

# Tribalism, Social Conflict, and State-Building in the Kyrgyz Republic

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## Introduction

The problem of tribalism seems to be one of the major dangers for the young and independent Kyrgyz Republic. The rivalry between northern and southern regional/tribal groups undermines the national unity and can become the source of internal conflict. The evidence for this statement can be seen in the Aksy events in 2002<sup>1</sup>. The problem is widespread and touches on all important aspects of social and political life, complicating the development process and state-building in general. This issue has been addressed by many scholars and politicians. Nevertheless, the problem requires more research. This article is intended to explicate the nature of this problem from the perspective of institutionalism. It will examine the origins of tribalism, its place within the state structure, and its institutional basis. The first section is a description of the traditional Kyrgyz social structure from a historical perspective. The second is an analysis of the impact of the rivalry between different regional groups on the state structure. The third part is an overview of the institutions that govern conflict between regional groups.

### 1. The basis of patronage network: clan, tribe or regional group?

The concept of „clan“ is often used for any type of solidarity group of Central Asian societies: tribes, *juz*, *mahalla*, etc. Nevertheless, its genealogy and functions is unique, as well as its role in politics and society. So, what exactly are clans? What is their historical background? What is their function?

Kyrgyz social structure was constructed from some forty different tribal unions (*uruk*) based on kinship relations. Each tribal union consisted of different kin subdivisions (*top*), which were united by imaginary, rather than real, kinship links. These tribal unions were united into three big confederations: *On kanat* (Right wing), *Sol kanat* (Left wing), and *Ichkilik* (Neither). This structure was the basis of political organization of the Kyrgyz.<sup>2</sup>

During Islamisation, Kyrgyz, as well as other inhabitants of Central Asia, adopted a notion from the Muslim world – *achabyyya*, a solidarity group based on family and personal relations, which is the most important object of loyalty and allegiance.<sup>3</sup> The notion of *achabyyya* conformed to the tribal structure of the Kyrgyz people and cemented the importance of traditional solidarity groups.

Each tribal union had its own territory and political sovereignty. The nomadic groups had the right to join one or another tribal union, so that tribal unions later consisted of representatives of different groups. Consequently, the

basis of tribal union, kinship, has been doubled by territorial-political allegiance that developed more importance as a result of external factors.<sup>4</sup>

During the 19th and earlier 20th century, there were two important factors which influenced Kyrgyz society and led to cultural and economical differentiation between the North and the South. These factors are sedentarization and geographical differentiation along cultural and economic-political lines: northern tribes around the Chui valley, and southern tribes around the Ferghana valley.

At the beginning of the 19th century, after several years of war with the Kokhand Khanate, most of the northern tribes concluded a pact of allegiance to Tsarist Empire.<sup>5</sup> Russia promoted a policy of sedentarization and created an administrative-territorial system based on *volost* (small rural districts), rather than on clan or tribal principles. The *volosts* were formed from mixed clans in order to avoid the rivalry between the *manapsivo* (traditional Kyrgyz administration) and the colonial administration. Thus, the impact of Russian policy was the territorialization of tribal allegiance.<sup>6</sup>

Southern tribes, on the contrary, remained linked to the Kokhand Khanate, and at the end of 19th and the beginning of 20th century, they fought against Tsarist army, which was supported by some representatives of the northern Kyrgyz tribes. During the Soviet conquest of the 1920s, the Kyrgyz part of the Central Asian resistance movement – *basmatchi* – was present mainly in the South of Kyrgyzstan; whereas Kyrgyz *bolsheviks* were mostly from the North.<sup>7</sup> Thus, the cultural divergence between northern and southern Kyrgyz was increased by the fact the two fought on opposing sides.

In the 1920s and 1930s, the Soviet administration territorialized the tribal allegiance of Kyrgyz people, by converting remaining nomads to sedentary life and by creating administrative-territorial units.<sup>8</sup> At this moment, collectivization integrated tribal structure into the state: members of tribes were put onto the same *kolhoz* or *sovkhov*, and formed a single tribe, a single administrative-territorial unit, and a single unit of agrarian production.<sup>9</sup>

During the Brezhnev era, when the political leadership lost much of its ideological basis and corruption became endemic across the USSR, this situation created so-called clan-based networks which penetrated the state structure and played a role in the distribution of resources. Integration of tribal structures into the state allowed it to persist and even to play a political role, despite the Soviet attempts to eradicate all traditional institutions. Due to the fact that the Soviet state structure was monolithic and vertically subordinated, this competition had a place within the republican state institutions from the bottom to the top.<sup>10</sup>

The historical divergence between the north and the south of the Kyrgyz Soviet Socialist Republic was increased further by differences in economical development, creating a situation of rivalry between the two regions. The rivalry was expressed in competition among the elites of two regions for access to resources and power. Clan-based networks played a principal role in this competition. This phenomenon was called *mestnichestvo*.

What was the basis of these networks? Are they tribe-based networks? Are they region-based networks? Certainly, they are both. The solidarity groups mobilized by these networks were based on common tribal identity on one hand and on ties to common administrative-territorial units and common units of agrarian production on the other. Therefore, the terms tribalism and clan are used in this article according to the following definitions: „Tribalism“ is an organizational form based upon strong ties to a relatively corporate family and then to a clearly defined clan. A „clan“, in this analysis, is a patrilineal unit in which the members of the clan descend from a common known ancestor. Clan members usually include all descendants in the male line from a forefather seven generations back. The clan members are connected to a village or an area, whether the members of the clan live there or not.<sup>11</sup>

The large scale fight against tribalism and clan networks came under the rule of Gorbachev, when it was viewed that this problem aggravated corruption and the shadow economy. However, during the last years of the Soviet Union, the importance of clan-based networks and tribal allegiance increased due to the spread of nationalism to the Kyrgyz SSR<sup>12</sup>, and the desire to „return to one’s roots“. As was noted by Arici Bulent: „Pervasive clientelism in Central Asia, [...], was the mechanism through which local national cultures were reasserted, a process which culminated in independence.“<sup>13</sup> Thus, this legacy entered together with Kyrgyzstan into independence, and today comprises an important component of social and political life of the country.

## 2. Clan-based networks and the state structure

The Kyrgyz Republic is divided into seven oblasts and 39 rayons. The most important competition on the national level can be seen in relations between Kyrgyz of the North (Chui, Issykkul, Talas and Naryn oblast) and the South (Osh, Djalal Abad and Batken Oblast).<sup>14</sup> However there is also competition between inhabitants of different oblasts within these two regions. That is especially true for the northern region, where the division into the current oblasts occurred in the Soviet period; while in the South there was one big Osh Oblast, which was divided on three oblasts only at the time of independence.<sup>15</sup> Each oblast contains several rayons, which determine competition between the rayons at the oblast level. Each rayon contains several *uruks* (tribes or clans), which compete with each other at

the local level. Thus, three different levels of competition for access to resources can be identified. They are national, regional and local.

Furthermore, these horizontal levels are doubled by the vertical division of the power on legislative, executive and judicial branches. The next questions are: At what level is the competition amongst clan-based networks the most severe? In what branch of the state structure is this competition the most acute?

Article. 46, §1 of the Kyrgyz Constitution says: „The President of the Kyrgyz Republic: A) determines the structure of the government of the Kyrgyz Republic; B) appoints the Prime Minister of the Kyrgyz Republic with the approval of the Assembly of People’s Representatives; C) appoints in consultation with the Prime Minister of the Kyrgyz Republic the members of the government of the Kyrgyz Republic and also the heads of administrative departments, and relieves them of their offices; [...]“.<sup>16</sup> The government is almost totally dependent on the president. It is not a secret that the main principle at this level is loyalty to the president. Nevertheless, there is another important principle – balance among the northern and southern elites in the government. The absence of representatives of the South in key positions can provoke discontent among the population of this region which can lead to the loss of a huge part of electorate or even lead to destabilization. Therefore, the policy of appointment to government posts is stipulated by two main principles: loyalty to the president and regional balance. For example, one can find many cases when politicians who originate from the north, have been dismissed because of their oppositional political orientation;<sup>17</sup> on the other hand, many southern politicians occupy the highest positions in the government because of their loyalty to the current regime.<sup>18</sup>

Moreover, candidates in key positions of local state administration are not elected but are appointed by the president. Art. 46, § 1 (E) notes that the president „[...] appoints with the consent of the appropriate local *keneshes* the heads of state administration of oblasts, rayons and cities, and relieves them of their offices.“<sup>19</sup> That permits the president to place loyal people in key positions of the state administration of all levels. The president has an interest in appointing agents who are able to control people of the particular region, namely representatives from that region, tribe, clan, or someone who is able to use *adat*, *aksakal* institutions, and kinship networks on the local level. However, there is also another principle of appointment. This is the neutralization of clan competition within a particular region by the appointing to an influential position of a representative from another region.<sup>20</sup> It can be done with the aim of preventing the reinforcement of the position of a clan. The application of this strategy can be seen in the case of Osh Oblast where all five governors of the last decade originated from the North. Thus, the main principle of staff policy within the state administration is not allegiance to a particular clan or region, but loyalty to the president and capacity to control local people.

Concerning the judicial branch according to the same Art. 46 § 2: „The President of the Kyrgyz Republic: A) appoints, with the consent of the Assembly of People’s Representatives, the Procurator General of the Kyrgyz Republic; appoints the deputy of the Procurator General, procurators of oblasts, the City of Bishkek and the military procurator of the Kyrgyz Republic; and relieves them of office; [...] E) appoints the chairmen, their deputies, and judges of the courts of oblasts, the city of Bishkek, rayons, cities, arbitration courts of the oblasts and the city of Bishkek, and also of the military courts of the Kyrgyz Republic, and relieves them of office [...].“<sup>21</sup> According to this point of the article the staff recruitment policy of the judicial branch of power is also dependent on the president, confirming once more the importance of the loyalty principle. However, the principle of regional balance is not important here, because the main part of the population does not meet judicial structures in their everyday life, and usually does not have any notion of the name of their district judge.<sup>22</sup>

Therefore, the main principle of nomination for the key positions of the government is loyalty to the president and keeping of regional balance, the main principle of nomination for the key positions of administration is loyalty to president and ability to control local people; and the main principles of appointment to key positions of the judicial branch of power is loyalty to the president. One can conclude that power is concentrated in the hands of the president, therefore officials do not risk to develop independent policies. Officials act in a constant fear of losing their positions and thus their livelihoods, and are not prepared to take risks. But in many cases they seem simply powerless. One villager commented: „We always told our problems to the *akim* and the governor, and they told us: we can’t do anything about it. If you can’t do anything, we said, – then leave“.<sup>23</sup>

The real battlefield for different clan networks and regional groups is, in fact, the legislative branch of power. For instance in the national parliament, most of the political parties do not have any definitive ideology or clear political program, but do have a narrow electorate, which is often limited to a certain region. This is one of the reasons for reform of the electoral process and cancellation of election by party list in 2003. Henceforward, the sole electoral list will be the constituency list, which reinforces the tribal and clan system of the Kyrgyz society.<sup>24</sup> This competition manifests itself in the political positions of deputies and in the appearance of parliament factions and groups based around regional/clan affiliation. Thus, in the current parliament, there are 6 groups and factions, 4 of them based on regional affiliation: 2 northern and 2 southern.<sup>25</sup> Thus, the authority/opposition struggle in 2002 can be also analysed from this perspective. One more indication that the power struggle between the government and opposition is partly the struggle between northern and southern clans, is the fact that many prominent opposition leaders and deputies are aligned with southern clans. Prominent public figures such as MPs Azimbek Beknazarov,

Absamat Masaliev, Adahan Madumarov, Omurbek Tekebaev, Dooronbek Sadyrbaev all have ties with clans based either in the Osh, Jalalabad or Batken regions in the south.

This active rivalry can also be observed in the elections to the institutions of local self-administration. The election of heads of village councils on 16 December 2001 clearly demonstrated the significance of tribal and clan identity in social life. As it was emphasized by Satybaldy Chirmashev, the deputy of the parliament: „[...] the negative moment of these elections was the fact that they divided the people on kins and tribes. All, including the elders, voted for candidate from their kin, considering that ‘their own guy’ is better“.<sup>26</sup> Thus, the following conclusion can be extracted – the struggle between clans is the most acute in the legislative branch, in both chambers of the national parliament, and in regional and local *keneshes*.<sup>27</sup>

Thus, the clan competition is not so strong on the top level of executive branch, though it is relatively dynamic within different ministries, departments and institutions of administration. The rivalry is particularly weak in judicial branch. Nevertheless, it is the most acute and obvious in legislative branch of the power of all levels.

But how does this rivalry play out? What social institutions play a role in this process? What are the instruments contributing to the competition? And who are the main actors playing a role in this rivalry? Answers on these questions are considered in the next chapter.

### 3. Rivalry and traditional institutions

Kyrgyz traditional social structure is based on a set of rules and norms of customary law – *adat*, which acts as a system of social control. This system of social control takes the form of strict discipline which is based on respect toward parents, ancestors and elders in general.<sup>28</sup>

One of the basic postulates of *adat* is a concept that was elaborated during centuries of constant threats and warfare – *tooganchilik* (*uuruchuluk*, *djurtchuluk*) – that is the obligation of each Kyrgyz to be a soldier, to help and avenge his community members. This rule is a source of strong allegiance to a solidarity group and presents an essential principle of Kyrgyz tribal structure.<sup>29</sup> The social significance of this traditional solidarity has always been very important. The current solidarity among members of different clans can be partially explained by this concept. Relatives and kin maintain solidarity in their everyday life, showing that this rule has been internalized. It takes an obvious expression in such an institution such as *ashar*,<sup>30</sup> though the most important part of *tooganchilik*’s role is hidden. At the time of a crisis and danger, *tooganchilik* facilitates mass mobilization, which can be expressed through such institutions of *adat* as *aksakals* council, or, today as a tool of „big men“<sup>31</sup> and clan-based networks. Current examples of such a practice include the Aksy events 2002.

The concept of *tooganchilik* is a basis of *adat*. All other social institutions of the Kyrgyz are built around this principle. Thus, according to *adat*, the decision making role is given to *aksakals* (white beards) - elders of the community, which take decisions within a council. Nevertheless every member of the community can participate in an annual meeting of the community – *kurultai*<sup>32</sup>. These are the moments when social control is exercised. Social control is maintained via sanctions, such as punishment by shame (*uiat*) exclusion from society, or rewards, such as prestige or respect. The capacity to sanction is given to *aksakals*, who, imbued with prestige and deference of judgment, can mobilize communities for different collective actions. The social sanctions of *adat* can compel members of the community to support and even participate in collective violent action.<sup>33</sup>

Today, *adat* and other traditional institutions still play an important role in the social life of Kyrgyz society, especially on the local level. The founders of independent Kyrgyzstan took into account mistakes made by the Soviet Union and integrated traditional institutions into the state structure in order to increase the legitimacy of the state and enhance efficiency of the governance. Thus, Art. 85, § 1, of the constitution of the Republic of Kyrgyzstan includes the *aksakal* courts, which is the lowest level of judicial authority: „Pursuant to a decision of a gathering of citizens, [...], *aksakal* courts (courts of elders) may be organized by elders or other citizens who enjoy respect and authority.“<sup>34</sup> Thus, the *aksakal* courts have been formalized and integrated into the state structure. Moreover, according to the „Law of the Kyrgyz Republic on local governance and local state administration in Republic Kyrgyzstan“, „The system of Local Governance shall include local *keneshes*<sup>35</sup>, territorial local governance bodies [...] as well as local referendums, meetings of citizens, and other forms of direct democracy.“<sup>36</sup> This law creates a legal framework for such traditional institutions as *aksakal* council, *kurultai*, and *ashar*.<sup>37</sup> Hence, all important elements of traditional social control have been formalized and integrated into the state. Inclusion of these elements into the state structure contributes to the formation of the civil society, and also stimulates the development of democratic principles and foundations. On the other hand, inclusion of traditional institutions into the state structure creates auxiliary instruments for the control over the society, thereby providing additional means for the penetration of the governmental apparatus into the society. Control over the key traditional institutions permits the control of public opinion on the local level and potential collective action on the basis of tribal allegiance.

Naturally, these institutions can be used by the ruling elite, which keeps all keys of state policy and instruments of its realization in the hands. For instance, *aksakal* councils and tribunals are rewarded and then used by the ruling elite for creation of public opinion on the local and national levels. Using norms of *adat*, the *aksakals* persuade

the masses to support various causes, generally more loyal, and consequently less conflictive. Glaring examples of using *aksakals* to reduce escalation are the events in Kara-Buura 2000 and around Aksy in 2002. As noted by Adakhan Madumarov, opposition deputy, „The White House (nickname of the government, AT) gives an order to seek out *aksakals* and leaders of the kin. They invite these people to the White House for discussions, thereby indirectly trying to influence the course of events [...]“.<sup>38</sup> These *aksakals* received a sarcastic nickname from the people – „*aksakals* on duty“.

*Kurultais* are also organized with the aim of informing society about actual problems from the ruling elite's point of view and for the creation of public opinion. Oppositional elites also try to use these institutions for the mobilization of society. So, in the history of independent Kyrgyzstan, there are many examples of organization and attempts to organize oppositional *kurultais*, *aksakal* meetings, and public appeals for conscience and shame (*uiat*) of the ruling elite.<sup>39</sup>

As noted, the most obvious rivalry can be seen in the parliament of KR. The strategy of some southern deputies consists of criticizing the president's policy, discrediting the government, and attempts to capture power. The scandal over Uzengu Kuush can be cited as an example.<sup>40</sup> The ruling elite responds through cooptation, bribery, discrediting, and intimidation. Examples include the cooptation of such oppositional leaders as Melis Eshimkanov and Usen Sydykov; persecution of oppositional leader Daniar Usenov; intimidation and imprisonment of human rights defenders Topchubek Turgunaliyev and Tursunbek Akunov; and of course the imprisonment of the famous General Felix Kulov.

There are also other institutions used for competition for access to resources that are at the disposal of different clan-based networks. Here, the description will be focused on more hidden and less transparent institutions that demand more empirical analysis. One of them is the personnel policy in state institutions. Bureaucrats often depend on personal ties to retain their positions. Those who do not have any high protectors (often kin or co-regionalists) and cannot pay bribes risk being discharged from office. Open positions are often given to kin or those who can afford a bribe. The widest application of this practice can be seen in such lucrative institutions as customs, fiscal administrations, and car-inspection. For instance it is not easy to find a representative of other ethnic groups than Kyrgyz in these institutions.<sup>41</sup> The explanation is not nationalism but a kin solidarity of Kyrgyz.

The reason of such a staff policy is the need to be secure at moments of potential crisis. A boss who has a kin affiliation with his subordinate can easily control him because of the norms of *adat* (especially *uiat*) and in the case of disloyalty, the chief can put pressure on the subordinate through common kin, friends, *aksakals*, etc. A middle-level boss of the customs department whom I

interviewed, explained, „When you work in such an institution as I do, you should keep in your mind that firstly your position is not stable, and secondly, your shadow income depends on your subordinates. Consequently you need informal means of control over your subordinates“.<sup>42</sup>

### Conclusion

Kyrgyz society today maintains features of traditional social organization, which still remains in operation after 70 years of Soviet rule. This traditional organization is a source of conflict between different regional/tribal groups and is considered one of the potential dangers for stability and state-building in general.

The conflict penetrates all state structure from the top to the bottom, greatly influencing politics and access to resources. Institutions of all branches of power are affected in different degrees by the impact of clan rivalries. This is especially true for democratic institutions such as parliament. The ruling elite does not tolerate challenges, and therefore keeps other institutions under strict authoritarian control.

The dynamics of the rivalry that has been discussed in this article reveals us an interesting case of the use of informal means of pressure and also of formalized traditional social institutions. The traditional institutions that have been formalized are used for consolidation of democracy, but also for control of public opinion. On the other hand, the situation of social insecurity brings people to use traditional means of social control for the creation of extensive patronage networks.

However, the rapidly changing economic and political context has an impact on social relations. A new mode of production and a new mode of socio-economical relations create new types of individual behavior and interpersonal relations. Thus, the old mode of behavior and interpersonal relations, which were conditioned by traditional social structure and traditional institutions, are being adapted as a result of new circumstances. This situation needs more in-depth investigation that takes into account the dynamics of the social evolution.

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<sup>1</sup> Aksy events in 2002 – the clash between Aksy inhabitants and the authorities where six demonstrators were reported killed by the police.

<sup>2</sup> For a detailed study on Kyrgyz traditional social structure, see: Israilova-Khariekhuzen, Ch. R., *Traditsionnoe obshestvo kyrgyzov v period russkoi kolonizatsii vo vtoroi polovine XIX- nachale XX v. i sistema ikh rodstva*, Ilim, Bishkek, 1999.

<sup>3</sup> For detailed study on influence of *achabyya* on societies of Central Asia see: Roy, Olivier, *Group de solidarité au Moyen-Orient et en Asie Centrale. Etats, territoires et réseaux*, *Les Cahiers du CERI*, no. 16 (1996), Paris, p. 6.

<sup>4</sup> *Istoria Kyrgyzstana s drevneishih vremen do kontsa XIX veka*, *Fond Soros Kyrgyzstana*, Bishkek, 1995, p. 212.

<sup>5</sup> For detailed study on Russian colonisation see Nishiyama, K., *Russian Colonization in Central Asia: A Case of Semirechye, 1867-1922*, Osaka, 1998.

<sup>6</sup> Israilova-Khariekhuzen, Ch. R., *Op.cit.*, pp. 57-91.

<sup>7</sup> From the interview with Abdraeva Adjar, date of birth 1920, ex-journalist, place of interview Bishkek, date of interview 15/03/2004, fieldwork 2003-2004, fieldbook 3.

<sup>8</sup> Collins, Kathleen, *Clans, pacts, and politics in Central Asia*, *Journal of democracy* Volume 13, No.3, July 2002, p. 144.

<sup>9</sup> Djunushaliev, Dj., and Ploskikh, V., *Traibalism i problemi razvitiia Kyrgyzstana*, *Izvestia Akademii Nauk Kyrgyzskoi Respubliki*, no., 3 (9), Bishkek, 2000, pp. 151-153.

<sup>10</sup> *Ibid.*, p. 152.

- <sup>11</sup> Sabour, M. and Viktor, K. S., *Ethnic Encounter and Culture Change*, Bergen/London 1997, 96-108.
- <sup>12</sup> For the tide of nationalism see Beissenger, Mark R., *Nationalist mobilization and the collapse of the Soviet State*, Cambridge University Press, Cambridge, UK, New York, 2002.
- <sup>13</sup> Bulent, Arici, *The State and civil society in Central Asia*, *Journal of international affairs*, June–August 1997, vol. II, no. 2.
- <sup>14</sup> The population of the southern region is 2,427.7 thousand people, the northern region is 1,882 thousand, Bishkek 762.3 thousand.
- <sup>15</sup> Djalal-Abad oblast was created in 1996, Batken oblast was created in 1999.
- <sup>16</sup> Constitution of the Kyrgyz Republic (As amended October 21, 1998, by the Law of the Kyrgyz Republic, no. 134), Article 46, § 1.
- <sup>17</sup> For example: Felix Kulov, Daniar Usenov.
- <sup>18</sup> For example: Kubanichbek Bakiev, Kubanichbek Djumaliev, etc.
- <sup>19</sup> Constitution of the Kyrgyz Republic (As amended October 21, 1998 by the Law of the Kyrgyz Republic, N134), Article 46, § 1, E.
- <sup>20</sup> This strategy was developed by Tabaldy Egembardiev in his article „Traibalism ne tak strashen kak ego moluiut...“, *Komsomolskaia pravda*, 21 December 1993, p. 4.
- <sup>21</sup> Constitution of the Kyrgyz Republic (As amended October 21, 1998 by the Law of the Kyrgyz Republic, no. 134), Article 46, § 2.
- <sup>22</sup> Most of the respondents do not know their district judge. Information gathered at the fieldwork 2003-2004, fieldbook no. 1-3.
- <sup>23</sup> Kyrgyzstan's political crisis: an exit strategy, 20 August 2002 ICG Asia Report no. 37, Osh/Brussels, p. 7.
- <sup>24</sup> Constitution of the Kyrgyz Republic (As amended 18 February 2003 by the Law of the Kyrgyz Republic, a 40), Article 54, § 2.
- <sup>25</sup> Look Annex 1 for more detailed information.
- <sup>26</sup> Sergienko, V., *Zakonomernii itog*, *Kontinent* no. 7 (69), Almaty, 3–16 aprelya 2002 g. <http://www.continent.kz/2002/07/11.html>, translation by AT.
- <sup>27</sup> According to respondents in Batken, Naryn and Chui oblasts, kinship networks (*uruchuluk*) play a role in the elections to the local and regional kenesh. Information gathered at the fieldwork 2003-2004, fieldbook no. 1-3.
- <sup>28</sup> Kyrgyz have two distinct forms of *adat*: *urp-adat* – the real and pure practice of *adat*; and *kur-adat* – the pretended and sham practice of *adat*. Information gathered at the fieldwork in Batken oblast 2003, fieldwork 2003-2004, fieldbook no. 1 and 2. For more detailed study on traditional law see Sykiäinen, Leonid, „Shari'ah and Muslim law culture“, in Johnson, Lena and Esenov, Murad, *Political Islam and Conflicts in Russia and Central Asia*, Center for social and political studies (Sweden), [http://www.ca-c.org/dataeng/00.political\\_islam\\_and\\_conflicts.shtml](http://www.ca-c.org/dataeng/00.political_islam_and_conflicts.shtml)
- <sup>29</sup> *Kyrgyzdar*, T. 2, Bishkek, 1993, p. 530.
- <sup>30</sup> *Ashar* is a social institution of collective construction or of any other work for the community or an individual. This traditional institution, as others, is based on the rules and norms of traditional law – *adat*. Every family of the community has the right to be helped by the rest of the community in construction or other tasks; in its turn, every family has a duty to help the rest of the community in private and public projects. Normally, a refusal to participate in *ashar* can be punished by society through censure by *aksakals* and consequently shame (*uiat*). In order to mobilize people for collective works, the head of the family calls for *ashar*. Each family has to provide one man for this purpose. In the case of public works, the decision to call for *ashar* has to be taken by *aksakals*. Here also, each family has to provide one man for public works. A feast at the end of *ashar* is organised after the work. Information gathered from fieldwork in Batken Oblast 2003.
- <sup>31</sup> For the concept of „big men“ see Godelier, Maurice and Strathern, Marilyn, *Big Men and Great Men. Personifications of power in Melanesia*, Cambridge, Paris (CUP), 1991.
- <sup>32</sup> *Kurultai* is a meeting of all Kyrgyz people, taking place once every three years, or at moments of crisis. In the history of the independent Kyrgyz Republic four *kurultai* were organized by the Kyrgyz authorities. The opposition attempted to organize a *kurultai* in 2003, but failed.
- <sup>33</sup> Example: in 1989 land disputes between Kyrgyz and Tajik communities broke out into violent conflict by the Aksay village (KR) inhabitants. The conflict was generated by *aksakals* and led to several deaths. The information was gathered from fieldwork in Aksay village, October 2003.
- <sup>34</sup> Constitution of the Kyrgyz Republic (As amended October 21, 1998 by the Law of the Kyrgyz Republic, no. 134), Article 85, § 1.
- <sup>35</sup> Council (kyrg.).
- <sup>36</sup> Law of the Kyrgyz Republic on local governance and local state administration in the Republic of Kyrgyzstan, Art. 2, § 1.
- <sup>37</sup> Law of the Kyrgyz Republic on local governance and local state administration in the Republic of Kyrgyzstan, Art. 12, says that one of the responsibility of local state administration is to „[...] coordinate and regulate use of labor resources.“<sup>38</sup> Thus, in Batken Oblast labour groups have been officially created for the purpose of public works. Able-bodied males of villages are organized into groups of ten where the head of the group is called *onbashi* (The Head of 10). These groups of ten are organized into groups of 100, where the head of group is called *juzbashi* (The head of 100). Groups of 100, in their turn, are organized into group of 1000. The head of 1000 is called *minbashi* (The head of 1000). This is a traditional military organisation of Kyrgyz tribes. All public works, run by means of *ashar*, are conducted by these labour groups. From fieldwork in Batken Oblast, 2003.
- <sup>39</sup> Tesemnikova, E., *Vlast i oppositsia v Kirgizii*, *Nezavisimaia Gazeta NG*, # 06 (39) 27 Jun 2001, [http://cis.ng.ru/tribune/2000-05-31/3\\_akaev.html](http://cis.ng.ru/tribune/2000-05-31/3_akaev.html)
- <sup>40</sup> Example: the attempts to organize a *kurultai* concerning Aksy events, in November 2002. The *kurultai* was banned by the authority.
- <sup>41</sup> Scandal over *Uzengu Kush*: oppositional mobilization in 2001–2002 against the KR–China agreement on border delimitation.
- <sup>42</sup> None out of five officers of middle and low level of custom inspection could mention non-Kyrgyz officers. Information gathered at the fieldwork in Bishkek 2004, fieldwork 2003–2004, fieldbook no. 3.
- <sup>43</sup> The respondent preferred to remain anonymous. Bishkek 2004.

### Annex: Factions and groups of the Kyrgyz parliament's lower house, and the origin of their deputies.

\* This information was taken from the bibliography of deputies presented to the apparatus of the legislative (lower) chamber of the Kyrgyz parliament.

<i>The deputy fraction</i> -"On ordo-""	<i>Kurmanov Z.K. – leader</i> <i>Baibolov K.K.</i> <i>Maliiovannaia O.A.</i> <i>Karabekov K.Dj.</i> <i>Loboda A.Ju</i> <i>Imankulov B.A.</i>	<i>Bishkek (Chui oblast)</i> <i>Bishkek (Chui oblast)</i>  <i>Chui oblast (Kaindi)</i>  <i>Chui oblast (Keminskii raion)</i>	<i>North</i> <i>North</i> <i>Russian</i> <i>North</i> <i>Russian</i> <i>North</i>
<u>The deputy group</u> "Regiony Kyrgyzstana"	<u>Moldotashev I.K. – leader</u> <u>Abdurasulova T</u> <u>Bakir uulu T.</u> <u>Baltabaev T.</u> <u>Djaparov A.U.</u> <u>Sarpashev T.D.</u> <u>Shadiev A.A.</u>	<u>Issikkul oblast</u> <u>Osh oblast (Nookat rayon)</u> <u>Osh oblast</u> <u>Batken oblast</u>  <u>Djalal-Abad oblast</u>	<u>North</u> <u>South</u> <u>South</u> <u>South</u>  <u>South</u>
<i>The deputy fraction</i> "Edinstvo"	<i>Tokoev I. N. – leader</i> <i>Alymkulov K.A.</i> <i>Gogaev B.Kh.</i> <i>Kanimetov Dj.K.</i> <i>Kerimkulov A.K.</i> <i>Korkmazov Z.</i> <i>Kuchukov M.M.</i> <i>Raimkulov A.</i> <i>Tashtanbekov A.D.</i> <i>Usubaliev T.U.</i>	<i>Chui oblast</i> <i>Chui oblast</i> <i>Issikkul oblast</i> <i>Chui oblast</i> <i>Issikkul oblast</i>  <i>Chui oblast</i> <i>Chui oblast</i> <i>Naryn oblast</i>	<i>North</i> <i>North</i> <i>North</i> <i>North</i> <i>North</i> <i>North</i> <i>North</i> <i>North</i> <i>North</i> <i>North</i>
<u>The deputy group</u> "Kyrgyzstan"	<u>Kadyrbekov I.D. – leader</u> <u>Abdimomunov A.</u> <u>Asanov B.J.</u> <u>Beknazarov A.A.</u> <u>Isakov I. I.</u> <u>Madumarov A.K</u> <u>Maliev A.K</u> <u>Pronenko A.P.</u>	<u>Naryn oblast</u> <u>Osh oblast</u> <u>Osh oblast</u> <u>Djalal-Abad oblast (Aksy rayon)</u> <u>Osh oblast (Alai rayon)</u> <u>Osh oblast (Uzgen rayon)</u> <u>Djalal-Abad oblast</u> <u>Russian</u>	<u>North</u> <u>South</u> <u>South</u> <u>South</u> <u>South</u> <u>South</u> <u>South</u> <u>South</u>
The deputy group "Communist of Kyrgyzstan"	Masaliev A.M. – leader Akunov B.A. Bailo N. I. Bekboev B.S. Duishev O.D. Karpasov A.V.	Osh oblast Issikkul oblast  <i>Chui oblast</i> Talas oblast	South North Russian North North Russian
The deputy group "El uchun"	Sultanov M.A. – leader Alimbekov B.M. Djoldoshev K.N. Juraev B.J. Mambetalieva A.U. Osmonov K.E. Sabirov A.A. Sariev T.A. Tolokontsev V.G. Chekiev T.U. Chyrmashev C. Sharapov Z.E.	Bishkek (Chui oblast)  <i>Osh oblast</i> <i>Osh oblast</i> Bishkek (Chui oblast) Djalal-Abad oblast Bishkek (Chui oblast)  Djalal-Abad oblast  <i>Osh oblast</i>	North  <i>South</i> <i>South</i> North South North Russian South  <i>South</i>
Non-affiliated deputies	Bulekbaev E.K. Borombaeva T.J. Kommissarova L.N. Sadyrbaev D.S. Subanov M.U. Sultanov A.A. Tekebaev O.Ch. Chotonov D.T.	<i>Chui oblast (Sokuluk rayon)</i>   <i>Djalal-Abad oblast (Nookenskii rayon)</i> Talas oblast Talas oblast (Manaskii rayon) Djalal-Abad oblast (Bazar-Korgon rayon) <i>Osh oblast (Sovetskii rayon)</i>	<i>North</i>   <i>South</i> North North South South

*In italics – groups of deputies from the North. Underlined – groups of deputies from the South.*

Unaltered – groups organised independently of regional identity.