalla to be the most effective and credible mechanism to implement welfare programs, while the implementation of welfare legislation is mainly placed in the hands of specialized state agencies in the Western countries. For example, municipal social-welfare committees are responsible for the implementation of social-welfare programs in Sweden. Seemingly, social policy-makers in Uzbekistan assumed that mahalla-based targeting of welfare benefits (means testing) is fair and that the people who are in charge of means testing actually know what they are doing and care about getting the benefits to the people who need them. Although guidelines (1994; 2002) of the Ministry of Labour and Social Protection provide detailed instructions considering the indicators of living standards, the guidelines do not specify the circumstances

18 Hashar is a community project, such as the cleaning of streets, the asphaltting of roads, the construction of dwellings or mosques, the organization of wedding, funeral and circumcision feasts. During hashar, residents are expected to contribute to community projects with labor or monetary rewards.

19 Although the Mahalla Law stipulates that the mahalla rais is chosen by elections, this rule is rarely fulfilled in practice. In most cases, the local governor appoints the rais in an unstandardized way.

20 Article 105, *supra* note 7, Constitution of the Republic of Uzbekistan.

21 Articles 9, 10, Mahalla Law.

22 Article 10, Mahalla Law.

in which the benefit should be awarded. In this regard, based on their local knowledge and standards, mahalla target social assistance and child benefits to the most needy families in the community. The mahalla council (*kengash*) can make a decision without much regard for objective criteria about which residents are entitled to receive benefits (Sievers 2002, 142). Therefore, mahalla have much discretionary power over whom to grant cases, and welfare benefit can be awarded to any household which “has sound reasons for receiving it.” The final decision of the mahalla remains discretionary, and there is no appeal mechanism available (Micklewright and Marnie 2005).

2.2 The effects of legal intervention

American sociologist William Graham Sumner (1906) maintained that “the law must, regardless of the stage of societal development, reflect the mores of society in order to be an effective regulator of human behavior. As an instrument of social change, law can fulfill its proper role only if it conforms to the mores of a society.” John Locke (1961) also argued in his book *The Second Treatise of Civil Government* that the state enforcement of social norms is more certain and secure than private enforcement, because a written law provides a canonical formulation of the underlying obligation. By passing the Mahalla Law, the government assumed that this law will make mahalla an even more efficient and legitimate institution in providing public goods to its residents. At the same time, the government tried to integrate mahalla into the public-administration system with the aim of promoting social order in an ethnically diverse society. Consequently, the official rhetoric behind the mahalla reforms was to promote citizens’ involvement in policy-making through local governments. Following the reforms, mahalla have gained the legal status of a citizens’ self-government institution. Mahalla has been announced as a national democratic institute which can facilitate democratic transformations in Uzbekistan. The architects of the Mahalla Law implicitly assumed that the legal intervention does not affect local autonomy and traditional functions of mahalla (Sievers 2002). However, as the Human Rights Watch Report (2003) demonstrates, legal intervention has considerably reduced the autonomy of mahalla. Sievers (2002) argues that excessive legal intervention might lead to an erosion of the traditional functions of mahalla, such as social insurance and dispute resolution.

Social policy-makers in Uzbekistan trumpet mahalla as an effective institution to discern those who are most in need of social-welfare benefits. Micklewright and Marnie (2005) observed that mahalla, despite an absence of a formal set of rules, delivers benefits much more frequently to the less well-off than to the better-off. On the other hand, as the Human Rights Watch Report (2003) indicates, sometimes mahalla committees use their discretionary power to pressure independent Muslims and women to change their behavior or to give up social assistance. In this context, Kamp (2004) claims that many mahalla committees probably do not have much incentive to be fair or accurate in means testing, but rather would have the

incentive to prove that their relatives need benefits more than other people do.²³ Koroteyeva and Makarova (1998) also argue that mahalla-based welfare distribution elicits irritating and frequent suspicions of corruption.

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

In this context, a number of studies demonstrate that it is becoming an increasingly difficult task to separate social norms of mahalla from its legal responsibilities, or mahalla from the state (Human Rights Watch 2003; Kamp 2004; Kassymbekova 2003; Noori 2006; Sievers 2002). Mahalla, in spite of the legal intervention, are still largely informal institutions which embody the features of self-autonomy and local governance. The norm classification system by Hyden and Svensson (2008) is a useful tool to understand the current formal and informal structures of mahalla (See Table 1). Through an understanding of the essential and accidental attributes of norms, it is possible to describe and categorize various norms operating in mahalla. According to Hyden and Svensson (2008), norms have three essential attributes: norms are behavioral instructions/imperatives (1), they are socially reproduced (2), and they represent the individual's understanding of surrounding expectations regarding their own behavior (3). Accidental attributes of norms include aspects like the presence of sanctions, the origin of the norm, the context or arena in which the norm is socially reproduced, if the norm is system-oriented or value-oriented, the internal functions and purposes of the norm. Finding the essences will be crucial when defining the norms whereas understanding the accidents will help to classify norms.

23 Eric Posner (1996, 178) claims that the delegation of power to an organization raises two kinds of problems for the state: first, the group's interests do not precisely reflect the state's; second, the group helps only its members. In this regard, it is difficult to measure the legal certainty and predictability when the application of the law is combined with decentralized decision-making. Micklewright and Marnie (2005) observed that due to a lack of official data, it is very hard to estimate whether or not mahalla-based targeting can facilitate an efficient and equitable implementation of social-welfare programs.

Table 1
Operationalization of the norm-classification system in relation to the mahalla institution

NORM TYPE	Essential Attributes				Accidental Attributes			
	Imperative	Socially reproduced	Surrounding expectations	Sanctions	Origins	Arena	System orientation	Internal functions and purposes
Norm Type Legal	Decisions of mahalla are legally-binding for all residents.	Decisions of mahalla uniformly apply to all residents and in the entire territory of mahalla.	All residents of mahalla should abide by the decisions of mahalla.	Legal punishment	Parliament	Public authorities	Legal system	To facilitate citizens' self-government activities; to promote local development
Norm Type Social	Mahalla norms are binding for all residents.	Mahalla norms are uniformly applicable to all residents and in the entire territory of mahalla.	All residents of mahalla should conform to mahalla norms.	Gossip, exclusion, or even ostracism (non-legal punishment)	Communications, interactions, traditions, religion, folklore, moral values	Mahalla	Social system	To maintain solidarity, traditions, values and morals
Norm Type Economic	Mahalla must accurately target state's social welfare benefits to the most needy residents using their local knowledge and standards.	Decision-making over social welfare cases should be objective, just and reasonable.	Only the most needy and vulnerable residents should apply and get social-welfare benefits.	Inefficient and inequitable use of state resources and more poor people	Ministry of Labour and Social Protection	Public authorities	Formal economic system	To reduce poverty and preserve social order and stability
	Residents must contribute to mahalla either with work or cash for community activities and events.	Work and cash contribution rules apply to all residents and to all community activities and events.	All residents must help each other during community activities and events.	Exclusion from future community activities and events (non-legal punishment)	Communications, interactions, traditions, religion, folklore, moral values	Mahalla	Informal economic system	To stretch the livelihood risks within the community and to maximize the utility of residents

Norm Type	Bureaucratic	The elected chairman and members of the mahalla committee administer mahalla affairs through citizens' assembly	The chairman and members of mahalla should be elected by the residents of mahalla.	The chairman and members should represent the rights and interests of residents before the government.	District or city administrative authorities can dismiss the chairman and members of mahalla.	Parliament	Public authorities	Public administration system	To promote local autonomy and decision-making
	The elected chairman and members of the mahalla committee administer mahalla affairs through citizens' assembly	The chairman and members of mahalla should be elected by the residents of mahalla.	The chairman and members should represent the rights and interests of residents before the government.	District or city administrative authorities can dismiss the chairman and members of mahalla.	Parliament	Public authorities	Public administration system	To promote local autonomy and decision-making	To efficiently and equitably organize daily life, community activities and events within mahalla
	The oqsoqol of mahalla and his assistants administer mahalla affairs through informal meetings of residents.	The oqsoqol of mahalla and his assistants should be informally elected by the respected elder residents for their personal reputation, wisdom, honesty, and leadership skills.	The oqsoqol of mahalla and his assistants should honestly and wisely lead the mahalla affairs, such as weddings, funerals, hashar, etc.	Residents of mahalla can dismiss the oqsoqol of mahalla and his assistants.	Communications, interactions, traditions, religion, folklore, moral values	Mahalla	Informal administration system		

Source: Hyden and Svensson (2008), Norm classification system

3. Mahalla as the Welfare Pentagon

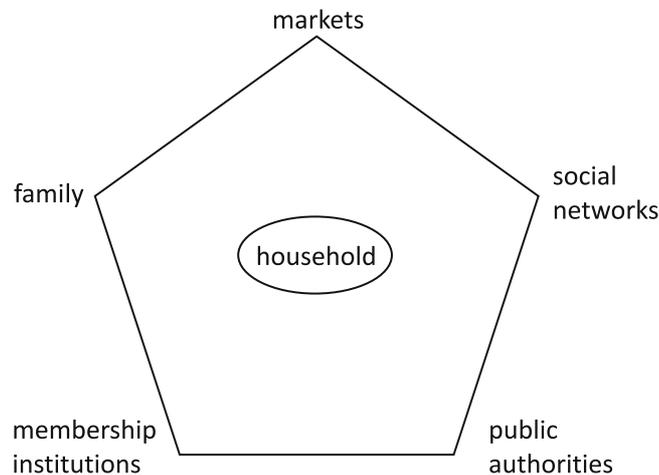
Since their inception, mahalla have been very successful in maximizing the utility of their residents. The role of mahalla has considerably grown after the collapse of the Soviet Union, since newly-independent Uzbekistan could not afford a Soviet-type welfare system. As Sievers (2002, 103) noted, “the economic significance of mahalla has shifted from being a vehicle through which to amass additional or disposable wealth to a vehicle for basic survival.” As a result of these dramatic changes, mahalla quickly assumed the functions of the welfare state and adapted to new economic conditions, thereby developing their survival mechanisms. Similarly, Seiple (2005, 251) describes mahalla as the place where group members look out for each other, collectively parenting their children, connecting friends and family to jobs, distributing funds to those in need and submitting to the judgment of elders. In this regard, mahalla replaced the state as the primary provider of social guarantees, and they provide extensive social services for community residents; mahalla provide both monetary and non-monetary (cash benefits and benefits-in-kind) types of welfare.

The welfare provision role of mahalla can be better explained by reference to the “Welfare Pentagon” model, which was developed by de Neubourg (2002). According to de Neubourg (2002), the Welfare Pentagon represents the five core institutions that households may use to meet their current and future needs in a given society: family, markets, social networks, membership institutions and public authorities (see Figure 1). Despite the historical and geographical differences, these institutions can be found in diverse appearances in all societies around the world. The access of households to the institutions and assets of the Welfare Pentagon varies across countries and over time. Public authorities (and partly the market), through various social-policy arrangements, are the most important players in the welfare provision in the West (especially in Nordic countries), while markets, family, membership institutions and social networks appear to be the largest sources of welfare in developing/non-industrial countries. Households use the institutions of the Welfare Pentagon in their survival strategy to generate income and to smooth consumption. Labor markets, product markets and capital markets enable households to trade and exchange in order to secure resources to satisfy their basic needs at a given time. Families, social networks and membership institutions²⁴ tackle the livelihood risks through various mechanisms of solidarity. Public authorities, as the fifth corner of the Welfare Pentagon, can provide welfare to households by means of various welfare-state arrangements (pensions, child benefits, maternity benefits, social assistance, unemployment insurance and other forms of insurance), but also

24 Membership institutions are unions, mutual insurance companies, religious organizations, cooperatives or neighborhood associations, etc. In the case of mahalla, mosque and hashar (mutual assistance activity) can be regarded as membership institutions.

indirectly by enforcing contracts through the judicial system, introducing legislation aimed at correcting market inequalities and many other public policies.

Figure 1
The Welfare Pentagon



Source: de Neubourg (2002)

Post-Soviet mahalla include all five core institutions of the Welfare Pentagon: all five institutions contribute to the well-being of mahalla residents. Mahalla, by enforcing its social norms, stretch the livelihood risks within the community and catalyze these institutions to produce welfare. Social safety nets of mahalla are multidimensional. Mahalla can fulfill the functions of markets, provide public goods, implement state-welfare legislation and serve as a social network and membership institution. Most mahalla possess such public spaces as teahouses, markets, mosques, grocery stores and barbershops. Mahalla, especially in rural areas, have developed informal labor, product and capital markets. Most foreign businesses of Uzbekistan are carried out by a local mahalla-based group of traders and entrepreneurs. Most agricultural products are exported to Russia through these groups.²⁵ Mahalla fulfill the function of a labor-recruitment agency by providing people with seasonal jobs. Informal channels of mahalla are so extensive and comprehensive that residents can quickly get information about available job opportunities. Mahalla-based entrepreneurs, traders and brokers very often provide their co-residents with temporary jobs, especially during summer and autumn periods. Mahalla is also a place where people get information about possible job opportunities in Russia and Kazakhstan. Therefore, most Uzbeks succeed in finding a job in Russia

²⁵ Groups of traders are especially active in the Ferghana valley. These groups mainly buy agricultural products, such as cucumbers, grapes, peaches, apples, etc. from mahalla residents for relatively higher prices and export them to Russia. The local population calls these groups "rossiychilar" (group of traders that export Uzbek agricultural products to Russia).

and Kazakhstan due to their mahalla networks. Women derive income by sewing clothes for residents of mahalla. Residents of mahalla also exchange various goods and products among each other. In this regard, mahalla, serving as local markets, provide a large number of job opportunities and facilitate the income-generating strategy of their residents.

Family, social networks, mosque and *hashar* (as a membership institution) are important sources of welfare in Uzbek mahalla whereas these institutions have a relatively limited role in most Western countries. Mahalla residents often rely on their families, social networks, mosque and hashar to meet their livelihood needs. Few weddings, emergency medical operations, university matriculations, house constructions or funeral ceremonies occur in the life of the typical mahalla resident without some community financial support (Sievers 2002, 129). According to mahalla norms, residents should make some financial contribution to wedding expenses when they attend wedding feasts. Such a type of community assistance considerably lessens the burden of weddings on families.

Over the centuries, mahalla developed tradition of mutual assistance, '*hashar*' which can be regarded as a well-established social norm. Under the absence of any legal mechanisms, mahalla residents cooperate with each other by providing labor for the construction of houses, for the preparation of the logistics of wedding and funeral ceremonies and many other informal services that are necessary for human livelihood. After the adoption of the Mahalla Law, the hashar tradition has become a legal obligation. The formal chairman and members make use of *hashar* to encourage residents to maintain the cleanliness of streets and gutters and to improve the appearance of their mahalla on the eve of national celebrations and state holidays (ibid.). Residents gain more by engaging in mahalla activities, since the collective action lowers the transaction costs. In this sense, Posner (1996) claims that an actor will choose cooperation over independent action only if the value of the benefits exceeds the cost of cooperation. Mahalla norms encourage cooperation and solidarity and discourage uncooperative behavior. Residents who defect from mahalla norms may face non-legal sanctions, such as exclusion and ostracism. These factors seem to explain why mahalla are so successful in providing alternative sources of welfare.

Moreover, mahalla lower the transaction costs for their residents by rendering non-compensated services to the elderly and sick, mediating domestic-violence and divorce cases and resolving various disputes between residents. Mahalla also pressure more wealthy residents to share some of their wealth with the wider community (Bektemirov and Rahimov 2001). As described by Sievers (2002, 102), on the eve of national holidays, mahalla residents collectively clean public spaces, cook

national desserts for distribution to all mahalla residents and often provide small presents to poorer residents.²⁶

After gaining independence, mahalla were empowered to allocate social-welfare benefits to the most needy in the community. These benefits are fully financed by the government. Through a means-testing method, mahalla provide welfare benefits to the least well-off residents. Even though the amount of the benefit is very small, it plays a crucial role in the survival strategy of people, especially in rural areas. In this regard, mahalla include the fifth element of the Welfare Pentagon – public authorities.

As was shown above, mahalla play an essential role in the survival strategy of their residents by providing both formal and informal social safety nets. Mahalla have become an integral part of Uzbek society, since they represent all five core institutions of the Welfare Pentagon. Similarly, mahalla has assumed the basic functions of the welfare state, which resembles the Western welfare states. One may wonder if mahalla can be called the “fourth type of welfare state regime.”²⁷ In this context, mahalla can be regarded as a “hybrid institution” that represents both formal and informal elements of the Welfare Pentagon. Given the effect of welfare on social control, one may guess how influential mahalla are in promoting social order and political stability and why the Uzbek government is so keen to intervene. Since mahalla serve as informal labor, product and capital markets, since mahalla provide welfare for residents through family, social networks, mosque and *hashar* (membership institution), and since mahalla distribute the state’s welfare benefits, mahalla can be regarded as both formal and informal mechanisms of social control that create stable conditions for a smooth functioning of the political system in Uzbekistan.

4. Mahalla as a system of social control

Today most Uzbeks get their sense of identity through their mahalla. Mahalla play an enormous role in fostering the cultural attitude of their residents. As Sievers (2002) observed, most Uzbeks reject the possibility of excluding themselves from a mahalla. There are a lot of Uzbek sayings regarding the importance of mahalla in people’s lives. Vago (2009, 19) claims that in a small, traditional and homogeneous society, behavioral conformity is ensured by social norms which are supported by traditions. Social control in such a society is mainly established through informal

26 Navruz is one of the Uzbek national holidays that mobilize people to clean mahalla, to cook desserts and to take care of poorer residents.

27 Danish sociologist Gøsta Esping-Andersen describes three types of welfare state regimes (liberal, conservative and social democratic). However, Esping-Andersen’s typology only describes the Western world of welfare capitalism whereas the welfare systems of the developing world are mostly based on informal welfare arrangements. In this regard, I dare to call mahalla the fourth type of welfare-state regime. See Esping-Andersen (1990).

control mechanisms, such as gossip, ridicule or humiliation. In this regard, mahalla norms regulate and touch upon even the strictly private spheres of residents' lives, ranging from dressing styles to marital relations. The failure to comply with mahalla norms might lead to non-legal sanctions, and therefore, every resident tries to conform to norms established within the mahalla. The threat of exclusion deters residents from violating mahalla norms, and therefore, social control in mahalla is dependent on individuals' self-sanctioning.²⁸

Gossip is one of the strongest non-legal sanctions in mahalla. Gossip is an instrument to use social influence to guide individual actions, especially in densely populated areas. Since most mahalla residents are highly concerned about the public opinion, they always try to avoid people's gossip. In that sense, gossip is also one of the strongest non-legal mechanisms that maintain cooperative behavior among the residents. According to mahalla norms, every mahalla member is expected to publicly mark births, male circumcision, weddings and deaths with some kind of celebration. Despite the high costs, every member of mahalla tries to conform to this norm. Residents who fail to mark any of those celebrations would be excluded from future mahalla celebrations. Social norms greatly contribute to social solidarity and order within mahalla. In this regard, Posner (2002) asserts that people, despite the high costs, give signals to each other in order to show that they belong to the good type and they are cooperative partners. Signaling is the expression of conformity to social norms. Good types care more about future payoffs that are lost if the cooperation fails.

Mahalla norms even control the family issues of residents. According to mahalla norms, the youngest son inherits the family home, and older sons are supposed to move out of the house. But, in turn, the youngest son must take care of his parents when they grow old. Seemingly, norms somehow establish an informal contract between children and parents. Mahalla will keep a close eye on the enforcement of this informal contract. In cases of defection, deviants face non-legal sanctions of mahalla, such as gossip, exclusion or even ostracism. Deviants are regarded as uncooperative partners in the community. From a social-policy perspective, mahalla might look like very attractive institutions given their capacity to cater for old people, whereas the elderly care is the ultimate responsibility of government in many Western countries.

28 Although non-conformity does not lead to any legal sanctions, every resident tries to conform to the established rules of mahalla, because mahalla can impose non-legal sanctions on deviants. The mahalla system enables people to access various welfare pentagon institutions, but at the same time, it limits individual autonomy and privacy. In this sense, Posner argues that, "wherever interaction is continual, dense and valuable to participants, distinctive patterns of behavior emerge. When deviations from these patterns provoke non-legal sanctions, we say that the patterns are social norms. Social norms both create options and suppress them." See Posner (2002).

Posner (1996) pointed out that when dispute arises between the members of a solidary group, norms and non-legal sanctions generally resolve disputes by allocating risks and specifying means of resolution. Mahalla, in this sense, mediate the conflictual relations between residents by using their norms and non-legal mechanisms of dispute resolution. In most cases, the informal leader (*oqsoqol*) of mahalla mediates the disputes between neighbors, adjudicates domestic violence and divorce cases. After the Mahalla Law, the formal leader of the mahalla committee (a legally elected leader) now also has the authority to address these issues. As described by Sievers (2002), since mahalla residents are usually involved in lifelong contact, the costs of court proceedings outweigh the benefits. Mahalla's informal dispute-resolution system is effective in the sense that it does not use adversarial methods while the legal mechanisms are lacking in this regard. Mahalla norms also condemn those residents who use legal means of dispute resolution. Residents who turn to courts are regarded as uncooperative partners. Therefore, mahalla residents rarely turn to courts and law enforcement agencies for the resolution of their disputes.

Mahalla norms regarding the relationship between spouses and bride and mother-in-law also cause concern. Mahalla norms promote the patriarchal relations in the family by encouraging a submissive role for women in the family. Mahalla norms also strictly regulate the power relations between mother-in-law and daughter-in-law. Mahalla norms establish that the daughter-in-law should obey her mother-in-law. Consequently, many human rights NGOs and feminist movements are highly critical of the domestic-violence cases within mahalla. Particularly, mahalla norms place women in an unfavorable position (Human Rights Watch 2003). Given the fact that mahalla norms favor patriarchal relations, the state's legal intervention is necessary, especially in cases of domestic violence. To address these problems, the public authorities intervened into mahalla by establishing a women's committee in each mahalla, but this strategy turned out to be ineffective due to the lack of support from social forces. Similarly, Hyden (2008, 149) claims that legal norms have to compete with norms already existing in society. Mahalla norms are sometimes more powerful than the legal norms.

Therborn (2002, 871) claims that institutions should be regarded as delimited complexes of norms which include constitutive norms of conduct, norms of distribution and regulative norms of contribution/execution. The norms of an institution may be formal or informal, explicit or implicit. These institutional norms are enforced by the systems of sanctions. Likewise, mahalla impose a wide range of non-legal sanctions on those residents who fail to conform to the norms of mahalla. Under mahalla norms, each resident is expected to contribute work and services during *hashar*, wedding and funeral ceremonies. The free-riding problem almost does not exist in this case, since the transaction costs of information is very low due to heavy social interactions and integration in mahalla.

The adoption of the Mahalla Law has also increased the scope of mahalla's social control activity. Mahalla now can also use legal sanctions to influence the behavior of their residents. In this respect, mahalla can effectively control the behavior of their residents through social norms, law and welfare. The presence of both legal and non-legal sanctions enables mahalla to suppress anti-social behavior and promote pro-social behavior. The cost of anti-social behavior is very high in the mahalla system, due to the fact that deviants may not be able to access the welfare-pentagon institutions of mahalla. Given the fact that they represent heavily integrated communities, mahalla can be regarded as a comprehensive system of social control, where the formal (governmental) and informal (societal) mechanisms of social control come to interplay. In this regard, Robert Ellickson's (1991) concept on "elements of a comprehensive system of social control" is relevant for explaining the social-control element of mahalla. Ellickson (1991) distinguishes five controllers that may be sources of both rules of behavior and sanctions that support those rules. The five controllers consist of – the actor himself, the person acted upon, social forces, non-governmental organizations and the government. These five controllers impose the following five sanctions to enforce the rules of behavior – self-sanctions, personal self-help, vicarious self-help, organization enforcement and state enforcement. Table 2 summarizes how social control labor is distributed within various controllers in mahalla.

Table 2

Mahalla as a System of Social Control. Source: Ellickson (1991, 131)

No.	Controller	Rules	Sanction	Combined system
1	Resident	Personal ethics	Self-sanction	Self-control
2	Family	Contracts (informal)	Personal self-help	Promise-enforced contracts
3	Informal leader (oqsoqol) and residents of mahalla	Social norms	Vicarious self-help	Informal control
4	Formal leader of mahalla (rais)	Organization rules (Mahalla law and social norms)	Organization enforcement	Organization control
5	Government (through law-enforcement bodies)	Mahalla law	State enforcement	Legal system

5. Conclusion

The state's legal intervention has greatly expanded the scope of the social control function of mahalla. At a quick glance, mahalla appear to be universal institutions, since they can provide public goods, reduce crime rates, offer alternative dispute resolutions, act as agents against the radical Islamists and preserve Uzbek cultural values. As the study showed, the public-administration reforms transformed mahalla into "hybrid" institutions, as they are now charged with enforcing both the law and social norms. Mahalla has become a place where initial interaction between the individual and the government occurs. Today public authorities in Uzbekistan claim that mahalla reforms have greatly improved the self-governance activities of citizens. As they further claim, the mahalla represents the National Democratic Institute, since it operates independently and is not a part of the local government system. However, these claims represent the mythological impact of legal interventions on mahalla. As the findings of this paper indicated, the principle of self-governance of mahalla is rarely fulfilled in practice. Conversely, legal interventions have transformed mahalla into a system of social control. In this regard, the state's legal intervention into mahalla can be seen as an attempt of Uzbek authorities to harness the social control power of mahalla for meeting political instabilities in the transition period.

Despite the state's legal interventions, mahalla retained their informal role and structures, as the presence of the parallel power structure shows. Informal economic activities are still widespread in mahalla. The state's legal interventions failed to mirror the actual functions and purposes of mahalla norms. Mahalla ultimately rely on social norms to preserve their solidarity, traditions, values and morals whereas the law mainly strives to use mahalla as a social control mechanism by integrating them into the system of public administration. As Posner (1996, 135) pointed out, the interaction between law and non-legal sanctions occurs not in a uniform and predictable way, but in a rather complex and unforeseen way. Every legal obligation provides a room for abuse. The effect of legal intervention depends on such characteristics as the political and economic system of the country. Due to the strength of social norms within mahalla, the outcome of the legal intervention became unpredictable, since the local knowledge, standards, traditions and values had influenced the application process. Given the fact that Uzbekistan has recently emerged from the central planning, the legal intervention provided expanded opportunities for corruption and authoritarianism. These are the real effects of legal interventions on mahalla. Unfortunately, legal interventions have limited the autonomy of mahalla, thereby making them extensions of authoritarian control.

As the study demonstrated, debates within Western academic and policy communities mainly see mahalla as an instrument of abuse or extension of authoritarian control by referring to its social control function. However, these debates are centered on only one side of the coin; they are predominantly based on Western val-

ues and largely ignore local conditions and social norms of Uzbek society, which are realized in the mahalla system. As Starr (2005) noted, democracy cannot be built in Central Asia in the absence of key reforms, particularly at the local level. Consequently, people obey laws that reproduce social norms and are prone to disobeying laws that are not compatible with social norms (Cooter 1996). Mahalla, owing to their norm enforcing capacity and welfare provision function, can potentially promote the law-obedient cultural attitude in the society. Accordingly, this study suggests that any attempt at democratization of Uzbekistan should be aware of the fact that mahalla are plastic institutions: they can either facilitate democratic reforms or impede their implementation. In this regard, mahalla can be places of democratic involvement or sites of authoritarianism. It is the public administration system that determines the final outcome.

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WELFARE AS A MEANS FOR POLITICAL STABILITY: A LAW AND SOCIETY ANALYSIS

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Abstract

There have been extensive discussions in academic circles of why some countries develop into welfare states while others do not. Two main factors mentioned in these discussions are economic growth and the need for political stability. In these discussions, the example of Sweden, where the welfare state allegedly emerged from a 'culture of consensus', has often been treated as an historic exception. In this article we discuss the relevance of the two main factors suggested in the literature, and investigate whether Sweden is a rare case of a country where welfare arose out of a culture of consensus or if welfare in Sweden emerged as a product of strategies that aimed at promoting political stability, and thereby followed a similar pattern to other Western European countries. In undertaking this task, we have conducted a review of the literature and used Migdal's 'state-in-society' perspective and the 'institutional approach' as a theoretical framework. Our results can be summarised under three headings: (a) until the mid-twentieth century, Sweden was a highly unstable, conflict-ridden class society, and thereby followed similar pattern to other Western European countries; (b) welfare reforms in Sweden were introduced as a means of addressing political and social instability; (c) Sweden is therefore no exception to the theory that deep political crises trigger welfare reforms.

Keywords: labour history; law and society; political stability; social policy; Sweden; welfare

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1. INTRODUCTION

There have been extensive discussions in academic circles of why some countries develop into welfare states while others do not (Cameron 1978; Esping-Andersen 1990; Flora and Heidenheimer 1981; Therborn 1983; Titmuss 1958). Two main factors mentioned in these discussions are economic growth and the need for political stability. Studies claim that when countries become richer, they are more likely to expand the scope and coverage of their welfare programmes (see e.g. Cameron 1978; Castles 2000; Cutright 1965; Wilensky 1975). Another account gleaned from the scholarly literature claims that the more politically unstable countries become, the more likely they are to broaden the scope and coverage of their welfare systems (see e.g. Alesina and Glaeser 2004; Esping-Andersen 1990; Myles 1984; Wilensky 1975).

In these discussions, where it is argued that the welfare state in Sweden emerged from a 'culture of consensus', the Swedish case is treated as a historical exception. In a literature review by Nyzell (2009) it is argued that scholars like Åberg (1998), Österberg (1989, 1993) and Thullberg and Östberg (2006) described Sweden as a country whose domestic politics in early modern and modern history were shaped by non-violent ideas, a spirit of consensus and a willingness to compromise. Thullberg and Östberg (2006), for example, argue that the transition from an agricultural to an industrialised 'welfare' society in Sweden was 'swift but peaceful – there have been no revolutions – and, from a foreign point of view, at least, political unity has been striking'. Likewise, Eva Österberg (1989, 1993) argued that the 'Swedish model' had its roots in a political culture of negotiation and consensus going back to the sixteenth century. Similarly, Lars Magnusson (1996, 2006 cited in Nyzell 2009: 111) claimed that 'social and political conflict and collective violence were virtually non-existent in 20th century Sweden...'. These interpretations imply that Sweden always was a land characterised by the 'culture of consensus', and that the welfare state naturally and peacefully emerged from a society where social unrest was virtually non-existent.

In this article we discuss the relevance of the two main factors (economic growth and the need for political stability) suggested in the literature and also ask whether Sweden really is an example of a welfare state that emerged as a result of consensual principles and values. In so doing, we try to reflect critically on the literature that indicates that security and stability threats were largely absent in Sweden during its transition from an agricultural to an industrialised 'welfare' society. We thereby challenge the dominant view that the development of welfare in Sweden can be regarded as unrepresentative of Western Europe as a whole. In trying to accomplish this task, we have conducted a literature review and drawn on the 'state-in-society' perspective and the 'institutional approach' to provide a theoretical framework.

MAIN RESEARCH QUESTION

In this study we aim to investigate whether Sweden is a rare case of a country where welfare arose out of a culture of consensus or if welfare in Sweden emerged as a product of strategies that aimed at promoting political stability, and thereby followed a similar pattern to other Western European countries.

2. THEORETICAL FRAMEWORK

This article uses Migdal's (1988, 1994, 2001) 'state-in-society' perspective and the 'institutional approach' (George and Wilding 1990; Rex 1961) as a theoretical framework for understanding the relationship between political stability and welfare. Our decision to combine these perspectives allows us to foreground the importance of both social norms and social conflict.

A central idea in the 'state-in-society' perspective is that state and society are not separate entities; rather, they are intertwined entities that engage in mutually transforming interactions. According to Migdal, Kohli, and Shue (1994), 'states are parts of societies. States may help mould, but they are also continually moulded by, the societies within which they are embedded... Societies affect states as much as, or possibly more than, states affect societies'. From this perspective, the state is just a sprawling organisation within society, and not very different from other informal or formal social organisations, and coexists symbiotically with those other social organisations. States face enormous resistance from social forces in implementing their policies, since their laws and regulations must compete with the norms of other social structures that promote different versions of how people should behave. Likewise, Migdal (2001: 51) claims that states are not always the autonomous principal agents of macro-level societal change they are portrayed to be; rather, their autonomy, the outcome of their policies, the behaviour of their functionaries, and their coherence, are largely shaped by the societies in which they operate. As state organisations come into contact with other social forces, social forces induce the state to adapt to different moral orders.

There is strong support for Migdal's perspective in the 'institutional approach', which is based on the social conflict model of society (George and Wilding 1990; Rex 1961). According to the institutional approach, society consists of classes and groups with conflicting interests, and social policy measures are fundamentally the result of conflicts between various social forces in society. Governments may be pressurised by these conflicting social forces into introducing social policy legislation or alternatively governments may be elected in order to introduce such legislation. Rex (1961) argues that conflicts between classes, groups or political parties in society can be resolved in one of three ways: in the interests of the ruling class, in the interests of an oppressed or exploited group, or in a compromise that modifies the position of the ruling group by making some concessions to the oppressed group. These compromises, which Rex

(1961: 129) defines as 'truce situations', are characteristic of the outcomes of conflicts in welfare states.

Armed with the 'state-in-society' perspective and institutional approach, one possible inference is that the development of welfare states in Western Europe was triggered off by security threats posed by various social forces. From this perspective we argue that, in attempting to explain the development of welfare in Sweden, it is important to take the 'political stability' perspective into consideration.

3. USING SWEDEN AS AN EXAMPLE OF WELFARE STATES EMERGING OUT OF A 'CULTURE OF CONSENSUS'

The image of Sweden, propagated both nationally and internationally through the idea of 'the Swedish Model', has been of a country whose domestic politics, in early modern and modern history, were shaped by non-violent ideas, a spirit of consensus and a willingness to compromise. Much previous research on the origins of the Swedish welfare state has been influenced by this understanding. Much of the literature emphasises the relative lack of major revolts and other forms of social upheaval in Sweden in its transition from an agricultural to a 'welfare' society (see e.g. Åberg 1998; Andrae 1998; Larsson 2005; Lerbom, 2003; Magnusson 2006, 1996; Österberg 1989, 1993, 1996, 1998; Thullberg and Östberg 2006). The bulk of these studies argue that, while Germany, France and England experienced violent social and political conflicts from early modern times, there were comparatively few similar events in Sweden (Larsson 2005; Österberg 1989, 1993, 1996, 1998). Hence, these studies conclude that Sweden is an exception to the theory that deep political instability promotes welfare reforms.

Another account gleaned from scholarly works locates the origins of the welfare state in the predominantly agrarian structure of Swedish society in the early twentieth century, i.e. the recognition of the free peasantry as an independent estate and the influential role played by independent farmers in the bicameral parliament (Baldwin 1989; Edebalk 2000). Other historians of the welfare state claim that it was influenced above all by German social policy reforms (Carlsson 2002; Olsson 1986, 1990), while Knudsen (2000) links it to the influence of Lutheranism. Some scholars emphasise the social legislation and employment policies of the Social Democratic Party as the main basis of the universal welfare state in Sweden (Johansson 1974 as cited in Olsson 1986; Valocchi 1992; Vyllder 1996); others characterise it as resulting from the political influence of the labour movement (Esping-Andersen, 1985); and scholars such as Hecló (1974), Österberg (1989, 1993, 1996, 1998) and Weir and Skocpol (1985) trace it back to its origin, i.e. to the bureaucratically-centred monarchical regime, which existed from the seventeenth to the early twentieth century and which created analytically competent and politically consensual decision-making structures.

Despite the large diversity of scholarly explanations for, and approaches to, explaining the origins and development of the universal welfare state in Sweden, most studies have arrived at a similar conclusion that the development of the welfare state in Sweden was a consensual and non-violent process, a development characterised by mutual understanding, consensus and compromise, this being the rule from the 1540s to the twenty-first century. However, as we demonstrate in subsequent sections, the Swedish case was no exception to Western trends; rather, social policy developments in Sweden between the late nineteenth century and the mid-twentieth century were largely influenced by instances of political instability and threats posed by various radical social forces.

4. INTERNATIONAL TRENDS REGARDING WELFARE BETWEEN THE LATE NINETEENTH AND MID-TWENTIETH CENTURIES

The take-off for the modern welfare state in the West occurred in the last two decades of the nineteenth century, when industrialisation reached its apex. Industrialisation placed workers in an unfavourable position by making them heavily dependent on wage labour, thereby creating social tension. According to Pampel and Weiss (1983), the growing dependence on wage labour created new problems among vulnerable groups with little or no labour to sell, such as the old, the sick, and the very young. Working-class organisations, such as unions and early social-democratic political parties, often posed an apparent threat to the established political and social order (Rueschemeyer and Skocpol 1996). Similarly, poor wage and labour conditions were fertile ground for the labour movement to organise general strikes.

Prior to World War I, smaller European countries, such as Belgium, the Netherlands, Sweden and Switzerland, only possessed tiny armies, and as a result, labour uprisings effectively threatened the entire nation (Alesina and Glaeser 2004: 7–8). Therefore, threats posed by an organised working class and other social forces had a profound effect on social reforms of the time, through the perceptions and interpretation of elite actors powerfully situated in or around the state (Rueschemeyer and Skocpol 1996). Due to the emergence of a strong organised working class, new attempts were made in Western countries to come to terms with destitution, particularly among the industrial workers. In the face of these growing problems, as de Neubourg (2006) claims, keeping nations together by covering all inhabitants under some form of social system was the major concern of Western policy-makers when establishing the framework of social protection systems in the pre-war period. Germany and Great Britain were among the first Western nations to use welfare policies to counter political and social instability associated with industrialisation. The willingness of governments to provide relief to the poor depended less on acute need than on perceived threats to social stability (Piven and Cloward 1971). The implementation of

the world's first welfare state in the 1880s by Otto von Bismarck in Germany reflected these trends. Bismarck's social policy reforms were intended to maintain an archaic social order and to create the conditions for the smooth functioning of the capitalist system and the political domination of conservative elites (Baldwin 1989: 5; Olsson 1990). In this connection, most studies trace the initiation of the welfare state, or at least the beginning of its early development, to the large-scale social insurance schemes introduced by Bismarck during the last quarter of the nineteenth century (Flora and Heidenheimer 1981). Thus, the welfare state project was the primary instrument used by Western governments to address the growing social problems that arose during industrialisation (Esping-Andersen 1990: 8–29; Mishra 1990: 96–119).

Until the Great Depression of the 1930s, Western welfare systems mainly prioritised poor relief programmes. The traditional categorisation of the poor into 'the deserving' and 'the undeserving' was an essential feature of these programmes. However, the Great Depression rendered this categorisation largely irrelevant. It had devastating effects in almost every country, including those in Europe; it seriously affected both rich and poor, and private institutions were simply unable to meet the needs of households. As a result, it was accepted as proven, both in Western Europe and the USA, that poverty was not an individual problem but a structural one that should be addressed by the government. Wilensky (1975) asserts that even welfare state laggards such as the USA joined the international trend of introducing old-age pensions and unemployment insurance in the depths of the Great Depression. The New Deal, introduced by US President Franklin Delano Roosevelt, was a very important historic act, which prompted new welfare reforms, not only in the United States, but also in many European countries. The New Deal created what is currently referred to as 'welfare': federal assistance to poor families and their children (Cammisa 1998: 25) as well as social insurance programmes such as unemployment benefits and other welfare programmes that have enjoyed much greater political popularity than public assistance to poor families (*ibid.*). Hence, the rapid expansion of welfare states in the West was a logical outcome of the Great Depression.

As Van Langendonck (2007: 1) claims, the Nazis made welfare an instrument of their propaganda, pointing out how well workers were protected in Germany in comparison to Britain and the USA during the Great Depression. Although Hitler destroyed pro-socialist institutions, he did not curtail social service spending. On the contrary, he was a very aggressive redistributor who used welfare to build popular support and to increase the power of the state (Alesina and Glaeser 2004: 116). During World War I, social policy developments in Britain (Hurwitz 1949) and Germany (Feldman 1992) indicate that countries which faced threats to their political stability and security are more likely to introduce welfare reforms. This view is also held by Wilensky (1975) who claims that countries that are shaken by threats of this kind, particularly when they are losing battles and approaching total mobilisation, find the political will to introduce extensive social policy measures that encompass broad sections of the population. Even the term 'welfare state' itself was coined in Britain

during World War II when Britain stood almost alone in facing a military onslaught from Nazi Germany. As Marshall (1963) notes, the 1940s in Britain was a period of political instability, and the term 'welfare state' took root as the antithesis to the old poor law situation in which 'welfare' recipients, i.e. paupers, had lost their personal freedom and their right to vote. The term was therefore created to generate a new morale and discipline during the period of wartime crisis, although it subsequently came to be more closely associated with the social benefits that democratic governments hoped to provide once the war was over (Flora and Heidenheimer 1981: 19). The studies of Briggs (2000) and Titmuss (1958) also demonstrated that World War II was oddly egalitarian as, in Western countries, it gave rise to the impetus to introduce extensive social policies. Thus, the welfare reforms in Europe that came shortly after the Second World War mirrored wartime experiences. Europe saw a rapid growth of welfare states, and welfare programmes started to develop in rights-based directions. Governments in both Western Europe and the USA came to realise that welfare plays a crucial role in preserving political and social stability. This example raises the possibility that the development of welfare states and the formation of politically stable nation-states in Western Europe were closely associated.

Social policy developments in Sweden between the late nineteenth century and the mid-twentieth century were heavily influenced by state elites' and capitalists' motivations to mitigate political and social instability. As Olsson (1990: 84) noted, 'late 19th century social contradictions were a blend of pre-modern-rural and modern-industrial cleavages in which mass popular movements played a crucial role in the formation of a domestic social policy discourse'. This phase of the early social policy 'breakthrough' was rooted in Sweden's domestic radicalism of the 1880s, which was influenced by German imperial *Kathedersozialismus*, the radicalism of the French revolution, Marxian socialism, Fabianism and Anglo-Saxon liberalism. In this regard, the existing political order was challenged by the ideology and the social forces of the time (Olsson 1990: 84). This perspective is also shared by Nyzell (2009, p. 123) who claims that early modern and modern Sweden may appear to have been peaceful on the national level, with no large-scale social and political violence, but at the local level, instances of social and political violence were widespread. There were many popular and radical struggles for a different Sweden before the birth of a modern labour movement and the Social Democratic Party. The existing political and social order was under attack from many directions, as various socialist, liberal, radical, revolutionary, republican, utopian and anarchic ideas flourished and clashed during this period (Edgren and Olofsson 2009: 5–6). As Lundberg (2009) describes, nineteenth century Sweden saw the emergence of a strong radical political tradition which started in the 1830s and 1840s and continued until the 1930s. The radical tradition gave birth to innumerable riots, social strife and political violence, with popular demands for democracy and a republic (1848), widespread food rioting (1855, 1867–68), a major constitutional reform implemented only under the threat of revolution (1865), the New Liberal Party (1867–71), and the universal suffrage movement of the 1890s,

syndicalism in 1915–25, and violent labour strikes in 1908–17 and 1925–32 (Edgren and Olofsson 2009). In the following sections, we demonstrate more specifically the role played by welfare in addressing political and social instability in the building of Sweden as a nation-state.

5. INSTANCES OF POLITICAL INSTABILITY AND WELFARE REFORMS IN NINETEENTH-CENTURY SWEDEN

5.1. THE TULLBERG MOVEMENT

Prior to industrialisation, Sweden was one of the poorest countries in Europe. Its per capita income was well below the average of Northern and Western European countries (Vylder 1996). It was a predominantly agricultural country until the early part of the twentieth century and over three-quarters of the population eked out a scant existence from semi-arctic agriculture (Scase 1977: 16). More than 50 per cent of the population lived in rural areas and worked in agriculture, forestry, fishing, etc. (Lundberg and Amark 2001: 157); the people were sharply divided into four estates: nobles, clergy, burghers, and farmers (Carey and Carey 1969: 464). Out of a population of about four million at that time, more than one million Swedes emigrated to North America in search of a better life between 1865 and 1910 (Vylder 1996). In contrast to other European countries such as Germany, France and the UK, industrialisation was relatively slow in Sweden as it did not reach ‘take off’ until the 1870s (Scase 1977: 16).

Sweden was a highly conflict-ridden class-divided society between the late nineteenth and mid-twentieth centuries (Edgren and Olofsson 2009; Johansson 2002; Sundell 1997; Tidman 1998). Due to the emigration of more than one million Swedes to North America and rising social and economic inequalities in rural areas, the legitimacy of the existing ruling regime came under strong attack. As Åström’s (2000) study has shown, there was also growing criticism at the time of the social policies that had begun to develop with regard to poor relief. Society’s obligations to provide for the poor were vigorously called into question, and social legislation during the nineteenth century became much stricter. This scepticism was rooted in moral, ideological and economic considerations, and there was a growing perception that poor relief was being abused. It was even claimed that rights to poor relief were a cause of poverty while, under the influence of a growing liberal doctrine, it was asserted that state intervention should be reduced as far as possible, providing a justification for restrictive social policy legislation (Jägerskiöld 1955). The arbitrary and restrictive nature of social policies appears to have generated strong tensions and debates within various layers in Swedish society regarding the role and obligation of government to provide welfare for its citizens. These debates were primarily centred on the question of whether poverty is a societal (structural) problem or the responsibility of the individual.

As described by Olofsson (2009: 55), Sweden experienced severe political and social disorder due to crop failures in 1867–68, two years known in Swedish history as the ‘years of dearth’. Crop failures resulted in hunger, poverty, and the first wave of mass emigration to the USA, and subsequently led to massive hunger riots, demonstrations and strikes in urban areas of Sweden: Gävle (1867), Göteborg (1868), Hudiksvall (1869), Kalmar (1867), Karlshamn (1867), Norrköping (1867), Skellefteå (1867), and Stockholm (1867–69); Trollhättan (1868) and Västervik (1867). As Olofsson (2009) describes further, disorder even spread to the rural areas of southern Sweden – including Skåne – the location of the “Tullberg Movement” (*Tullbergiska rörelsen*). Ostensibly this movement consisted of tenant farmers and the rural poor making claims of land ownership on the large estates, but it might more accurately be portrayed as a movement of the landless, rural proletariat, since most of the members of the movement were in fact not tenant farmers, but landless poor. The movement claimed that estates which were largely owned by the nobility, legally belonged to people from the lower orders. This struggle over land ownership became more disruptive and violent and the wave of resistance swept across the countryside of Skåne. Evictions and arrests were forcibly resisted, and occasionally there was a need for military involvement when evicted tenants moved back into their old farms or harvested their old fields. There were several accounts of gunshots, assault, cattle maiming, arson, and even a bombing incident. As Olofsson (2009) notes, demonstrations and strikes on such a large scale had not been observed before, while hunger riots were an established practice.

The Tullberg movement, figuratively and literally, moved to Stockholm, the capital of Sweden. Its members petitioned the King, Parliament and individual members of Parliament for an intervention, writing in the press and financing a newspaper of their own. Unjustifiably high rents, mass evictions and poverty were core issues in their writing. In the movement’s view, the nobility had a very clear obligation to guarantee the welfare of their tenants and their families and in this they had obviously failed. The King was also seen to have a responsibility for maintaining the economic well-being of his people, and even more importantly, for upholding the law. The movement therefore was underpinned by a rich popular culture centred on the right of landownership and the social obligations of kings and noblemen. Although the movement took place during the ‘years of dearth’, its origins were more profound and complex than that. It was a reaction to the destructive effects of agrarian capitalism on the social and economic life of tenant farmers and the rural poor. It was the largest social conflict over landownership in Swedish history (*ibid.*).

5.2. RADICAL POLITICAL TRADITION

Although radical and critical political traditions were not new to Sweden in the 1850s, there was an upsurge in radical activity around the year of European revolutions of 1848 and this was largely connected with the ineffective public administration

system that failed to address economic and social problems of that time. As a result, radical political ideas and movements became the crucial locus of society. Despite being divided by ideological disagreements, radical political groups had a common ambition to challenge an *ancient régime* and a society based on inequalities (Lundberg 2009). Several radical newspapers were also established in Stockholm, *Fäderneslandet* being the most popular, which presented a mocking critique of contemporary Swedish society (Edgren, 2009). Among the failings of society, as Lars Edgren writes, *Fäderneslandet* identified ‘...warped office-holders, a greedy Government, a rotten polity, obsolete institutions, twisted customs, and a neglected, uncared for economy’ (Edgren 2009: 17).

As Lundberg (2009: 44) shows, during this politically unstable period in Sweden, the Swedish Sharpshooter’s Association (*Skarpskytterörelse*) became a popular movement. Radical democratic sharpshooting ideology was founded on the belief that a democratic society must be based on an armed and autonomous people. He claims that the formation of a widespread and popular Swedish Sharpshooter’s Association in the 1860s was a concrete threat to the existing social order. In his interpretation, the Swedish Sharpshooter’s Association, in addition to their popular ideas and demands, had a key political agenda in developing a nationalistic vision of an armed and independent ‘people’ who could challenge the *ancient régime* and demand reforms, a republic, and representative democracy.

5.3. THE IMPACT OF TULLBERG MOVEMENT AND RADICAL SOCIAL FORCES ON WELFARE REFORM

As the aforementioned example illustrates, there was strong criticism in nineteenth-century Sweden of rising social and economic inequalities. There was also growing criticism of poor relief programmes that had become very restrictive. The arbitrary and restrictive nature of social policies had generated strong tensions and debates within various layers of Swedish society regarding the role and obligation of government to provide welfare for its citizens, thereby leading to a crisis of legitimacy in the political system. One of the main demands of the demonstrating masses during the Tullberg Movement was a living wage, and this had far-reaching implications for political and social reform (Olofsson 2009). Olofsson (2009: 73) notes that ‘the nineteenth century saw the emancipation of tenant farmers and their land in country after country, often after social upheaval and strife in the countryside. Serfdom was abolished, and social and political rights expanded’. The threat posed by the Sharpshooter’s Association was also one of the important contributing causes of the modest reform of the Swedish Constitution in 1866, which abolished the diet of four estates and introduced a representative assembly of two chambers (*ibid.*). Thus, the Tullberg Movement and the Sharpshooter’s Association can be seen as a reaction to growing economic and social inequalities, and played a pivotal role in pushing for the social reforms that came later on. The threat posed by violent revolutionary social movements was a

crucial factor in the push for welfare reforms. Having felt the threats posed by radical social forces, the Swedish authorities had to look for alternative solutions to enhance the image of the state as an agent of social justice and equality, and thus to remedy political and social problems. Social policy measures were seen as a viable solution to growing inequality and social discontent. This perspective reinforces Korpi's (1990: 4) argument that 'the reduction of inequality has long been one of the explicit goals of social, fiscal and economic policies in Sweden'.

These examples illustrate that struggles for welfare in Sweden did not start with the labour movement or with the Social Democratic reforms, but that early welfare reforms were initiated by policy-makers as an antidote to threats posed by various radical social forces, such as the Tullberg Movement and the Sharpshooter's Association. As Lundberg and Amark (2001: 157) claim, the debate over modern social policy started in Sweden in the 1880s. It was partly motivated by Bismarck's social policy reforms in Germany, but also, increasingly, by devastating social problems, such as poverty, emigration, social and economic insecurity on the one hand, and urbanisation, industrialisation and the introduction of capitalistic wage labour on the other. It is therefore very likely that threats posed by radical social forces had a profound impact on the perceptions and activities of the Swedish policy-makers when devising social policy strategies. As we will show in subsequent sections, the radical political tradition also had far-reaching repercussions on the actions and strategies of the labour movement in the period 1880–1940.

6. LABOUR MOVEMENT AND WELFARE REFORMS (FROM THE MID-1880s UNTIL THE 1930s)

6.1. LABOUR CONFLICTS AND THE SWEDISH SYNDICALIST UNION (SAC)

The whole period between 1880 and 1940 was a period of social and political conflict in modern Swedish history (Johansson 2002). There was strong conflict even within the labour movement itself (Blomberg 2009). Syndicalism existed as an alternative to the reformist labour unions and as Blomberg (2009: 102–104) describes, there was a quest for dignity at the core of syndicalist action. By rejecting both reformist labour unionism and bourgeois society, syndicalists aspired to change society through revolutionary action and to create a different social order (*ibid.*). The Swedish Syndicalist Union (SAC) achieved wide popularity among workers, particularly quarry workers, forestry workers and miners, as they moved away from reformist trade unionism to the SAC (Persson 1975; Åmark 1986; Blomberg 2009). Syndicalism considered ordinary strikes too costly; instead, non-agreement and direct action, such as the use of sabotage, depopulation and blockades, were the syndicalists' preferred methods (Blomberg 2009: 81).

As Korpi (2006) argues, due to the absence of alternative action, the Swedish labour movement 'had to fight on the labour market using strikes for better pay and against reduced wages as their main weapon' until the 1930s. As Korpi notes, Sweden recorded the largest number of strikes and lockouts in Western Europe. The first major labour strike occurred in 1879, and this was followed by nearly three decades of strikes, union building, and socialist activity culminating in a general strike (Scott 1977; Valocchi 1992: 195). The turbulence of Swedish labour conflicts was higher than anywhere else in the world between 1900 and 1913 and did not subside until the mid-1930s (Ahn 1996: 154). As Johansson (2002: 29) points out, Malmö (1926), Halmstad and Ådalen (1931) experienced violent conflicts where people died or shots were fired. Under these circumstances, Sweden could have fallen into the trap of fascism or revolution from below (Ahn, 1996). There was a real potential for revolution, and this was a genuine fear for both the state authorities and the reformist labour movement (Andræ 1998 as cited in Hilson 2009: 146). As Eva Blomberg (2009) writes, bomb factories, political outrages and the Amalthea bombings were still fresh in the memories of capitalists. The Russian revolution of 1917 also increased their concerns over social developments, so that, to ensure the security of their business, capitalists began to use social policy strategies with the aim of creating stable communities and allaying social unrest (Blomberg 2009: 102). Welfare legislation was seen as a workable solution, since only through extensive welfare measures was it deemed possible to address the growing social problems of the time.

6.2. THE IMPACT OF SAC AND LABOUR CONFLICTS ON WELFARE REFORMS

In the light of the growing threat posed by the syndicalist movement, as well as turbulent labour conflicts, many Conservatives and government ministers in the 1890s looked to Bismarck's social policy reforms in Germany as an example of national legislation that could effectively mitigate unstable political developments and promote economic efficiency and industrial peace (Olsson 1990: 113; Schiller 1975; Valocchi 1992: 195). The German legislation provided the international community of legislators, administrators, employers, workers, and academics with a model (Kuhnle 1981: 127). Reaction to German social insurance legislation was swift in Sweden: it inspired the first comprehensive social insurance bill, introduced in 1884. The introduction of various forms of scarcity compensation and perquisites (e.g. rent allowances, firewood and milk, potato patches and electricity, medical care and medication) by employers was aimed at diminishing the threat posed by the syndicalist movement (Blomberg 2009). Thus, most of the early welfare reforms, particularly the reform of pensions, were motivated by the concerns of Conservatives and bureaucrats over industrial unrest (*ibid.*). The adoption of the Factory Inspection Act (1889), the introduction of state subsidies to voluntary sickness benefit societies (1891, 1910), employers' liability for reimbursement in

cases of industrial injury (1901), universal and compulsory old age and invalidity pensions (1913) and compulsory occupational injury insurance (1916) were all results of this instability and reflected the state's efforts to quell ever-increasing labour and social unrest (Olsson 1986). A similar perspective is shared by Edebalk (2000: 548) who argues that turbulent labour conflicts and stigmatising poor laws were major contributing factors to the development of welfare state in Sweden. The basic pension, introduced through legislation in 1913 and covering practically the whole population, was one of the most important outcomes of these instabilities (*ibid.*).

Welfare in Sweden thus arose in the conjuncture of a German invention and the growth of social or popular mass movements – teetotallers, religious freethinkers, consumer co-operatives, and trade unions, under rapid industrial progress in towns as well as in the countryside – not to forget massive emigration across the Atlantic (Olsson 1990). Thus, it can be argued that the appeal of a nationally organised 'welfare state' project actually originated from the concerns of local capitalists, who were dependent on the state for controlling labour unrest and popular insurgencies (Valocchi 1992: 195). It is safe to say that political stability and security seem to have been the central aims of the policy-makers and law-makers when they established the skeleton of a welfare state in Sweden. However, in emphasising the importance of the 'political stability' argument, other goals such as the market-dynamics of social policies should also be acknowledged. Edebalk's (2003) recent work shows that Bismarck's social insurance was strongly connected to the aim of pacifying the workers; at the same time Edebalk warns that the market-dynamics of welfare were and are as important in Germany as they are in Sweden.

7. THE IMPACT OF THE GREAT DEPRESSION AND SOCIAL DEMOCRATIC POLICIES ON WELFARE REFORMS

7.1. THE GREAT DEPRESSION AND THE ÅDALEN SHOOTINGS

Like most other countries, Sweden was severely hit by the Great Depression of the 1930s. Unemployment was very high, and the threat of a severe political and cultural crisis was also widespread in Sweden, as elsewhere in Europe (Berggren 2002: 411). Unemployment, which was around 12 per cent in 1930, rose to 34 per cent in 1934, and this, in combination with reductions in wages, caused a series of strikes and other social conflicts (Vylder 1996). Rapidly growing unemployment posed a challenge to the legitimacy of the Social Democratic government. In the face of the Social Democrats' obvious inability to address workers' problems, more radical organisations like the communists and the anarcho-syndicalists gained wide popularity within the labour movement (Hilson 2009). As described by Johansson (2001), the lack of

decent working conditions and the problems of rising unemployment resulted in violent conflicts between workers and the public authorities in Ådalen on May 13, 1931, when five strikers were killed by troops who were protecting strike-breakers at the sawmills. This tragic incident escalated tensions even further, leading to the establishment of a Communist 'Soviet Republic' at Ådalen which actually ruled for a couple of weeks. The Social Democratic Party accused the government of being responsible for the murder of these workers (Wilensky 1975). Following this incident, a huge labour demonstration took place in Stockholm and similar demonstrations, involving more than 2,000 people, took place at the autumn fair in Eskilstuna in 1937; these were largely directed against police officers (Nyzell as cited in Hilson, 2009: 151). These events sent shockwaves around Sweden, and the shootings at Ådalen were regarded as a result of the Great Depression, reflected principally in the rising levels of unemployment (Hilson 2009).

7.2. THREATS OF FASCISM AND SOCIAL DEMOCRATIC REFORMS

As Berggren (2002: 411) claims, the Great Depression of the 1930s could have opened up political opportunities for fascism in Sweden, since there were several fascist organisations with radical political agendas. When fascism reached its apex in the mid-1930s, the Swedish National Socialist Party (SNSP), uniting more or less all the fascist movements in Sweden, had 30,000 members,¹ and enjoyed financial guarantees. Moreover, another right-wing extremist movement, the Swedish National Federation (SNF), had 40,000 members. The SNF represented the ideological width of anti-democratic ultra-nationalism in Sweden (*ibid.*). According to Hilson (2009), the threat of fascism exerted a strong influence on Social Democratic Party leader Per Albin Hansson's decision to start negotiations with the Agrarian Party in April 1933. Having won the election in 1932, in 1933 the Social Democratic Party formed an alliance with the Agrarian Party (The Crisis Agreement), which gave it the parliamentary majority necessary to push its innovative economic crisis policy through parliament and to initiate social reforms (*ibid.*). The Crisis Agreement of 1933 also enabled the Social Democratic Party to compel the capitalists and the labour movement to negotiate, and this eventually led to the *Saltsjöbaden Agreement* in 1938 (Korpi 2006; Nyzell 2009). The Social Democrats looked to the approach of the British economist John Maynard Keynes (known as Keynesian economics) as a viable instrument for overcoming the depression. Keynesian economics asserts that extensive state intervention in the economy through fiscal and monetary measures can effectively alleviate the adverse effects of business cycles, economic recessions, and depressions. In this regard, Sweden enjoyed a reputation throughout the 1930s for being the first country to make use of an 'active' fiscal policy for dealing with unemployment (Winch 1966: 168).

¹ Out of a population of 6.5 million.

7.3. STEPS TOWARDS WELFARE STATE

Wilensky (1975: 73) notes that these events constituted a national crisis that brought the Social Democrats and The Farmers' Party to power and formed the foundation for an accelerated development of the most celebrated welfare state of our time. Therefore, when investigated closely, Sweden may not be an exception to the theory that deep political instability triggers welfare reform. Solow's (1960) systematic comparison of the pre-tax distribution of income in four European countries and the United States showed that, in 1935, Sweden had the most unequal distribution of income amongst the countries compared but ended up, in 1954, with one of the least unequal. What triggered this achievement in equality was the convergence in 1931–32 of a deepening depression, the Ådalen shootings, and a political scandal involving the corruption of the former Prime Minister Carl Ekman prior to the 1932 election (Wilensky 1975).

It should be noted that most of the welfare laws were introduced during and after the Great Depression when Sweden was shaken by labour strikes and threats posed by fascist and communist movements. These were real threats to the existing political system, and the Social Democratic government was aware that rising unemployment and poor social conditions might provide fertile ground for fascist and communist groups to attract aggrieved workers. The adoption of extensive welfare measures in the 1930s reflected this reality. For example, an unemployment insurance scheme which was state-supported and union-based was introduced in 1934 in response to the threat of unemployment, and the pension system was improved in 1937. A variety of new provisions, namely home-furnishing loans, subsidies for housing construction, housewives' vacations, benefits and medical services for mothers and young children, an annual two-week paid vacation period and school health programmes were introduced during this politically unstable period (Korpi 1990). As Korpi (1990) notes, these pre-war years gave rise to a large number of welfare laws that aimed to counter poverty and social inequalities. Although the development of the Swedish welfare state took off in the years after the Second World War, the foundation of the welfare state was built during the 1930s when Sweden was on the verge of political and social disorder. What is notable is that welfare initiatives of this period were shaped by the concerns of the Social Democratic government with threats posed by various radical and fascist groups, and that the Social Democrats deployed welfare strategies in order to maintain political stability and neutralise possible social unrest.

As Hilson (2009: 134) claims, 'the 1930s marked a watershed between the "bad old days" of poverty and repression, and the construction of new, modern Sweden'. By introducing a package of social protection measures, macroeconomic and public work, and retraining policies, the Social Democrats succeeded in overcoming recession more effectively than most other countries (Vyllder 1996). Public employment policies were integrated into welfare policy (Valocchi 1992). The Social Democrats made extensive use of social expenditure and public works programmes to reduce unemployment. While pre-depression welfare policies mainly prioritised poor relief programmes,

post-depression policies were qualitatively different from previous policies, in the sense that they involved less means-testing and covered broader sections of the population.

Welfare in Sweden seems to have emerged as a product of strategies which aimed at promoting political stability, and thereby follows similar patterns to other Western European countries. However, an interesting question that needs to be addressed is why Sweden (and other Scandinavian countries) developed into the archetypal social democratic welfare state, when other Western nations did not. One of the key explanations can be found in the Swedish parliamentary situation during the early part of the 20th century. There were twelve different governments in Sweden between 1920 and 1932, and none of the political parties was able to form a majority government. Towards the end of this period there was a shift within the Social Democratic Party away from the most radical left. This shift was initiated as a result of internal conflicts resulting in the left wing of the party becoming marginalised. This shift also had effects on the Swedish trade unions, which suddenly became much less inclined to enter conflicts.

In 1928 the Social Democratic party achieved a poor election result and was ridiculed by the right wing parties, one of which described its members as 'Russian Communists'. This was followed in the 1930s by a steady upsurge in fascism in Sweden. As noted above, these events exerted a strong influence on Social Democratic Party leader Per Albin Hansson's decision to start negotiations with the Agrarian Party in April 1933. The alliance with the Agrarian Party gave Social Democrats the parliamentary majority they needed to implement social reforms and so weakened the position of other radical parties. However, due to their alliance with the Agrarian Party, it was very difficult for the Social Democrats to pass social legislation without considering the interests of farmers. As Esping-Andersen (1990: 30) notes '...where farmers were politically articulate and well-organised (as in Scandinavia), the capacity to negotiate political deals was vastly superior'. Therefore, Social Democrats had to introduce welfare legislation that benefited both farmers and the working class. These efforts represented an attempt to expand the sphere and legitimacy of the Social Democratic Party by including more and more of the population under the welfare system. Gregory Luebbert, in his study of interwar Europe, claims that the role of independent peasants was a salient factor in determining the political outcomes of the 1930s, including those in Nordic countries. According to Luebbert (1991 cited in Hilson 2009: 148), 'where the "family peasantry" made common cause with the working class, as it did in the Nordic countries, the result was social democratic hegemony; where the peasantry instead formed an alliance with the urban middle classes, however, the result was fascism'.

These developments form the context which led to the social reforms that ensured almost half a century of uninterrupted dominance (1932–76) for the Social Democratic Party. Swedish welfare politics developed into an archetypal 'social democratic welfare state', balancing political demands in terms of social justice and fair distribution of

wealth, not least from strong and well-organised labour unions, with maintaining a market economy. Most of the welfare benefits followed the model of general social welfare support, guaranteed by law and administrated by government agencies. The objective of welfare law developed by the Social Democrats was characterised by universalistic welfare programmes mainly supporting the whole population with sick-benefits, pensions, child-support etc., rather than directed only to poor people (Åström 2000). This was undoubtedly a successful strategy, both in promoting political stability and in securing parliamentary power. Although many critics have emphasised the potential weaknesses of the Swedish welfare model in responding to recent economic and political pressures, pointing to the so-called ‘welfare state crisis’, Svallfors’ (1995) shows that popular support for welfare state arrangements remained robust in Sweden at different time periods (1981, 1986, and 1992), despite a high tax burden and extensive bureaucracy. By implementing welfare reforms, the Social Democratic Party succeeded in transforming Sweden from a conflict-ridden to a consensus society, eventually resulting in a politically stable and democratic nation-state.

8. CONCLUDING REMARKS

The aim of this article is to investigate whether Sweden is a rare example of a country where welfare arose from a culture of consensus. In undertaking this task, we conducted a literature review and used the ‘state-in-society’ perspective and the ‘institutional approach’ to provide a theoretical framework. We have argued that the Swedish case is not an exception to the theory that deep political crisis triggers welfare reforms. As the findings of our study have indicated, uprisings and violence, aimed at the revolutionary restructuring of society, were an important part of the political agenda in pre-modern and modern Sweden, and the potential for radical political action from other groups in society was often present. Thus welfare reforms in Sweden constitute a project by policymakers for promoting political stability and security in times of crisis. However, while emphasising the centrality of the ‘political stability’ perspective, we do not exclude the importance of other factors, such as economic growth.

Although much of the literature presents the development of the welfare state in Sweden as a consensual and non-violent process, our findings indicate that, even in the Swedish context, welfare reforms were initiated in response to political and social conflict. From a comparative perspective, there may have been little actual political instability on Sweden’s road to a welfare state, but if welfare is said to have been the outcome of a ‘culture of consensus’, it was only so because the political establishment was brought to the ‘consensus’ table at gun point. Consequently, Wilensky’s (1975) ‘guns-and-butter’ argument seems to be relevant when trying to explain the development of the welfare state in Sweden. The Swedish consensus model is really imagined history and does not account for its actual development; Sweden, like other

European countries, was a highly unstable, conflict-ridden class society until the mid-twentieth century. Indeed, there were many radical protests against established society from the mid-nineteenth until the mid-twentieth century – for example, the radical democratic movements of the nineteenth century like the Sharpshooter's Association, the Tullberg Movement of the 1860s, syndicalism in the early twentieth century, the communist movement, violent labour strikes during the 1920s and 1930s, and fascist groups. The Social Democratic government initiated a series of welfare reforms with the aim of promoting social order and political stability. From this perspective, the main findings of the study seem to confirm the theoretical proposition that social policy measures are fundamentally the result of conflicts between various social forces in society.

Our results can be summarised under three headings: (a) until the mid-twentieth century, Sweden, like other European countries, was a highly unstable, conflict-ridden class society, and there were other alternatives for radical political action in Sweden; (b) welfare reforms in Sweden were introduced to 'buy off' the sympathy and loyalty of citizens towards the state, and served as a means for mitigating political and social instability; (c) Sweden is therefore no exception to the theory that deep political crises trigger welfare reforms. Similar points have been made before by scholars such as Berggren (2002), Edgren and Olofsson (2009) and Wilensky (1975), and our research could be said to support their findings, calling for a more nuanced understanding of welfare state development in Western societies. However, by investigating the development of welfare states from a 'political stability' perspective, our research does differ from previous research. By using this perspective, it emphasises the importance of welfare reform as a 'political stability' project in the development of the democratic nation state in Western Europe. The development of the welfare state in Sweden was largely driven by the need for political stability rather than by the 'culture of consensus'. Sweden is one of the few countries in the world where people do not regard government as an evil, but see it as an agent of development, and that this is the case demonstrates that the welfare state can successfully serve as a 'political stability and security' project in a country that has suffered from chronic political instability and insecurity.

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Understanding Informal Economy as a Welfare State: *Mahalla* Institutions in Post-Soviet Uzbekistan

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1. Introduction

Following the disintegration of the Soviet Union in 1991, Uzbekistan, like other post-Soviet states, embarked on the highly complex task of building a new nation-state. After independence, coming on the heels of global (Western) neo-liberal discourse, Uzbekistan made all sorts of bold claims about its strong commitment to break the stranglehold of totalitarian forms of governance as well as its intention to introduce market economy reforms, which implied reduced role of the state in the economy and welfare provision. At the same time, Uzbek authorities were aware of the possible negative consequences of the rapid systemic change for political stability and therefore they adopted a piecemeal approach to policy changes. From the onset they made clear that Uzbekistan's governance model, whilst adhering to global neo-liberal trends, will be based on gradual reform strategy, thereby reckoning with its local socio-political context, economic situation, history, mentality, and centuries-old administrative traditions (Fumagalli 2007, Ruziev *et al.* 2007, Spechler 2008, Urinboyev 2013a, 2014). Seemingly, Uzbek authorities' reform choice was influenced largely by unstable political situation in Central Asia during the 1990s, e.g. ethnic clashes between the Uzbeks and the Meskhetian Turks in 1989, the Osh riots (ethnic conflict between Uzbeks and Kyrgyz in southern Kyrgyzstan) in 1990, civil war in neighbouring Tajikistan in 1992–1997 (Warikoo and Norbu 1992, e.g. Fane 1996, Megoran 2007). Uzbekistan also had its own challenge coming as it did from radical Islamic movements in the Ferghana valley, traditionally the area for conservative Islam in Central Asia (Nunn *et al.* 1999, Melvin 2000, Naumkin 2005, Trisko 2005). In this regard, Uzbek authorities gradually and incrementally curtailed welfare support to the population, as they were aware of the risk that a rapid retrenchment of the welfare state would affect the lives of millions, probably leading to social unrest (Spoor 1995, Pomfret 2000, Ruziev *et al.* 2007, Urinboyev 2013b). Hence, the social policy strategies of the Uzbek government in the 1990s clearly reflected the concerns for political stability.

The Soviet legacy also had a profound impact on social policies of the Uzbek government in the 1990s. Given the fact that the former Soviet social welfare system did provide relatively strong social protection and healthcare facilities, the general population of Uzbekistan were likely to expect the same treatment and conditions from the new Uzbek authorities. The Uzbek authorities were aware that they might lose legitimacy and face political instability if they failed to meet the expectations of the people. In the same vein, the main concern of the Uzbek authorities in the early years of independence was the prevention of dramatic output loss, strong social protection and modernisation of the economy by strengthening the industrial sector (Ruziev *et al.* 2007). As a result, the Uzbek authorities attempted to prevent social unrest and instability by devising social welfare policies targeted at the most needy population groups. The social welfare strategies adopted by the Uzbek authorities during the early years of independence were almost identical to the Soviet-era practices (Johnson 2007). Seemingly, the social protection policies of 1990s

were primarily pursued with the aim of ‘buying off’ the sympathy of the people and maintaining political stability during the transition period.

However, the gradual reform strategy appeared to be a short-term remedy. Although the gradualist approach to transition contributed to a prevention of sharp output loss and consequential rise in unemployment and social unrest during the early years of transition, by 2000 it became evident that the economy was simply stagnating (Ruziev *et al.* 2007). As Kandiyoti (2007, p. 44) notes, the partial market reforms the government of Uzbekistan implemented in pursuit of stability paradoxically resulted in inefficient resource allocation and widespread corruption that required increased recourse to coercion. The implementation of market reforms was hampered by active government intervention in the economy and the use of administrative methods (Ergashev *et al.* 2006, p. 33), thereby creating significant administrative barriers and a high tax burden for national businesses. Consequently, high tax and regulatory burdens caused an increase in the informal economy, bringing additional pressure on public finances, resulting in higher tax rates, which again increased the incentives to evade taxes and to escape into the informal economy (Kandiyoti 2007, Ruziev *et al.* 2007).

These developments eventually led to a significant retrenchment of the welfare state in Uzbekistan, since the tax revenue was very little compared to the scope of social welfare programmes promised by the government (Agadjanian and Makarova 2003, Micklewright and Marnie 2005, Kandiyoti 2007, Urinboyev 2011a, 2014). In the light of these challenges it seemed quite rational for Uzbek regime to capitalise on its existing (pre-Soviet) socially embedded governance structures as a means for maintaining decent level of welfare support to population (Urinboyev 2011a, 2011b, 2013b). Accordingly, mahalla¹, a pre-Soviet governance structure built on Islamic welfare values and traditions, presented itself as feasible and legitimate governance tool for ‘outsourcing’ the state’s social service provision functions. As locally legitimate institutions, mahalla have been tasked with important social welfare functions throughout Uzbekistan. As David Abramson noted, “beginning in the late 1980s and intensifying in the 1990s, the Uzbek mahalla became the centrepiece of a state-sponsored campaign to transfer responsibilities for welfare and other social services onto local shoulders” (David M. Abramson, *Constructing Corruption*, *supra* note 109, as quoted in Sievers 2002, p. 144).

This event marked the beginning of ‘mahalla-zation’ of the state social welfare services in Uzbekistan that virtually absolved the state from its social welfare obligations, thereby placing all welfare obligations on the shoulders of mahalla structures. However, the devolution of social welfare functions to mahalla did not improve the quality of the public services for the population (Ilkhamov 2001, Kamp 2004, see e.g. Noori 2006a, Kandiyoti 2007). Rather, it worsened people’s access to public services, since the state funds allocated to mahalla was meagre and mahalla committees simply could not meet the welfare needs of ordinary citizens. As a result, basic social welfare services that people have taken for granted during the Soviet era were no longer easily accessible and affordable. Many people

¹ Mahalla is an Arabic word meaning “local community” and alludes to a group of people residing in a specific territory (see Bektemirov and Rahimov 2001). Although there are more than 12000 mahallas in Uzbekistan, but for the sake of simplicity I will use the word ‘mahalla’ in its singular form throughout the paper.

had to invent informal ways of ‘getting things done’ and react to socio-economic hardships collectively, relying on mahalla-based informal social safety nets and income-generating activities. Thus, mahalla has become a ‘hybrid’ institution in the post-Soviet period, operating both on behalf of the formal PA system (formal mahalla) as well as functioning as community-driven informal welfare structure (informal mahalla). In this paper, I will refer to ‘informal mahalla’ when discussing (collective) mahalla-based informal social safety nets and income-generating activities. The distinction between ‘formal’ and ‘informal’ mahalla will be demonstrated in the subsequent sections.

This paper aims to examine the processes and dynamics of the mahalla system and how it has evolved to respond to declining social welfare services in post-Soviet Uzbekistan, acting as an informal welfare structure given the failure of existing regime to address the structural inequalities and market defects during the transition period. It is argued that mahalla, a governance structure originating from Central Asia’s Islamic past and administrative traditions, are now a key welfare structure that makes up for the incapacity of the state, offering alternative (to the state) forms of welfare support to the population. However, these developments have had far-reaching repercussions for state-society relations, state legitimacy and the political and social fabric of society in Uzbekistan. As the state retreated from its social welfare obligations, citizens are also retreating from their loyalty to the state by covertly and silently challenging the image, symbols and laws of the state and inventing informal means of ‘getting things done’. In this paper, I suggest that citizens’ collective, mahalla-based informal income-generating activities and pooling of efforts can be viewed as ‘everyday acts of resistance to the state’. Even though the shrinkage of welfare state in Uzbekistan has not led to serious popular protests demanding the government to increase public social spending, it became an important avenue to a new form of community life and state-society relations. The effects of welfare policies are particularly felt in popular notions of entitlements and expectations. Due to the Soviet legacy, most Uzbeks view access to social services as a basic right, something that the state must provide for its citizens. In Uzbekistan, the formal state in this sense is ‘dead’, as the state no longer fulfils its social welfare obligations. In the light of declining social welfare services it could be inferred that the role and experience of the state in everyday lives is changing, as well as citizens’ relations to laws and institutions of the state. These processes are visible in the way how people perceive and talk about the role of the state, what they classify as just and legitimate social order, tactics and coping strategies that they employ in order to ‘get the things done’ and moral frame into which they place these events, is instructive in helping us to understand the effects of post-Soviet welfare retrenchment on everyday life and socio-political fabric of society. Thus, this article explores ‘the everyday forms of resistance to the state’ that emerges within everyday mahalla life, as residents express their views and concerns about cutback of welfare support and engage in (informal) mahalla-based social safety nets.

These questions will be investigated with reference to relevant literature and the four periods of ethnographic field research conducted between 2009 and 2014 in the Ferghana region of Uzbekistan. The first field research was conducted during April-May 2009, the second field research lasted for three months between June-August 2010, the third was undertaken during June-July 2012 and the last field research was conducted between May-September 2014. The methods employed for data collection were participant observation and informal interviews.

The rest of the paper is organized in the following manner: The next section, part two, provides the brief historical overview of mahalla institution, depicting the processes and dynamics of its evolution during pre-Soviet (Islamic), Soviet and post-Soviet periods. Part three focuses on previous research that situates this study within ‘Central Asian studies’ and the ‘mahalla’ research and thereby presents an analytical framework for understanding the perspective I take on mahalla. In part four, I provide the theoretical framework of the study by utilising James Scott’s notion of ‘subtle forms of everyday resistance’, Eugen Ehrlich’s concept of ‘living law’ and Joel Migdal’s ‘the state-in-society’ approach. In part five, I present the results of my ethnographic fieldwork conducted between 2009-2014 in rural Ferghana, Uzbekistan, in which I explore mahalla as an informal welfare structure. Finally, part six draws out the implications of the ethnographic material for the broader scholarly debates on post-Soviet region and highlights the most important findings of the study.

2. What is Mahalla?

The role of mahalla as an administrative structure in the history of Central Asian societies has always been important. Following the collapse of Soviet Union there has been unrelenting interest in academic research and policy communities on the history of mahalla system (Abramson 1998, Geiss 2001, Sievers 2002, Human Rights Watch 2003, Massicard and Trevisani 2003, Kamp 2004, Micklewright and Marnie 2005, Masaru 2006, Noori 2006b, Urinboyev 2011a, 2011b, 2013b, 2014, Dadabaev 2013). Despite the existence of diversity of scholarly approaches to and explanations for mahalla, there is one common dilemma for the scholars studying mahalla. As Sievers (2002, 103–104) notes, this dilemma is due to the fact that ‘mahalla are neither regionally uniform nor static, nor are the types of public goods available to mahalla residents’. Moreover, Sievers argues that mahalla have been changing for centuries due to the establishment or collapse of empires and with the arrival of new ethnic groups or tribes. For Sievers, any depiction of mahalla in modern Uzbekistan should include some account of mahalla in the Soviet and pre-Soviet periods. Hence, before describing the role of mahalla in contemporary Uzbekistan, brief historical overview of pre-Soviet (Islamic) and Soviet mahalla may be in order.

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

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

During the early Soviet period there were some attempts to eliminate the mahalla as an institution; but, later it became evident that such efforts would produce social unrest (Abramson 1998). As a result, Soviet government changed its strategy towards mahalla. Conversely, Soviet government tried to use mahalla for disseminating communist ideology

by integrating them into the state and party structures (Rasanayagam 2011). As a result, mahalla served as local village councils during the Soviet period (Bektemirov and Rahimov 2001). However, in the final period of the Soviet Union mahalla ceased to disseminate communist ideology and returned to their traditional Islamic functions, running in parallel with government structures (Human Rights Watch 2003).

With the dawn of independent Uzbekistan in 1991, mahalla have become a buzzword in academic and policy debates. Almost all major public administration reforms touched on mahalla (Noori 2006b). Uzbek government has come to realize the significant role of mahalla in expanding the state's authority and implementing state social welfare policies (see e.g. Noori 2006a; Bektemirov and Rahimov 2001; Kamp 2004; Urinboyev 2013). Today there are about 12000 mahalla in Uzbekistan and each mahalla might contain between 150 to 1500 households (Micklewright and Marnie 2005, 431). On average, approximately 400 households reside in one mahalla (*ibid.*). As Sievers (2002, 96) notes, everyone in Uzbekistan technically belongs to one mahalla. In other words, to be a citizen of Uzbekistan means to be a resident of a mahalla. For example, if a native is questioned where he or she lives, the answer will be 'I live in mahalla X' (Noori 2006a). Thus, mahalla binds people based on the principle of common residence in a certain neighborhood with established borders (Bektemirov and Rahimov 2001). Although there are many definitions, in this paper mahalla is defined as a (residential) neighbourhood community in which residents are united by common traditions, language, customs, moral values, and reciprocal exchange of money, material goods and services.

2.2 'Formal' and 'Informal' Mahalla

Following the collapse of Soviet Union the nature and functions of mahalla system has changed drastically. This is because part of mahalla's informal functions have been formalised (through legislative codification and executive incorporation) and now mahalla activities are largely regulated by the state law. Before the advent of independence, the governance of mahalla was carried out according to Islamic values and traditions. Mahalla heavily relied on the authority of *imam* (religious leader) and *oqosoqol* (informal leader) to regulate the mahalla affairs and to enforce cooperative behaviour among the residents. However, the adoption of the *Law on Institutions of Self-Government of Citizens* in September 1993, and April 1999 (hereinafter Mahalla Law) has formalized the activities of mahalla, thereby indirectly incorporating it into the system of public administration. Thus, *mahalla* have come to signify an administrative institution.

However, despite the state's attempts to formalise and incorporate mahalla into the system of public administration, mahalla were able to preserve their traditional nature in which people are tied to each other and maintain everyday relations through common (Islamic) values, traditions, informal exchange and reciprocation of money, material goods and services (see e.g. Urinboyev 2011a, 2013b, 2014). Therefore, when discussing the effects of state's legal intervention on mahalla and the place of mahalla in Uzbekistan's future governance trajectories, there is a need to distinguish between 'formal' and 'informal' faces of the mahalla. This distinction is especially important when analysing the outcomes of previous research on mahalla, since much of the scholarly literature tends to overlook this important distinction. This paper aims to contribute to these debates by empirically showing the informal aspects of mahalla where the state law is absent and residents

cooperate via social norms in order to produce informal welfare system. Before embarking on this aim, I will briefly review the outcomes of previous research in the next section.

3. Previous Research on Mahalla

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

Another account gleaned from scholarly literature examines mahalla from a social policy perspective, looking at mahalla’s role as distributor of state social welfare benefits (Atkinson and Micklewright 1992, Falkingham *et al.* 1997, Coudouel *et al.* 1998, Coudouel and Marnie 1999, Sievers 2002, Kamp 2004, Micklewright and Marnie 2005). The central idea common to this entire body of literature is that they are concerned with the question of whether or not mahalla-based targeting of social welfare benefits is efficient and helps reduce poverty in Uzbekistan. Some of these studies critically examine the fairness/justness of mahalla-based targeting through women’s rights perspective, arguing that mahalla as a patriarchal social structure is oppressive social policy instrument in relation the needs of women and thereby leads to the abuse of women rights (Kamp 2004; Human Rights Watch 2003). There is also penchant to examine mahalla as a local form of civil society in Uzbekistan (Clarke 1999, Sievers 2002, Massicard and Trevisani 2003, Masaru 2006). These studies describe mahalla as a ‘socio-political object’ that are able to offer a local understanding of the relationship between state and society.

As the review of previous research indicates, current scholarly understandings of mahalla institutions in Uzbekistan continue to be based on the analysis of ‘formal’ mahalla system (which is regulated by Mahalla Law) that make it difficult to recognise the dynamics of mahalla and its resistance to the state’s legal intervention. This means the state in Uzbekistan is still portrayed as an omnipresent actor that is capable of penetrating deeply into the fabrics of everyday life. The state is certainly a powerful actor when it comes to using coercion and regulating the activities of ‘formal’ mahalla. However, the state and its coercive structures are almost invisible in terms of influencing socio-economic relations and negotiations on the level of informal mahalla. My ethnographic fieldwork conducted in rural Ferghana tells us that the findings of previous research on mahalla needs to reconsidered in the light of empirical evidence. As a result of Uzbek authorities’ attempts to formalise the mahalla by devolving extensive administrative responsibilities, mahalla has become a ‘hybrid’ institution, operating both on behalf of the formal public administration system (formal mahalla) as well as functioning as community-driven informal welfare structure with its own normative system, which is based on Islamic welfare values (informal mahalla). The spatial boundary between formal and informal mahalla is blurred, as we can

observe the coexistence and clash of the two parallel socio-political and socio-legal environments in the same mahalla. Nevertheless, as I argued in my previous article (Urinboyev 2011a), one can distinguish between ‘formal’ and ‘informal’ mahalla by looking at their regulatory structures: the former is administered by the Mahalla Law, whereas the latter is built on Islamic welfare values, customs and traditions. This distinction will be empirically demonstrated in the next sections.

4. Theoretical Framework

As I argued in the previous sections, in post-Soviet Uzbekistan and possibly other post-Soviet societies, the discourse of welfare is one of the key arenas where the state, as well as the notion of ‘social contract’ between the state and citizens is imagined and constructed. Although the decline of welfare state in Uzbekistan has not resulted in overt forms of resistance, it has become an important avenue to silent everyday forms of resistance to the state. Given that the costs of displaying overt challenge to the state is high, ordinary citizens are expressing covert forms of resistance to the state, i.e. engaging in collective action by developing mahalla-based alternative (to the state) redistributive, risk-stretching and income-generating activities. Such forms of collective citizen response reminds us of the ‘subtle forms of everyday resistance’ that James Scott (1985) described in his book, *Weapons of the Weak: Everyday Forms of Peasant Resistance*. For Scott, the resistance is manifested not only in visible historic events such as organized rebellions or collective action, but can also be observed in subtle but powerful forms of “everyday resistance” (e.g. foot dragging, evasion, false compliance, pilfering, feigned ignorance, slander and sabotage) in which both individuals and groups resist without directly confronting or challenging dominant norms (*ibid.*). Scott’s idea of peasant resistance can be compared to how citizens in Uzbekistan talk about the role of the state, what they classify as just and legitimate social order, tactics and coping strategies that they employ in order to meet their livelihood needs and moral frame into which they place these events. Hence, the subtle forms of everyday resistance to the state also occur when citizens produce informal welfare structures as a reaction to the absence of protective welfare state.

There is strong support for Scott’s perspective in the field of political science where Joel S. Migdal (1994) argued that the society consists of numerous social organisations (forces), the state being one of them. For Migdal, the patterns of domination in society are mainly determined by key struggles spread through what he calls ‘society’s multiple arenas of domination and opposition’. The state, as one of the organisations in society, is subject to the ‘pushes and pulls’ in society’s arenas, facing enormous resistance from social forces that promote different versions of how people should behave (*ibid.*). Also, Eugen Ehrlich’s concept of ‘living law’, and his description of the coexistence and clashes of the state law and informal norms produced by non-state social associations (living law), are comparable to the ideas of Scott and Migdal (see e.g. Urinboyev and Svensson 2013a, 2013b, 2014). In *Fundamental Principles of the Sociology of Law*, Ehrlich (2002) argues that it is not the state law, but it is actually the ‘living law’ that dominates everyday life itself, even though it has not been posited in legal propositions. Ehrlich advises that if we want to better understand the coexistence and clashes (resistance) of different normative orders in society, we should attentively observe everyday life, relations of domination, actual habits of people, and inquire into people’s thoughts on the opinions of relevant people in their surrounding environment, and on proper social behavior (*ibid.*).

Thus, equipped with the aforementioned theoretical framework, one possible inference is that citizens' collective reaction (informal welfare) to the erosion of welfare services may be viewed as 'everyday acts of resistance to the state' in post-Soviet Uzbekistan.

5. Mahalla as an Informal Welfare Structure in Rural Ferghana

In this section I describe the extent to which the mahalla-based pooling of efforts has become a truly genuine form of substitute for the public goods, services and social protection system provided by the state. My intention is that by looking closely at mahalla-based informal economic practices we may get a clue to everyday life and socio-political changes in rural communities, how people view the role of the state, how they talk about the cutback of state social support, the tactics and coping strategies that they invent to make up for the shortage of state social support and the moral frame into which they place these events. In doing so, the aim is to better delineate citizens collective but silent protest against the worsening of state social services in post-Soviet period as well as to reveal the indiscernible social changes that are taking place in rural communities due to the absence of protective welfare state.

The province of Ferghana, where I conducted my field research, is one of the regions of Uzbekistan where the struggle for survival is the highest due to population density and where rural unemployment has been reported as a problem for a long time (Lubin 1984, Broxup 1990, Dankov 2007, Starr *et al.* 2011). Moreover, Ferghana valley is also perceived as one of the most religious areas in Central Asia where Islamic values and principles enjoy wide popularity among ordinary people (Nunn *et al.* 1999, Khalid 2003, 2014, Zanca 2004, Rasanayagam 2011, Urinboyev 2013b). *Shabboda* village², from which this mahalla case study is drawn, is a village in rural Ferghana, consisting of 28 mahalla, and has a population of more than 18,000 people. While doing fieldwork in several mahalla of this village, I was struck by how households have become increasingly dependent on the mahalla-based informal economic activities for meeting their livelihood needs, and how Islamic values and norms provide moral framework for cooperation and solidarity among residents. The *hashar* tradition is one manifestation of such mahalla-based coping strategies where mahalla residents see their free, non-compensated work as being good Muslim, and thereby cooperate with each other by reciprocally exchanging labour, money, material goods and services. Income-generating activities of the mahalla residents are made up of multiple sources, ranging from cucumber and grape production, remittances sent from Russia, wedding logistics work, to construction work, fruit picking jobs and brokerage. However, all of these mahalla-based pooling of efforts and income-generating activities are informal in the sense that they are neither registered in the local government records nor are regulated by labour laws. Even employed people are compelled to supplement their income with alternative sources of income, since salaries from state jobs are not sufficient to secure basic needs.

An account of the collective efforts of mahalla residents to distribute the livelihood risks within the community is illustrative of the 'resistance' nature of the informal economic activities, and how Islam-laden moral codes have become dominant normative order in

² The name of the village has been changed to protect the anonymity of the informants.

everyday mahalla life vis-a-vis the state law. In rural Ferghana, the word *hashar*' is generally used to refer to a non-compensated community project in which mahalla residents cooperate with one another by reciprocal exchange of labour, money, material goods and services. During my fieldwork I observed that mahalla residents arranged a *hashar* for a variety of reasons, for example, the construction of irrigation facilities, street cleaning, asphaltting of roads, the construction of dwellings or mosques, the organisation of wedding, funerals and circumcision feasts, and many other services not provided by the state. The informal leader of mahalla, *oqsoqol* I interviewed said that post-Soviet economic decline has considerably increased the role of *hashar* in everyday life, because mahalla residents build irrigation facilities and asphalt mahalla roads through *hashar*. To illustrate the role of *hashar* in everyday life, I present some empirical evidence below, dealing with the most pressing issues in rural Ferghana: the construction of irrigation facilities and asphaltting of mahalla roads.

Since agricultural production is an important source of income in rural Ferghana, one of the main concerns of mahalla residents had to do with water and irrigation facilities. During the Soviet era local government and collective farms (*kolkhoz*) took charge of irrigation issues. But the local government in post-independence Uzbekistan did not have any centrally allocated funding to build and maintain irrigation facilities, such as drainage, to secure farmers' as well as ordinary citizens access to water during the agricultural season. As a result, the local government exercised full control over water and irrigation facilities and utilised the existing water and irrigation facilities for cotton and wheat production, thereby effectively leaving ordinary people without access to water. In this regard, one of the biggest mahalla-based pooling of efforts (*hashar*) in *Shabboda* village that I observed dealt with building an irrigation system. The *oqsoqol* of the mahalla collected contributions from each household in the mahalla. Wealthy households made bigger monetary contributions than other households, while those with limited financial means contributed with their labour. Mahalla residents also met the electricity costs of the drainage. Nevertheless, despite the mahalla-based efforts, the money collected for building the irrigation system was far from being sufficient. There were several rich families in mahalla, however, only one of them, *Aziz hoji*³ decided to provide full funding for irrigation. When I interviewed him, *Aziz hoji* explained his decision to finance the irrigation with reference to Islamic principles. As he states, his assistance to mahalla is driven by his belief that the one who provides water to people would definitely go to *jannat* (paradise) after the death. The case of *Aziz hoji* is illustrative of the hidden role of Islam as normative force in Uzbekistan where Islam is incorporated not only in the posture of prayers and patterns of ritual intonation, but in the daily flow of mahalla life. These findings are also consistent with the common interpretation by social scientists studying Muslim societies who argue that that everyday interaction is given moral significance when placed within an Islamic frame (Lambek 1993, Rasanayagam 2011). As I have been observing everyday social interactions in this mahalla for the last five years (2009-2014), I came to realise that residents with good knowledge of *Qur'on* (the sacred text of Islam) and Sharia law enjoyed the status of 'elite' in mahalla and were often behind the important decisions related to mahalla administration. This situation

³ Hoji is a holy title which is given to a Muslim person who has successfully completed the hajj to Mecca.

is somewhat paradoxical given the zeal of Uzbek authorities to prevent the rise of Islam as a parallel social order and maintain secularism in everyday life.

Another relevant example is a road-asphalting project in one of the mahalla in *Shabboda* village where residents succeeded in asphaltting the roads of mahalla without any financial assistance or supervision from the local government. I was struck by how mahalla residents were able to collectively implement such an expensive project, while the irrigation and road construction issues are mainly placed in the hands of specialised state agencies in Western countries. This time again the large part of the asphaltting expenses was covered by wealthy mahalla residents who decided to finance it believing that their donation to such projects would give them more *savob* (*spiritual merit*) and thereby make them better Muslims. Hence, Islamic values and principles create a solid moral framework in mahalla life and everyday social relations in rural Ferghana where people's social status and 'being good Muslim' is determined by their contribution to mahalla projects. Hence, while attending mosque gatherings and mahalla *choyhona* (teahouse) I noticed that the donation activities of mahalla's wealthy residents were regarded as 'acts of piety and charity' and those who donated more than others enjoyed high prestige in mahalla. As I encountered in the words of mahalla residents, giving *zakat* (monetary assistance to poor families) and *ushr* (income tax) to needy families was important symbol of 'a good Muslim' in rural Ferghana. Johan Rasanayagam, in his recent book 'Islam in Post-Soviet Uzbekistan', also demonstrated that the sense of being 'good Muslim' is not solely interior and personal, but also produced and expressed in action and in relations with others (Rasanayagam 2011, 19). Studies show that the similar patterns of Islam-driven charity activities can be observed in other parts of Uzbekistan as well. Based on her extensive anthropological fieldwork in Bukhara, Uzbekistan, Maria Louw (2007) shows that Islam is an important marker for identity, a good ground for morality and a tool for everyday problem solving in the economically harsh, socially insecure and politically tense atmosphere of present-day Uzbekistan. In this regard, Islam, both as a religion and normative structure, provides moral framework in everyday mahalla relations, encouraging people to engage in the acts of piety and charity and catering each other's needs in times of economic hardships. The everyday experiences I encountered in rural Ferghana was one evidence of Islam's role as a governance structure guiding welfare activities and social relations in mahalla, whereas the laws and policies of the state were almost imperceptible in everyday life.

During the field research I also gained important insights about the local moral codes (living law) that promote alternative (to the state law) versions of how state officials should behave and fulfil their duties. In this connection, I was particularly interested in two mahalla residents, *Sardor* and *Rahmon*, who were both state officials and the centre of 'everyday mahalla talk'. *Sardor* was a very high-level state official and worked as the deputy chief of Ferghana region police, whereas *Rahmon* was a district level traffic policeman (a low-level official). However, in the everyday mahalla life, *Sardor*, despite having such a high official status, did not have decent reputation and was often described as 'communist', the term that carries negative meaning and is used in relation to law-abiding state officials who do not share their political influence and resources with their kin and mahalla. As a high-level police official, *Sardor* had an enormous power and he could easily divert the resources to mahalla, but he always rejected the requests of mahalla and asked them to solve their problems through formal channels. Because of his attempts to keep his public office

separate from private sphere, *Sardor* was regarded as ‘communist’ in the words of many mahalla residents we encountered. On the other hand, low-level official *Rahmon* was a ‘man of respect’ and enjoyed very high social status and reputation in mahalla. Unlike *Sardor*, *Rahmon* provided patronage to mahalla residents, for instance by diverting the resources of the state to his mahalla and helping mahalla residents to avoid or manoeuvre around the state law. *Rahmon* was especially praised for his ability to act as a bridge between high level state officials and ordinary residents in terms of negotiating the amount of informal payment for job or university admission issues, and bending state laws to meet the interests of mahalla residents. Therefore, when invited to weddings, *Rahmon* was always offered a ‘best table’ and served more quickly than others. Thus, according to mahalla’s moral codes (living law), *Sardor* was neither good person nor good state official due to his law-abiding behaviour and unwillingness to help mahalla people, while *Rahmon* was the ‘pride of mahalla’, due to his sensitivity to the needs and concerns of mahalla.

The example of these two state officials shows that the state officials in rural Ferghana are torn between loyalty to their family and mahalla networks, and honesty at work. Therefore, maintaining loyalty and respect for such networks often comes at the expense of formal structures, thereby leading to an omnipresence of informal practices in formal arenas. The tactics and coping strategies that mahalla residents employ in order to ‘co-opt’ state officials are the expressions of ‘everyday acts of resistance to the state’, since people have developed ‘living law’ that demand the state officials to serve their mahalla needs rather than to follow their work ethics and laws of the state. This is a collective action that creates informal norms to which state officials should conform. This indicates that behavioural instructions (living law) promoted by informal mahalla influence the implementation of state laws and regulations. Although the ‘living law’ described here may seem illicit or abnormal, it is however accepted within rural communities in Ferghana as legitimate coping strategy—regardless of whether they are licit or illicit.

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

social policy pillars of Islam, such as *zakat* and *ushr*, surprisingly survived long decades of Soviet atheism policy and still continues as essential feature of everyday social relations in rural Ferghana. One important perspective I gained from my fieldwork is that Islam's role as moral and social force was quite obvious in rural Ferghana, despite Uzbek regime's zeal to secularise the rural areas of Uzbekistan. In this respect the coping strategies and (Islamic) moral codes promoted by informal mahalla can be considered as the everyday acts of resistance to state, albeit covert and silent, which indicates the resilience of Islamic legal culture in Uzbekistan.

While mahalla was the main shock-absorbing structure, the image and role of the local government in rural Ferghana was almost invisible. The formal mahalla leader, *rais*, was also non-existent during mahalla negotiations over irrigation and asphaltting projects. When I asked mahalla residents what role the local government plays in financing mahalla-based projects, their answers were very anecdotal. As one mahalla resident explained, mahalla-financed projects, such as the asphaltting of roads and irrigation building, usually appear in the official records of the local government as state-funded projects, and the local government officials report them to the central government as the local government project. Hence, these observations show that the mahalla has become a truly genuine self-help organisation in rural Ferghana, while the state and its institutions are imperceptible in everyday life. This perspective is also reinforced by Aminova and Jegers's (2011) study on informal structures and governance processes in Uzbekistan. As Aminova and Jegers (2011) show, due to the inability of formal structures to adequately respond to the realities of transition to a market economy, the existing informal structures, socio-cultural mechanisms, and cultural artifacts took the lead and filled the emerging vacuum in the areas where formal mechanisms were weakened, non-existent, or only emerging.

Due to a Soviet legacy many people I encountered in rural Fergana had high expectations from the state in terms of welfare support. Despite the despotic and corrupt nature of the Soviet system the majority of people in rural Ferghana I interviewed - especially the older generation - expressed nostalgia for the former Soviet Union. They frequently mentioned the availability of inexpensive food, jobs, healthcare, affordable housing, and education during the Soviet era. Many people I met in *Shabboda* village voiced their strong dissatisfaction with the state's economic and social policies, mentioning excessive declines in social services, a high unemployment rate, interference of tax officials in informal income earning opportunities, high custom duties and tightened border controls. When I asked one of the mahalla residents how he perceived the role of the state in everyday life, his answer was quite surprising. Referring to the state's inability to provide even basic needs such as affordable healthcare, he said that *'The state died shortly after the collapse of the Soviet Union'*. Hence, when talking with ordinary people in *Shabboda* village, I felt that the ruling elites' narrative of the 'great future' is losing its credibility in light of these problems. The role of the mahalla as a shock-absorbing structure was being strengthened while the state was almost invisible in everyday life within the local communities in Fergana. Therefore, it is not surprising that the state in Uzbekistan is weak in terms of 'rule of law' and cannot even enforce existing laws. Even though the state in Uzbekistan may appear to be omnipotent due to its infrastructural and coercive capacity, as our results show, it has very little meaning in everyday life at the local level. When observing local level interactions in Uzbekistan, it becomes difficult to experience the state or its laws as an ontically coherent entity: What

one confronts instead is an enormous degree of informal exchange and reciprocation of money, material goods and services that are carried out through non-codified, but socially reproduced informal rules - 'living law'. From this perspective, the apparent proliferation of informal welfare system might be viewed as a resistance to the state's inability to secure the basic needs of its citizens.

6. Discussion and Concluding Remarks

My ethnographic data show that the informal mahalla serves as a 'palliative' mechanism, making up for the incapacity of the state that fails to secure the basic needs of citizens. While the state has not been able to secure the basic needs of its citizens, the mahalla-based informal economic practices have become an alternative coping strategy in post-Soviet Uzbekistan. Although Uzbekistan inherited the infrastructures of welfare state after the Soviet collapse, it did not have enough funding to run the system. As a result, the people of Uzbekistan have created alternative informal ways to meet their livelihood needs, as I described in the previous section. These mahalla-based economic practices could thus be regarded as 'informal welfare system, as this is the system in place that helps people 'get the things done'. Another equally how ordinary mahalla residents responded to cutback of welfare services by favouring Islamic values and principles vis-a-vis the state law. Since the state do not provide the welfare 'from cradle to grave', the ordinary citizens do not feel any moral obligation to follow the laws of the state. The reasoning of most of the people I interviewed during my fieldwork was based on Islamic values whereas the laws and symbols of the state were virtually absent in the everyday mahalla talk. Mahalla residents often stated that every Muslim is expected to share his or her economic resources with relatives and neighbours. As my informants explained, this is a pre-condition to be a 'good Muslim'. Therefore, despite the relentless attempts of Uzbek authorities to limit the role of Islam as a social force in everyday life, informal mahalla continues to function along Islamic values and rituals, serving as an informal social safety net.

In post-Soviet Uzbekistan, citizens' 'resistance to the state' emerges through the daily flow of (mahalla) informal norms and expectations, moral values, traditions and reciprocal exchanges. The 'everyday acts of resistance to the state' can be seen by observing everyday social interactions, how people behave in mahalla, people's coping strategies and how people 'get things done'. More specifically, the patterns of the 'everyday acts of resistance to the state' can be gleaned by looking at the following indicators:

- (a) Citizens' moral reasoning about the lack of welfare support and the comparisons that they often make between the Soviet and post-Soviet times;
- (b) Apparent reinvigoration and strengthening of Islamic welfare values and moral codes vis-a-vis the laws and symbols of the state;
- (c) The informal mahalla's attempts to co-opt state officials to serve the interests of mahalla via social pressures and norms ('living law').

As the findings demonstrate, when coping strategies are based on informal rules, the laws and regulations of the state gain a secondary character, and the 'living law' that regulates

informal relations becomes a parallel system of governance. Although this parallel system does not overtly challenge both the real and symbolic order of the state, it becomes an omnipresent phenomenon and thereby unofficially reshapes central policies, especially when not tailored to context and place. One possible inference is that these informal economic practices and coping strategies can be regarded as ‘everyday forms of resistance’ in the sense that they manifest the failure of the state to meet the basic needs of citizens, and therefore do constitute a form of reproduction of political and social order by the population that feel excluded from the access to welfare services. In this regard, informal economic practices can be seen as people’s silent but desperate reaction to state failure. However, informal economic practices provide a short-term solution to structural inequalities and national (socio-economic) threats. They also modify the state-society relations in the long-term, thereby weakening the legitimacy of the state. Consequently, informal welfare system cannot address the large-scale problems, and thus there is a need to ‘bring the state back’ by initiating more inclusive and encompassing welfare reforms.

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Chapter 16

Corruption in a Culture of Money: Understanding Social Norms in Post-Soviet Uzbekistan

Rustamjon Urinboyev and Måns Svensson

Introduction

There was a widespread euphoria in the 1990s, in Uzbekistan and the outside world, that the introduction of Western-style political institutions and legal system would promote democratic governance in post-Soviet Uzbekistan. However, many commentators now argue that Uzbekistan has made little progress in promoting the rule of law and good governance, and that many formal institutions of government have achieved merely a showcase quality. One of the main problems in this regard is corruption. According to the 2011 Corruption Perceptions Index, released annually by Transparency International, Uzbekistan is among the 10 most corrupt countries in the world (TI, 2011). Also, the control of corruption indicator of the World Bank Governance Studies shows an extremely high level of corruption in Uzbekistan and other Central Asian countries (Libman, 2008).

Understandably, post-Soviet Uzbekistan has been the subject of a great surge in academic research and writing on corruption. Much of the literature tends to concentrate on macro-level topics and state-centred approaches, focusing on kleptocratic elites in the upper echelons of the state organisation, malfunctioning public administration structures, administratively commanded economic policies, inefficient post-Soviet agricultural reforms, corrupt law-enforcement agencies, and inadequate ways of dealing with corruption on the part of state authorities (Ergashev et al., 2006; Wegerich, 2006; Trevisani, 2007; Markowitz, 2008; Kandiyoti, 2007; Luong, 2004). The bulk of these authors argue that the struggles among these various state actors to gain control over scarce resources have resulted in contradictory state policies, thereby making corruption and bribery a survival strategy among ordinary citizens (including low-level officials, such as police officers). At the same time, these studies also claim that corruption and bribery may be practised by state elites themselves for more predatory reasons, which have nothing to do with survival strategies. Another portrait gleaned from scholarly works suggests that it is the penetration of clans and regional patronage networks into official structures that deplete the state's organisational powers and cause corruption and inefficiencies in the public administration system (Kubicek,

1998; Pashkun, 2003; Ilkhamov, 2007; Collins, 2006; Luong, 2002). There is also a tendency to explain the ubiquity of corruption in Uzbekistan as an outcome of its communist past (Gleason, 1995; Staples, 1993; Ergashev et al., 2006).

The conclusion of previous research seems clear: Uzbekistan is regarded by Western academics and policy makers as an authoritarian state with a strong central government that is capable of penetrating deeply into the fabric of society and controlling and moulding even the intimate aspects of social life. However, the strong focus on the state and its policies has a tendency to aggrandise the role of the state into being the prime mover of widespread corruption, as if it alone shapes the basic patterns of economic life and determines the parameters of daily social relations. With few exceptions (Abramson, 2000; Rasanayagam, 2011), scholarly literature has paid little heed to the local perceptions of moral codes and values of informal transactions in Uzbekistan, where the nitty-gritty of social relations are established and maintained through informal exchange and reciprocation of money, material goods and services.

In this study, we accept and use the working definition of ‘corruption’ presented by Transparency International: ‘corruption is the abuse of entrusted power for private gain’ (hereinafter we refer to this basic understanding of corruption as a pure Western perspective). However, when applying this concept we emphasize the need to take into consideration the critique by scholars such as Tanzi (1998: 8–10), who notes that the meaning of the word ‘abuse’ varies according to local legal and cultural standards (see also Werner, 2000; Gupta, 1995; Polese, 2008; Humphrey, 2002). It is also necessary to acknowledge the fact that corruption has different meanings and logic among different levels of society; and that there is a difference between large numbers of low-level officials, on the one hand, and the smaller group of state elites, on the other. It is not that corruption at higher levels of governance merely mirrors understandings of reciprocity and exchange at the grass-roots of society. However, state officials on lower levels are as dependent on informal coping strategies in order to survive as the ordinary citizens. Kandiyoti (1998 and 2007) has demonstrated that both ordinary citizens and public officials in Uzbekistan are becoming heavily reliant on informal coping strategies, due to economic stagnation and shrinkage of the welfare state in the post-Soviet period. From this perspective, there is a connection between informal transactions of everyday life and the corruption of the state.

Research aim

In this study, we focus on socio-economic structures, such as networks of reciprocity and exchange in Uzbekistan, and use ethnographic data on wedding ceremonies to show the local moral codes and values of informal transactions and how these could undermine a pure Western perspective on corruption. A theoretically founded hypothesis is that informal transactions in Uzbek society are surrounded by a different cultural meaning than in most of the Western world. If

this is true, there may be reasons to re-evaluate the concept of corruption in order to reflect the morality of exchange in Uzbekistan. The intention is not to establish a causal relationship between informal transactions in weddings and corruption within the public organizations. Instead, by using ethnographic methods we aim to explore the social meaning and ordinary activities surrounding informal transactions, in order to better understand the social context forming the premises and informing the meaning of transactions in Uzbekistan. The bulk of informal transactions in everyday life are simply manifestations of deeply embedded social norms and customs in Uzbekistan. It could be described as a culture of money, characterised by networks of reciprocity and exchange.

Previous research

Corruption was studied before the fall of the Soviet Union (Zemtsov, 1991; Staples, 1993; Critchlow, 1988; Srubar, 1991; Simis, 1978), but much of that literature was entirely state-centred. Since the collapse of the Soviet Union, there has been a shift in perspectives. There is an extensive literature on corruption in post-Soviet states that focuses on the problems of using a pure Western perspective (Werner, 2000, Humphrey, 2002, Polese, 2008, Patico, 2003; Ledeneva, 1998; Wanner, 2005; Rasanayagam, 2011; Sneath, 2006; Abramson, 2000). This literature is based upon a theoretical understanding of money, gifts and the morality of exchange (Mauss, 1990; Parry and Bloch, 1989) and empirical studies concerned with different kind of transactions between citizens and state officials. At first glance, many of these transactions may come across as bribes; however, the research shows that, taking the cultural context into consideration, these transactions may very well be considered to be morally acceptable gifts. For example, Abel Polese (2008) empirically studied the context and morality of transactions between citizens and university teachers, doctors and road traffic officers in Ukraine, and concluded that corruption needs to be redefined, at least when dealing with cases in which the alleged corrupt transactions help people to survive. Caroline Humphrey (2002) describes the multi-faceted morality of different illegal transactions when giving numerous examples of custom and police officers involved in dubious transactions. It leads her to argue towards rethinking bribery in some spheres in Russia. The similarities between Russian and other post-socialist societies make it possible to generalize Humphrey's results from one country to the other. Cynthia Werner's (1997 and 2000) anthropological work on understanding and problematizing the blurred boundary between gifts and bribes in Kazakhstan has been influential in this field. Her work points to the necessity of considering whether the anti-corruption legislation promoted by powerful global organizations is appropriate for a local setting where gift exchange is an integral part of the culture. Johan Rasanayagam (2011), through an empirical case study of a local teacher, shows how this line of argumentation is also true for Uzbekistan. He even claims that the informal economy is so influential that, in a sense, it is all that there is.

In our study, we depart from the scholarly context described above. However, we are not focusing on the exchange between citizens and official representatives, but rather on the exchanges between ordinary citizens in general in their everyday life. The reason for this focus is that we want to get a deeper understanding of the social structures that underlie the blurred boundary between gifts and bribes.

There is another scientific field of importance to our study that has to do with the specific choice of weddings as the social arena that we focus on in our empirical studies. Weddings are considered to be extremely geared towards money and gift exchange, and therefore of great interest when understanding different aspects of socio-economic structures (Agadjanian and Makarova, 2003; White, 1994; Kandiyoti and Azimova, 2004; Kandiyoti, 1998; Peters, 1990; Bates, 1974; Mundy, 1995; Yalçin-Heckmann, 2001; Annaklychev, 1984; Borozna, 1984). We will elaborate on this literature in the analysis section.

Theoretical framework – contextualising informal transactions

Although scholars studying the developing world have significantly moved away from extreme state-centred theories (Boone, 1994; Kohli, 1994; Migdal, 1994 and 1988; Shue, 1994; van Klinken and Barker, 2009), the state-centred (macro) perspective still seems to pervade academic and policy debates in the context of post-Soviet Central Asia. Much of this literature argues that the state consists of multiple actors operating at the central, regional, local, and rural or village level, and that the struggles among those actors are likely to be more crucial in determining the shape and outcomes of state policies than the struggles between the state and social forces (Ilkhamov, 2004; Adams, 2004; Kamp, 2004; McMann, 2004; Ergashev et al., 2006; Trevisani, 2007; Markowitz, 2008; Luong, 2004). However, as we will demonstrate later, there might be reasons to focus on the micro-level when studying corruption in the context of Uzbekistan, where society is mostly based on informal economy and kinship networks, and the state fails to secure the basic needs of their citizens. Therefore, in this study, to put informal transactions in a socio-legal context, we draw on Joel S. Migdal's (1994, 2001 and 1988; Migdal et al., 1994) the state-in-society approach and the concept of norms. The norm concept utilized in this chapter is consistent with the definition used by Måns Svensson (in Chapter 3 of this volume). Accordingly, norms are (a) normative statements that (b) are socially reproduced and (c) represent the individual's perception of the expectations surrounding their behaviour. Ultimately, these norm attributes form the definition of all norms (formal and informal) constituting the culture of money.

A central idea of the state-in-society approach is that the state and society are not separate entities; rather, they are intertwined entities that engage in mutually transforming interactions. According to Migdal, Kohli and Shue (1994: 2), 'states are parts of societies. States may help mould, but they are also continually moulded by, the societies within which they are embedded. Societies affect states

as much as, or possibly more than, states affect societies'. From this perspective, the state is just a sprawling organisation within society, and not very different from other informal or formal social organisations (such as family, clans and tribes), and coexists symbiotically with those other social organisations. States face enormous resistance from social forces in implementing their policies, since their laws and regulations must compete with the norms of other social structures that promote different versions of how people should behave. When Migdal talks about social forces, he includes both the structural dimension (for instance, clan or mosque) and the meaning (normative elements) that those structures provide to individuals. Therefore, he sees structures beneath the social forces, such as social norms and traditions, as part of the state-in-society.

There is strong support for Migdal's perspective in the field of law and economics, where Robert C. Ellickson was one of the first scholars to fully recognise the importance of socially enforced norms. Ellickson (1998: 540) states that 'much of the glue of a society comes not from law enforcement, as the classicists would have it, but rather from the informal enforcement of social mores by acquaintances, bystanders, trading partners, and others'; and he continues 'informal systems of external social control are far more important than law in many contexts, especially ones where interacting parties have a continuing relationship and little at stake' (ibid.). Social norms guide people's actions and social interaction to a greater degree than law does (Drobak, 2006). In organization theory and economics, in particular, it has been possible to demonstrate the importance of the informal norms in human behaviour. Also, Anthony Giddens' (1984) theory of structuration, and his descriptions of the relationship between micro- and macro-levels, are comparable to the ideas of Migdal and Ellickson. As Giddens claims, the micro- and macro-levels should not be treated as fundamentally parted from each other – in fact, they are interconnected and moulding one another. One of the main propositions of structuration theory is that the rules and resources drawn upon in the production and reproduction of social action are at the same time the means of system reproduction (the duality of structure) (Giddens, 1984: 19).

Armed with the state-in-society approach and the concept of norms, it could be inferred that public administration practices are not fundamentally separated from the norms of other informal structures of society. It is important to emphasise, however, that we do not attempt to show any causal relation between micro and macro structures. Rather, we want to show the importance of taking the micro-level into consideration when trying to understand corruption in non-Western societies like Uzbekistan, where society is mostly based on informal economy and kinship networks. Furthermore, we aim to enhance the understanding of such structures in Uzbekistan through our empirical example of weddings. When doing this, it is of great importance to remember the distinction between low-level officials and more predatory state elites. The arguments presented as a result of this research have stronger relevance when talking about the state-in-society than when analysing state elites. It could be stated that there is a need to distinguish between functional redistributive informal transactions and more predatory transactions where

resources go from weak to strong. This is, of course, true; but, in our case it is more important to show how there are informal standards in everyday life regulating transactions of resources between citizens. If this can be shown, it is a strong indicator that there are similar informal standards regulating transactions between citizens and low-level officials that will be regarded as bribery or corruption by a pure Western perspective. These transactions are, however, accepted within society and culture as legitimate coping strategies – regardless of whether they are functional or not. It is therefore more a question of a culture of money than of corruption.

Methodology

This study is based on two periods of field research in the Oltiariq district of the Fergana region, Uzbekistan. The first field research was conducted during April–May 2009, and the second lasted for three months, during June–August 2010. The fieldsite was chosen based on contacts and available social networks. The methods employed for data collection were participant observation, informal interviews and semi-structured interview. The first author, being native Uzbek, had the advantage of knowing the language, and possessed the pre-understanding of local conditions and situation, whereas the second author, from Sweden (non-native), added to the study an external perspective. Both authors went to Uzbekistan for the first period in 2009 and stayed in the fieldsite together. The first author was alone during the second field study in 2010.

We used ethnographic methods and the case of wedding ceremonies in order to illustrate social meaning and ordinary activities surrounding informal transactions on a micro-level in Uzbekistan. During the first period, we both observed three wedding ceremonies that were hosted and attended by different social groups, ranging from local elites to ordinary farm workers. The first author observed the next three weddings during the second field period. Our observations frequently took the shape of opportunistic chats, questions that arose on the spur of the moment. The weddings took place in Oltiariq district in the Fergana region of Uzbekistan, during April 2009–August 2010. The choice of using wedding ceremonies for collecting empirical data is based on three main arguments. First, the wedding ceremonies embody authentic features of Uzbek culture: traditions, values, collectivism, age and gender hierarchies, social networks and kinship relations, central role of *mahalla* (a residential neighbourhood institution), and power and status-based relations. After independence, weddings became central occasions where the return to authentic Uzbek forms was clearly in evidence (Kandiyoti and Azimova, 2004). Second, the arrangement of a marriage in Uzbekistan is both a lengthy and a costly process, involving a complex traditional exchange of gifts and money between the in-laws. Money and gifts have a conspicuous presence during both marriage negotiations and the wedding ceremony. Hence, weddings display multivocality in the meaning of money and gift exchanges, and thereby exhibit

a culture of money. Third, the wedding ceremony is the concern of the whole community, as it is arranged with the support of and resources from local society, and thereby reflects the status and social position of the families that are to be united. In this regard, the wedding institution involves both formal and informal aspects of the local community when gathering the necessary resources.

Apart from observing weddings, during the second period of fieldwork in 2010 the first author conducted five individual semi-structured interviews with the following key informants: *oqsoqol* (informal leader of *mahalla*); *rais* (formal leader of *mahalla* committee); *dasturhonchi* (women ritual specialist in *mahalla*); *ustalar* (wedding logistics coordinators in *mahalla*); and *imam* (worship leader of a mosque). Key informants were selected on the basis of their role in the community, knowledge, willingness, and communicability. The interviews were more free-flowing and focused on such questions as the role of *mahalla* and the mosque in everyday life, the importance of monetary and gift exchanges in social interactions, local traditions, rituals and norms, the arrangement of life-cycle rituals, public perceptions of social hierarchies, kinship relations and status contestations within *mahalla*, and the perceived role of the state in everyday life. We used the questions mainly as a guide, adapting questions to the pace of interview. For instance, *rais* was asked a slightly different set of questions from *dasturhonchi*. The interviews lasted for between 45 minutes and 2 hours, depending on the informant's status, location and available time. The interview with *rais* took place in his office, while the other four interviews were conducted in *choyhona* (teahouse) or in private places. To protect the anonymity of our informants, we have not mentioned their names in the text.

Empirical findings – the case of weddings in rural Fergana

Amongst numerous life-cycle rituals, *nikoh toi* (wedding ceremony) is the most central ceremony in rural Fergana, and one in which Uzbeks invest a great deal of their time, energy, resources, dreams, reputations and socio-economic status. *Nikoh toi* is often held inside the host family's home in rural Fergana. All *mahalla* residents, relatives, classmates, colleagues and friends are invited to the wedding ceremony. To turn down an invitation to a wedding is considered impolite. *Nikoh toi* is attended by, on average, approximately 200–500 guests. Men and women sit separately at different guest tables during *nikoh toi*. *Mahalla* is responsible for the organisation and preparation of such life-cycle rituals.

Nikoh toi also fulfils a redistributive and a risk-reducing function in rural Fergana: it is the social norm that directs each wedding guest to contribute to the wedding with money, gifts or labour. By arranging or attending a *nikoh toi*, a household broadens its social networks and engages in reciprocal transactions, since the wedding involves a great deal of exchange and reciprocation of money and material goods within networks of kin and friendship. Consequently, such large amounts of transactions during weddings enact the ties of obligations and

expectations within networks of kinship and friendship, blending the moral aspects of social relations with their material aspects.

The morality of marriage transactions in rural Fergana

The establishment of marriage relationships in rural Fergana is a lengthy and costly process. Marriage is not just a formal relationship between two young persons, but it is also an alliance between wife-takers and wife-givers that involves a life-cycle relationship. Usually the bride leaves her parents' house forever for the house of her groom. By tradition, a boy's parents should go first to the girl's family to ask for her hand in marriage. Before visiting the girl's home, the boy's family usually conducts a thorough investigation of the girl's personality and her family background by asking neighbours, *mahalla* elders, school teachers, and friends who may know the girl or her family. Since respect towards elderly people and gender hierarchies is a social norm in Uzbek society, the bride is expected to submit to the orders and wishes of her mother-in-law and groom without any objections. Therefore, the boy's family usually investigates the girl's behaviour (is she going to be a good submissive bride?), cooking skills, educational background and who is the dominant parent in the girl's family (her father or mother), and also the ancestors of the girl going back seven generations. If the girl and her family meet all these criteria, the boy's family pays a visit to the girl's family to ask for her hand in marriage. After receiving a marriage proposal from the boy's family, the girl's side investigates the boy in a similar fashion. If the girl's parents agree, the boy's family presents a white dress to the new bride's family. This pre-engagement ritual is called *oq kiydi* (white dressing). Parents often try to find a rich husband or wife for their children in order to elevate their socio-economic status in the *mahalla*. When we interviewed *Oqsoqol* and *dasturhonchi*, they said that social norms regarding girls' submissive behaviour and personal qualities do not matter much in relation to girls who come from rich families. Lured by expectations of expensive *sep-sarpo* (dowry and clothing gifts), the groom's family conducts very little or no investigation into the girl's behaviour, personal qualities and family history.

After this ritual, the groom's family sends a minimum of 80 kg of refined cotton to the bride's family, and the bride's family prepares bedspreads and sitting mattresses using this cotton. A *fotiha toi* (engagement ceremony) is the next stage. Prior to the wedding, *qudalar* (wife-takers and wife-givers) agree to organise a *fotiha toi* at the wife-givers' house. On the scheduled day, respected elders, neighbours and relatives come to the wife-givers' house, and *qudalar* perform a *non sindirish* (breaking of bread), a ritual that publicly declares the engagement of the new couple. *Qudalar* also exchange gifts with each other and set the exact date of a *nikoh toi*. The *qudalar* also discuss the most controversial issue – *sep-sarpo* – during *fotiha toi*. By tradition, prior to *nikoh toi*, the bride's family sends 40 trays loaded with a variety of fruits, confectionery, nuts and cooked and baked foods to the wife-takers' family.

Since a wedding includes numerous pre- and post-wedding ceremonies, enormous financial and labour resources are expended on wedding ceremonies. Uzbek parents usually save money for wedding feast expenses, and expensive *sep-sarpo*, almost all their life. According to social norms, parents should arrange their children's weddings and provide them with a house and household goods. The groom's family provides the married couple with separate rooms in the family house or a separate house to live in. In addition, before the wedding ceremony, the groom sends the *yuk* (bride-price) to the bride's family. A *yuk* often consists of two sheep, vegetables and rice for the wedding pilaf, 100 kg of flour, 10 kg of cotton, oil and traditional clothes for the bride. In return, the bride's family should fully furnish the groom's house and provide all necessary supplies that the young couple might need during the initial years of married life. Since the failure to comply with local norms might result in indirect sanctions, such as gossip and censure in the *mahalla*, both the bride's and the groom's family often take out interest-free loans from friends and relatives to preserve their reputation and social status in the *mahalla*. In most cases, the bride's family fails to comply with local norms, due to high *sep-sarpo* costs, and in turn faces *mahalla* sanctions.

As each wedding ceremony is subject to intense public discussion and gossip in the *mahalla*, weddings are transformed into a display of a family's wealth and social status. The local norms for gift exchange and *sep-sarpo* are maintained and reproduced through heavy social interactions in the *mahalla*. Since information networks in the *mahalla* are quick and comprehensive, a person can simply elevate his or her socio-economic status in *mahalla* by expending more on wedding feasts and gift-giving than others. The bride's *sep-sarpo* plays a crucial role in this process. By tradition, several women in the *mahalla* visit the groom's house to see and assess the bride's *sep-sarpo*, and hence, they conduct the bulk of *mahalla* information exchange regarding the *sep-sarpo*. The *sep-sarpo* also has a moral dimension: by looking at the quality and size of the *sep-sarpo*, *mahalla* women judge whether or not the bride's family holds the groom in respect. As the *sep-sarpo* has both a financial and moral dimension, it also determines the nature of power relations between a bride and her mother-in-law. Usually, brides with a high-quality *sep-sarpo* are decently treated by their mother-in-law, and brides with modest *sep-sarpo* are gossiped about by their mothers-in-law and women in the *mahalla*. When talking informally, we noticed that most households, despite their limited financial resources, were committed to expend a great deal of money on *sep-sarpo* in order to keep their honour and buy decent treatment for their daughters in the groom's family and the *mahalla*.

Preliminary analysis I

Our fieldwork in rural Fergana shows that the practice of giving and taking of gifts and money has turned into institutionalised practice, in which economic and social life are permeated by large amounts of informal transactions. Networks of kinship and friendship are increasingly mobilised and tied to one another through the

exchange and reciprocation of money, material goods and services. Kandiyoti and Azimova (2004) noted that weddings are occasions when alliances are cemented through the exchange of gifts, mutual help and participation in crucial phases of marriage negotiations. The concern for monetary and gift exchanges is evident in all marriage negotiations and preparations. Wedding rituals are extremely geared towards money and gift exchanges. Such aspects of weddings have been widely discussed in the anthropological, theoretical and ethnographic literature in relation to, for example, Africa, the Middle East and Caucasus (Peters, 1990; Bates, 1974; Mundy, 1995; Yalçin-Heckmann, 2001), but also by Soviet and Western ethnographers in relation to Central Asian societies (Werner, 1997; Annaklychev, 1984; Borozna, 1984; Kandiyoti and Azimova, 2004).

The specificity of wedding transactions can be seen if they are examined within the framework of gift exchange proposed by Marcel Mauss (1990). To Mauss, a distinctive aspect of a gift exchange is that it engages the person in social relations of obligation and reciprocity, and therefore there is no pure gift. In this respect, the nature of wedding transactions in rural Fergana is consistent with Mauss's argument that the wedding transactions are not a pure gift exchange, since the spontaneity of the gift seems lacking. It is closer to a social norm, in the sense that the wedding host expects some gift or cash gift from each wedding guest. As we attended several weddings in rural Fergana, we have realised that money and gift exchanges are an inalienable part of social interactions. Even though weddings involve honourable practices, such as appreciative gift-giving and fulfilling moral obligations to help family and friends, it seems that the moral aspects of social relations are blended with their material aspects. Consequently, the socialisation of individuals in rural Fergana mainly takes place in an extremely monetised social environment, where individuals are bound to one another through the amount and type of (cash) gifts they exchange. This observation comes closer to Werner's (1997) description of wedding ceremonies in post-Soviet Kazakhstan. As Werner shows, despite post-Soviet economic collapse, many Kazakhs continue to expend a large amount of financial and labour resources on life-cycle rituals, since they provide a means for social networking and redistributive activities.

The quality and size of *sep-sarpo* plays a crucial role in determining one's social status in *mahalla* in relation to others. Due to the existence of strong social norms that support gift exchanges and networks of reciprocity, weddings have largely become sites of demonstrative and competitive exchanges of wealth between families and the community. This observation supports Sneath's (2006) argument that the exchange of gifts, goods and assistance can be better viewed as materialisations of various types of social relations. In her study of the political economy of Azeri weddings, Yalçin-Heckmann (2001) also demonstrated that wife-takers and wife-givers used the payments and the wedding arrangements for redefining their mutual status positions.

Financial and property transactions are the glue of marriage negotiations. Even though weddings involve enormous transactions, the nature of transactions is non-commercial; instead, they are increasingly geared to displaying one's social status

and power. Such features of wedding transactions represent what Gibson-Graham (1996) describes as non-capitalist economic forms. This observation may provide a starting point for us to reconsider the nature and context of other informal transactions in Uzbekistan, viewing transactions not so much as corruption and more as providing insight into the manifestations of social norms, status contestations and social hierarchies. This situation is comparable to the Russian case that Humphrey (2002: 146) describes as ‘the bribe is not in essence just a payment for a commodity or service but it is also recognition of a person’s socio-political, nonmarket status’.

Festivities and rituals during the wedding day

The *nikoh toi* starts at five o’clock in the morning, with a male-only event *nahor oshi* (morning *pilaf* feast) at the groom’s house. An identical *nahor oshi* is also arranged at the bride’s house. Joyful sounds of *karnay* and *surnay* (traditional Uzbek musical instruments) reach far from the house and signal to the whole *mahalla* that the wedding ceremony has begun. According to the social norms, each invited guest should give *toyana* (gifts, such as carpets, or cash gifts) while shaking hands with the head of the family. The value of the *toyana* depends on the type and nature of the relationship between the guest and the host household. Luxurious and cosy tables are often reserved for the people of influence, such as local government officials, police, highly educated people, successful businessmen and wealthy relatives and friends. The presence of people of influence in the wedding sends an important signal to *mahalla* that the wedding host is well-connected. Guests with lower socio-economic status and reputation are offered more modest tables. Guests leave the tables as soon as they have finished eating their *pilaf*, and the guest tables are hurriedly cleaned up to welcome new arrivals.

After the *nahor oshi*, the groom brings the bride from her house to the central mosque for a religious ritual. By tradition, during this ceremony the bride does not initially give her consent to the marriage, and the groom then gives some money to the bride’s side to get her consent. Money does not fulfil an economic purpose in this case, but it is a ritual payment for the bride’s consent.

The bride’s arrival at the groom’s house is the high point of the wedding party, as she is welcomed with joyful traditional Uzbek song and showered with sweets. The main wedding party begins with a *kelin salom* (bride’s greeting) ceremony to welcome the bride to the groom’s family. In this ceremony, the bride bows to greet everyone, ranging from the groom’s parents to neighbours. There is a special Uzbek song for this ceremony, and the singer tells the names and types of people to whom the bride should bow a greeting. By tradition, the people who are greeted by the bride are expected to come up in person to the front and give money to the bride; in this way, the bride receives money every time she greets a guest or her husband’s relatives and friends. Since brides cannot afford to buy new wedding gowns in rural Fergana, they usually rent one from local shops. The

money generated from the *kelin salom* ceremony is used to pay for such rental expenses.

The visibility of the money during the wedding dance is striking; everybody, ranging from children to the elderly, dances with money in their hands. This tradition is called *pul qistirish* (giving money). The amount of money that guests give depends on the age, social status and occupation of the dancing person. By giving money, a person can pay his or her respect and express loyalty to the person who is dancing. If the dancing person is the groom's father or a local government employee or a wealthy man, a large number of guests come up to him and give money. In such cases, it is possible to see a crowd of people lined up to give money to a dancing person. This is the most central aspect of the wedding where it can be seen how social status and reputation are translated into hard cash. After observing this, it is very easy to compare one person's social status and reputation with that of others. All the money generated during the dancing is given to the singer and musicians that are playing, as payment for their efforts.

The wedding ends with a women-only ceremony called *yuz ochdi* (unveiling of the bride). During this ceremony, the bride usually wears a white handkerchief to cover her face, and the groom's nephew unveils her face afterwards. Women sing traditional songs, and the groom's side and neighbours give gifts to the bride. Shortly after this ceremony, the bride is taken by *yanga* (female relative of the bride) to the room intended for the young couple where the bride gets ready to meet the groom. A few hours later, the groom accompanied by his best man appears at the threshold of the room where the bride is waiting for the groom. To gain access to the bride's room, the groom symbolically buys the bride from the *yanga* by means of a bargain; and then the *yanga* leaves the young couple alone for the night.

Preliminary analysis II

One remarkable aspect of *nikoh toy* is that it articulates key orientations and features of various social structures towards kinship, gender roles, social inequalities and hierarchies, and the redistributive activities. In this respect, *nikoh toy* provides numerous ritual symbols through which individuals and groups can display their social status and power, and shape their relations with one another. The public acceptance of social hierarchies, status contestations and gender divisions becomes clearly articulated in *nikoh toy*. Men and women sit separated at different guest tables during the wedding. Status contestations and social hierarchies are even reflected in the placement of guests: people of influence are seated at the best tables and served more quickly than others. If people of influence dance during the wedding party, one can observe that the crowd of people hurriedly line up to give money to a dancing person. However, if the dancing person does not belong to the category of people of influence, very few people approach the dancing person with money. This is the most central aspect of the wedding that shows the importance of money as a means to display one's social status and prestige. This observation

reinforces Kandiyoti and Azimova's (2004) argument that the custom and ritual in Uzbekistan became the terrain upon which changing social stratification and widening disparities in wealth and status were played out through the medium of new patterns of consumption. Although it is always risky to draw parallels between different social contexts, social hierarchies that are omnipresent in Uzbek weddings could be comparable to North West American potlatch¹ culture, where gifts are distributed according to the rank of the receiver. During the potlatch, the donor (gift-giver), by giving the gift selectively, gives expression to the esteem in which he holds each recipient with respect to every other recipient (Barnett, 1938). Thus, the selective character of the gift is indicative of esteem, and reflects a judgement of comparative social worth from the particular donor's point of view (ibid.).

Another noteworthy feature of *nikoh toy* is the high visibility of *toyana* exchanges. Each guest is expected to give carpets or cash gifts to the wedding host. Since weddings are very expensive to hold, the *toyana* considerably lessens the burden of weddings on families, particularly in impoverished rural areas. As Kandiyoti (1998) noted, such a system of social obligations was already established during the Soviet period as an important strategy for social survival. White (1994) has described a similar situation in Turkey, where weddings were sites of redistributive activity and debt exchanges.

The major item on display during the *kelin salom* and wedding dance was – money. Payments made to the bride's side during the religious ritual reveal that the meaning of a monetary transaction is deeply embedded in the cultural practices. The conspicuous presence of money during the wedding dance fulfils more ritual role and serves to enhance the reputation of both money-giver and dancing person. Such an enormous visibility of the money during the wedding dance shows the deep embeddedness of money in local culture and traditions. From this perspective, the use of money and morality of exchanges that we have observed during weddings is consistent with Parry and Bloch (1989), who argued that the meaning of goods and money is significantly determined by local culture, political use and context.

As the example of *nikoh toy* shows, money is not only the matter of business or economic activity, but it also plays a very important cultural role in Uzbekistan: it acts as a glue in social interactions and solidarity, as a means of performing traditions, as a part of a traditional dance, as a way of paying respect, and many more. Since people dance holding money, since the *kelin salom* generates money, since hands are shaken with money, since respect is translated into hard cash, the money has turned into a social phenomenon, simply a culture of money. Looking at such a central role of money and gifts in the fulfilment of rituals, it is safe to say that there are informal structures which assign ceremonial and cultural meaning to informal transactions.

1 The potlatch is a gift-giving ceremony and informal economic activity practised by indigenous peoples of the Pacific Northwest Coast of Canada and the United States.

Concluding remarks

The aim of this study is to explore the social meaning and ordinary activities surrounding informal transactions in order to better understand the social context forming the premises and informing the meaning of corruption (especially among low-level officials) in Uzbekistan. We have argued that the informal transactions are mainly manifestations of social norms, a culture of money, characterised by networks of reciprocity and exchange. We have focused on socio-economic structures and their normative elements, drawing on the state-in-society perspective and the concept of social norms as a theoretical framework. The ethnographic data on wedding ceremonies was analysed in order to describe and understand the local perceptions of moral codes and values of informal transactions.

One could argue that the connection, painted in this chapter, between social practices in weddings and corruption is too tenuous. The reader might wish that we had done some observation of actual corruption in order to note the parallels, in structure and meaning, of exchanges at weddings and corruption in public transactions; hence, demonstrating the relation, rather than surmising it. However, it is important to underline that we did not set out to prove any causal relation between (a) social norms and practices in weddings and (b) corruption. Rather, our aim was to show the underlying social norms, moral codes and local perceptions in order to describe a society where corruption occurs. In a metaphorical sense, we are more interested in examining the soil than the actual wheat.

Our results can be summarised in three points: (a) informal transactions are deeply embedded in cultural practices; (b) not all informal transactions are corrupt; and (c) (when talking about, or measuring, corruption), social norms, moral codes and local perceptions should be considered. If these are not taken into consideration, informal transactions that are not corrupt run the risk of being labelled as illicit. 'Corruption' is an overly general term, which often simply masks competing sets of rules with those of the state. Similar points have been made before by scholars such as Werner (2000), Humphrey (2002) and Polese (2008). In that sense, our research could be said to empirically support findings of previous research, calling for a more nuanced view, at grass-roots level, of informal transactions in developing countries. Our research differs in one aspect from previous research, by focusing on interactions and exchange between ordinary citizens (and not on those between citizens and state officials). By adding this perspective, we underline the importance of understanding the very culture of the society in which corruption is being discussed and/or measured.

Even though the state in Uzbekistan might look omnipotent, due to its infrastructural and coercive capacity, our fieldwork suggests that it has limited meaning in the everyday life at local level. The decline of the Soviet-type welfare state spurred the monetisation of society in Uzbekistan, since the people in rural Fergana have become increasingly dependent on informal coping strategies for meeting their livelihood needs. The unrelenting increase in informal transactions during, for example, weddings (such as *toyana* and *pul qistirish*) is one illustration

of a general monetisation of society that gained momentum following the post-Soviet economic decline.

In the introduction of this chapter we state that we accept the definition of ‘corruption’ as Transparency International describes it: ‘corruption is the abuse of entrusted power for private gain’. However, we also stress the need to focus on the key word ‘abuse’ from a sociological understanding of the specific cultural context in which corruption is viewed. It is obvious that many of the activities that are considered to be corruption, from a pure Western perspective, have little to do with abuse. Rather, informal coping strategies are incorporated into Uzbek culture as a rational way of getting things done. Hence, anti-corruption measures are not simply a matter of getting people to obey the law. It is, more importantly, about promoting socio-economic change.

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