Uzbekistan: Why Should the State Weaken Control Over the Institute of Makhalla?

«Notwithstanding the problems the mahallas facing today, little can undermine their helpful role in preserving respect for social values and civil consciousness and of course in the inculcation of nationalism within each community», – states Kodir Kuliev, anti-corruption and human rights expert from Tashkent, in his article written specifically for the analytical platform CABAR.asia.

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Summary of the article:

- Uzbek mahallas, unlike, communes in Europe, exist in all cities, towns and rural settlements of the country, and have diverse social composition and background of citizens living within each mahalla;
- Unfortunately, often mahalla committees due to lack of financial resources cannot support people in need or solve infrastructure issues;
- From the earliest times, the idea of a woman leader was not encouraged in Uzbekistan; only men were aksakals. This resulted in declining motivation and nomination of the Uzbek women to apply for that position;
- The fact that the chairman, adviser, secretary and the guard of mahalla receive monthly salary and premiums from the state makes mahallas to certain degree dependent to the state;
- While these reforms persuasively promise to provide financial stability and necessary technical base to meet the need of the citizens, the ‘conflict of interest’ between the state and mahallas still remain untapped.

One of the vital conditions for the functioning of democracy in any society is the existence of citizens’ self-governing bodies (CSB) within that system. In Uzbekistan, such social responsibility is assumed by “mahalla” – the Uzbek citizens’ self-governing institution. Since the beginning of 2017 Uzbekistan has been carrying out large-scale reforms. Important laws and regulations are being adopted, which should create favorable conditions for quality life and ensure freedom for the Uzbek people. With mahallas, however, such positive change in the long-run seems to be just a lip-service. The main challenges mahallas
are facing today are, *inter alia*, obscured freedom they have in ruling themselves and controlling their own affairs and incapability to effectively tackle citizens’ problems, thus leaving people’s trust unjustified.

**Briefly about local government in Uzbekistan**
The local administration of Uzbekistan – ordered from highest to lowest – includes provinces, cities, districts, towns, villages and *mahallas*. The regions, cities, towns and districts are governed by relevant *kengashes* (councils of people’s deputies), headed by relevant *khokims* (mayor/governor). In other words, each district, town and province has its own *kengashes* and *khokims* (Figure -1). *Khokims* of the provinces are appointed or dismissed of their posts by the president, with subsequent approval by relevant *kengash*. Regional *khokims* in turn appoint district and city *khokims*, with subsequent approval of the district or city *kengashes*. *Khokims* to districts are appointed and relieved by respective city *khokims*, and finally khokims of towns of district subordination are appointed and discharged by district khokims upon approval by district *kengash*.

*Figure 1*

In Uzbekistan, the notion of CSB is reflected in the assembly of citizens. Accordingly, CSBs are divided mainly into three categories: the assembly of citizens of village; the assembly of
citizens of town; and the assembly of citizens of mahalla. In practice, each of them is simply called a mahalla - a small communal unit where on average 3,000 citizens live. Uzbek mahallas, unlike, communes in Europe, exist in all cities, towns and rural settlements of the country, and have diverse social composition and background of citizens living within each mahalla. Today, there is a total of 8,973 mahallas function across Uzbekistan (see the map).
Number of *Mahallas* in terms of Uzbekistan's

Interactive map as of November 1, 2018.
(Please swipe on the map to find out the number of mahallas in each region)

Source: [https://mahallakengashi.uz/oz/](https://mahallakengashi.uz/oz/)
Infographics: CABAR.asia; Kodir Kuliev

Made with infogram
The body of the citizens' assembly is as follows: council of the citizens' gathering, commissions on the main activities of the citizens' gathering and inspection commission. The council of mahalla mainly divided into two groups: full-time workers and volunteers. The council has about 12 members (the number varies depending on the number of citizens living in one mahalla) working in the mahalla administration, of which the following four are full-time members: the aksakal (chairman), kotib(a) (secretary), specialist on issues related to women and girls, and a guard. Each of these full-time members of the council are paid monthly salary of about 900,000 Uzbek Soums (equal to about 110 USD) by the state. The remaining 8 members of the council, special commissions and an audit commission work on a voluntary basis. The word “aksakal” means “white beard” in Uzbek language; hence in the context of mahalla administration it metaphorically refers to elderly male selected by consensus from the general assembly of the cohort of seniors for his wisdom, personal clout and leadership skills. The main activities of the mahallas are carried out by eight commissions of various directions, including conflict resolution, education, women’s issues, youth, entrepreneurship, environment and public control. Also, there is independent audit commission which inspects financial and economic activities of citizens’ gatherings. The members of the special commissions and the inspection commission, unlike the four full-time employees of the council, are not paid; they work occasionally, on a voluntary basis. Aksakal and the other members of the council as well as the members of the eight commissions and inspection commission are elected by citizens’ assembly of the relevant community.

Financial constraints
Mahalla is the place where citizens voice their concerns openly and the mahalla committee is responsible for listening to those concerns and seeks redress and handles grievances. Today, nearly every community has a person with limited means or limited physical or mental abilities who lean on their mahalla. Such problems as destroyed walls of houses, playgrounds with soviet setup or broken swings or the absence of outdoor water tap in the neighborhood are often left unresolved by mahalla committees due to the lack of financial resources, according to the mahalla aksakal (name kept confidential as per the interviewee’s request) from Bukhara city (hereinafter referred to as “interviewee”). Often mahallas feel sorrow for not being able to support the people in need of help. It would be great when mahallas possess some means which enable them to occasionally support the people in need and at risk as well as organize holiday events for children and adults or give out presents to the children from low-income families.

Gender inequality
Another problem is the traditional values developed by the Uzbek mahallas where women play secondary role in the society. From the earliest times, the idea of a woman leader was
not encouraged in Uzbekistan; only men were aksakals. This resulted in declining motivation and nomination of the Uzbek women to apply for that position. In fact, as of January 2016, the share of women in executive positions within the system of CSB in Uzbekistan was only 14.3%.

The women’s active social and political participation is one of the important factors that determine Uzbekistan’s development as a truly democratic nation with strong civil society; thus it is necessary to amend the legal documents and legitimize a certain percentage of female leadership in mahallas. After all, true democracy gives equal rights to both men and women.

**Mahalla: an organ of civil society or an instrument of government?**

Since the formation of the first mahalla councils in Uzbekistan many regulatory documents have been adopted and updated that determine their authorities and activities. In fact, the law on ‘Citizens’ Self-Governing Bodies’, which was adopted in April 14, 1999 was substantially amended in April 22, 2013. One of the important abolishment was the legal right of the khokims of the relevant territories to approve the appointment of mahalla aksakals. However, despite the fact that this kind of state interference was banned almost 6 years ago, according to the interviewee, it has still been practiced in the region of Bukhara, and perhaps throughout the country. This illustrates state influence on non-governmental organization thus placing the health of the mahallas’ democracy in doubt. The strong arguments would be the articles 4 and 8 of the new edition of the law which clarifies that the CSBs are not part of the system of state authorities and the interference in their activities is prohibited.[2]
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The fact that the chairman, adviser, secretary and the guard of mahalla receive monthly salary and premiums from the state is another example. This makes mahallas to certain degree dependent to the state. Especially the fact that mahalla chairmen and secretaries have been paid a full pension until January 1, 2019[3], as opposed to the half-pension that other working pensioners have received in Uzbekistan[4] as well as the periodic long-hour meetings of the chairmen with local authorities to discuss and implement social programs render the function of the mahalla – as an independent organ – unclear.[5]

In most regions, disbursing of the monthly pensions (including disability payments) and children’s allowances is carried out by mahalla committees even though it should be fulfilled by state institutions, relevant territorial banks or post offices like in most Central Asian countries.

What is more, most mahallas even collect communal service fees, statistics, prepare voters’ list and take part in elections, all of which exemplify indirect state influence over mahallas.[6] In fact, according to the OSCE’s report of the presidential election of Uzbekistan in December 2016, the District Electoral Commissions in Uzbekistan formed
Precinct Electoral Commissions (PEC) considering the propositions made by mahalla councils. Besides that, often the PEC members turned out to be the workers of mahalla.\[7\]

**Does the new era promise a change in mahallas' work?**

Since president Mirziyoyev came to power in December 2016, the CSBs, like all other organizations, have also been experiencing the stage of a certain change in the new era. The main events which triggered the beginning of basal change of the CSBs were the adoption of the decree ‘On measures to further streamline the institution of mahalla’ of February 3, 2017 and the decree of the program “Obod Mahalla” of June 27, 2018. The former has built a clear strategy for step-by-step improvement of mahallas to ensure effective solutions of the concerns raised in communities and strengthen their logistical capacity.\[8\] To empower mahallas and coordinate their activities throughout the country, for example, the Republican Council for the Coordination of the Activities of Self-Governing Bodies (hereinafter called as “Republican Council”) launched its territorial divisions in all provinces, cities and districts, respectively. Another important aspect of the decree was the approval of 37 comprehensive measures, which promise to reorganize and develop the institution.

The program “Obod Mahalla” (translates as “prosperous community”) also is regarded to be a viable solution to several current problems. Focused on improving the living standards of the population, the program is urging repair and improvement works in and around mahallas, mainly including renovating the mahalla administrative buildings, modernizing communities’ infrastructure, creation of communication networks and supporting the poor and the disabled. In short, the principal activities of the program – backed by the state budget – undoubtedly resolve most of the current problems mahallas are facing today.\[9\]

While these reforms persuasively promise to provide financial stability and necessary technical base to meet the need of the citizens, the ‘conflict of interest’ between the state and mahallas still remain untapped.

Some excerpts from the Decree ‘On measures to further streamline the institution of mahalla’ do not leave democrats indifferent. For example, the passage from paragraph one states that “it is important to expand mahallas’ participation in ensuring public order and security and strengthening the citizens’ sense of respect for the law”.\[10\] On one hand, it is good because it consolidates the ‘mahalla-state’ collaboration. On the other hand, however, this promotes mahalla not as an independent organization but as a state subsidiary. Instead of giving the citizens an opportunity to voice openly about the suitability or flaws of the laws like in democratic countries, the decree directs the society to obey the law regardless of its potential flaws and inconveniences. Besides that, the paragraphs two, four and six motivate and authorize state officials, including the prime minister and khokims of the provinces, districts and cities, to coordinate mahalla affairs while implementing measures of the decree. \[11\]
Furthermore, the job of the paid mahalla guard is a prototype of a policeman. Even though every territory of Uzbekistan is assigned with policeman who is easily accessible by mahallas, why does state need to intensify security measures and strengthen the cooperation of mahalla guards with those territorially assigned policemen? The reforms introduced a number of changes in the activities of the guard; for example, the guards will have privileges in entering the Police Academy of Uzbekistan upon at least one-year satisfactory service for mahalla security and safety. Considering already present state supervision of CSBs at the expense of local initiative and discretion, one may conclude that such an excessive state support and conditional rewarding mechanism may jeopardize the autonomous self-management of mahallas and citizens’ fundamental urge for democracy. Another issue that is not taken into account is gender imbalance. It is urgently important to raise women’s social standing via promoting their active participation in various social issues. There is already no equal opportunity for men and women to be elected for the position of the mahalla aksakal.

Conclusion
The reforms the system of mahalla in Uzbekistan is experiencing today present both opportunities and shortcomings. While a significant government support to strengthen mahallas can be good news, the paradox though is that the more the state intervenes in the affairs of the local self-government, the higher the chances that the mahallas will be less democratic in the long-run. Notwithstanding the problems the mahallas facing today, little can undermine their helpful role in preserving respect for social values and civil consciousness and of course in the inculcation of nationalism within each community. With respect to mahallas’ exercise of self-ruling, however, we should consider the other side of the coin – whether mahallas are ready to sustain themselves financially without the state backup and meet the need of the society independently or not. The answer is obvious, because the 25-year-old strict regime under president Karimov instilled fear and obedience into the representatives of several organizations, including civil society. Therefore it should take some time to move away from this. Even though the country is very slowly transmitting from once repressed society to an open society in the new era, today mahallas are actually not ready yet - for that big challenge – to function independently employing democratic principles. Therefore it is recommended that mahallas temporarily hold on to the state support until they smoothly shift to the level where they would be quite confident to rule themselves and control their own affairs. Yet, it is equally important for the central government of Uzbekistan to realize that it has to keep the local responsibility and discretion balanced against its temporary control and supervision and allow CSBs to regain necessary technical and financial bases.

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