

SELF-GOVERNANCE BODIES THE FOUNDATION OF THE MAHALLA

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Abstract

This article analyzes the historical roots of the mahalla institution, its role in social management, and its legal foundations. The author examines the status of mahalla during the Soviet period and its revival during the years of independence as a body of citizen self-government. Furthermore, the system of regulatory legal acts governing the activities of the mahalla is researched and classified into three principal groups: national-level legislative documents, local government decisions, and internal mahalla self-governance acts. The article argues that the mahalla institution constitutes the most durable foundation for civil society construction in Uzbekistan, and that its continued development remains a principal factor for ensuring just social governance and strengthening direct dialogue between the people and the state.

Keywords

mahalla; self-government; citizens' assembly; legal foundations; social management; national values; regulatory acts; aksaqol; civil society; Uzbekistan.

INTRODUCTION

In the process of democratizing and modernizing society and the state, citizens' self-governance bodies and in particular the mahalla institution are of special significance. The mahalla is a unique social structure of the Uzbek people, shaped over centuries, embodying national values and traditions. It is not merely a residential area but a center that unites people, collectively resolves social problems, and serves as a source of moral education.

History demonstrates that the mahalla institution did not lose its vitality even under various political regimes. Even the ideological pressures of the Soviet era could not completely destroy this system of self-governance of the people. During the years of independence, the mahalla acquired new content and became an important element of a strong civil society. The purpose of this article is to study the historical evolution of the mahalla and to provide a systematic analysis of the legal sources regulating its activities.

The word “mahalla” derives from Arabic and means “place, location, dwelling.” It denotes an administrative-territorial unit and community that took shape over centuries under specific historical conditions in Uzbekistan (Mustaqillik, 2006:188). Before 1917, mahallas functioned as organizational structures that united and organized the local population. During the Soviet period, the ruling regime and ideology did not formally recognize the mahallas; to avoid provoking deep public resentment, however, they could not prohibit them either, nor did they incorporate them into the system of social governance. The mahalla in its essence, activities, content, and forms reflects distinctive qualities of the people, including the Eastern manner of thinking and working.

METHODS

The article employs historical-analytical and source-critical methods. The primary sources consist of the Constitution of the Republic of Uzbekistan, the Law on Citizens’ Self-Governance Bodies (Yangi qonunlar, 1999:113), the Law on the Election of the Chairman (Aksaqol) of Citizens’ Assemblies (2004), the Law on Housing Owners’ Associations (1999), the Address of the President of the Republic of Uzbekistan to the Oliy Majlis (Mirziyoyev, 2025), and a series of presidential decrees and resolutions from 1992 to 2002. Secondary sources include the theoretical works of Saidov (2001), Karimov (2005), and the collective reference work “Mahalla: Legal Foundations of Citizens’ Self-Governance” (Mahalla: Huquqiy asoslar, 2003). The analysis proceeds by examining the historical evolution of the mahalla, the role of the aksaqol, and the three-tier classification of legal sources governing mahalla activities.

RESULTS

Legal status after independence. With the declaration of Uzbekistan’s independence, the attitude toward mahallas changed fundamentally. In accordance with Article 105 of the first Constitution adopted and the Law on Citizens’ Self-Governance Bodies adopted on 2 September 1993 (and re-adopted in a new version on 14 April 1999), the mahallas acquired their legal status and entered the composition of local governance. Mahallas are thus an important support of the state at the local level, possessing as legal persons their own property, a financial budget, a settlement account with a bank, and a reserve fund. Under this law, each mahalla within its territory may organize production, open small enterprises, sell its products, distribute part of them free of charge to the needy within the mahalla, provide employment to residents, and deliver cultural and social services to the population (Yangi qonunlar, 1999:113).

Citizens’ self-governance is an independent activity of citizens in resolving matters of local importance, guaranteed by the Constitution and laws of the

Republic of Uzbekistan, proceeding from the historical characteristics of development and from the national and spiritual values, local customs, and traditions of the mahalla (Yangi qonunlar, 1999:113). Citizens' self-governance bodies have come to occupy a responsible position in the system of democratic checks and balances in relation to representative and executive power (Saidov, 2001:11).

The aksaqol and the tradition of community leadership. From time immemorial, the people have chosen a leader worthy of themselves. In this regard it is also necessary to acknowledge that the genuine rights of the mahalla aksaqol (elder) have naturally taken shape since ancient times. In the mahalla, the aksaqol had no "unknown household" or "unfamiliar person." He looked at no one with a different eye; therefore, he could freely knock on any door and enter. He was virtually a confidant and like-minded companion of the mahalla residents. He could freely engage in resolving problems within a family whether in father-son or mother-in-law-daughter-in-law relations, or if an unhealthy atmosphere was beginning to emerge in some household and after carefully studying even the smallest domestic details, would express his view and, if necessary, provide practical assistance. That is why the word of the mahalla aksaqol was the final word. Today too, such natural relations of the mahalla aksaqol must find their reflection in life. The aksaqol must know well which household someone lives in, what work they do, which child is capable of what, what the family atmosphere is like, and what problems they have (Mahalla, 2001:11).

Presidential attention and growing international interest. The President of the Republic of Uzbekistan, in his Address to the Oliy Majlis and the people of Uzbekistan dedicated to 2026, emphasized: "...Undoubtedly, in today's complex era, the role and significance of the mahalla the unique system of self-governance is great in raising our youth as resilient, patriotic people ready for various trials, and in further uniting and rallying our people" (Mirziyoyev, 2025). The importance of the mahalla is growing day by day in the conditions of independence. Mahallas play an important role in ensuring peace, tranquility, and stability in the country and in channeling the energy of the masses toward constructive activity. As a result, the attention of foreign countries to the activities of mahallas is increasing. In searching for the causes and sources of peace and stability in independent Uzbekistan, foreign researchers inevitably encounter the mahalla factor and give high assessments to this organizational system created on the basis of the intellect and historical experience of the masses (Karimov, 2005:27).

Classification of legal sources. Legal sources play a major role in organizing the activities of citizens' self-governance bodies. The sources of the right to citizens'

self-governance can be divided into the following groups according to the different levels of legal regulation of citizens' self-governance relations (Davlat va huquq nazariyasi, 2000:276).

The **first group** consists of regulatory legal documents adopted at the national state level. The Constitution of the Republic of Uzbekistan is the chief source: it establishes the foundations for organizing citizens' self-governance and defines terms of authority. The Law on Citizens' Self-Governance Bodies (1993, revised 1999) is the most important source: its norms clearly define the powers of citizens' self-governance bodies and their officials, establish the foundations for the activities of these bodies, and consolidate the forms of direct expression of citizens' will, powers, and questions of responsibility of officials. The Law on the Election of the Chairman (Aksaqol) and His Advisers of the Citizens' Assembly (29 April 2004) establishes norms relating to the organization and conduct of these elections. The Law on Housing Owners' Associations (15 April 1999) defines the mutual relations of citizens' self-governance bodies with the associations and consolidates the rights, obligations, management, and funds of the associations, as well as the grounds for liability for violations. Additionally, the presidential decrees and resolutions relevant to this domain constitute the most important sources: PF-472 (12 September 1992) on establishing the "Mahalla" Charitable Fund; PF-478 (8 October 1992) on allocating funds to the Fund; PF-938 (23 August 1994) on strengthening social protection of low-income families; PF-2832 (13 January 1999) on the new stage of economic reforms in communal services; PF-3017 (25 January 2002) on strengthening targeted support for socially vulnerable segments of the population; PF-3038 (26 February 2002) on additional measures for developing housing owners' associations; and 11F-3434 (25 May 2004) on additional measures to support the activities of the Women's Committee of Uzbekistan (Mahalla: Huquqiy asoslar, 2003:100-117). A number of other laws of the Republic of Uzbekistan also contain norms related to citizens' self-governance, including the Laws on Elections of Deputies to Regional, District and City Councils; on the Referendum; on Environmental Protection; on Property; on Local Taxes and Fees; and on Education (Yangi qonunlar, 1993:129-145; Yangi qonunlar, 1998:3-16; O'zbekiston Respublikasi, 1992).

The **second group** consists of decisions of local state governance bodies. At the level of the Republic of Karakalpakstan, the regulatory legal documents of the legislative and executive bodies of state authority containing legal norms of citizens' self-governance constitute a source of citizens' self-governance.

The **third group** consists of internal mahalla self-governance acts: documents of the "Mahalla" Charitable Fund; decisions adopted through the direct expression

of will of the population of the territorial units of citizens' self-governance (decisions of citizens' assemblies); and decisions of citizens' self-governance bodies and their officials adopted within their competence. This group includes the statutes of citizens' self-governance bodies, decisions defining the governance procedure of the relevant territorial self-governance body, and decisions on managing the property of these bodies.

DISCUSSION

The analysis confirms that the mahalla institution occupies a structurally unique position in the architecture of Uzbek governance. Unlike purely administrative bodies, it combines historical legitimacy, cultural authority, and formal legal status within a single institution a combination that accounts for both its resilience under Soviet-era suppression and its growing international recognition as a model of grassroots social organization.

The three-tier classification of legal sources national legislation, local government decisions, and internal self-governance acts reveals a sophisticated legal architecture in which the mahalla is simultaneously embedded in the national constitutional order and possessed of genuine internal self-regulatory capacity. This structure is the source both of the mahalla's legal robustness and of the practical flexibility that allows it to respond to the specific conditions and needs of different communities. The role of the aksaqol whose authority rests not on formal appointment but on community trust accumulated through personal familiarity with every household represents a form of social capital that formal governance structures cannot easily replicate or substitute (Saidov, 2001:11; Mahalla, 2001:11).

CONCLUSION

The mahalla institution is the most durable foundation for building civil society in Uzbekistan. The analysis conducted within the framework of this article permits the following conclusions. First, the mahalla has throughout its centuries-long history been a center of social cohesion and mutual assistance and continues successfully to perform this function today. Second, the Constitution of the Republic of Uzbekistan, the Law on Citizens' Self-Governance Bodies, and a large number of related decrees and resolutions have created a solid legal base for the free activity of the mahalla. Third, systematizing the sources regulating the activities of the mahalla as legislative documents, local state authority decisions, and internal statutes (citizens' assembly decisions) serves the deeper understanding of the legal nature of this sphere. Finally, the further development of the mahalla institution remains the principal factor for ensuring just social governance in the country and strengthening direct dialogue between the people and the state (Mirziyoyev, 2025; Karimov, 2005:27).

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