

# **Concerts and Constitutions: Repertoires of Uzbek Nationhood**

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## **Introduction**

A well-known Uzbek musician told me that music was "in the blood," tapping the veins in his arm to make sure I understood. He explained that his children were fine musicians although he had taught them nothing. To be a musician, rhythm had to be in the blood, "Just a little," he said, but it had to be there. For him, the ability to play Uzbek music was a hereditary, intrinsic capacity.

When the new Uzbek constitution was adopted in 1992, I noticed that it too could be seen as defining the meaning of "Uzbek." Pivotal notions in the constitution included designation of the state language, policies toward languages and cultures of minorities, and perhaps most importantly, discussions about citizenship.

I became curious about what "Uzbek" meant in the two realms of expressive arts and law. What repertoire of models of nationhood does a comparative study of Uzbek expressive arts and laws suggest? I will explore this question using data about the Independence Day Concert of 1994, the Uzbek constitution and related statutes.

## **Background**

During field research I conducted in Uzbekistan (summer 1992, 1994) about the political uses of dance and the expressive arts in the Soviet and post-Soviet periods (Doi 1997), I found that the Soviets used dance companies featuring unveiled female dancers to publicize new roles available to women under Soviet rule, and to build an "Uzbek" national consciousness. In the curriculum of the state dance schools and in the repertoires of professional dance performers, "Uzbek" dance was actually a composite of three historically disparate regions--Khorezm, Bukhara and Farghana. Each region had its own distinct dance form. The distinctions were reflected in programs by dances representing each region, with characteristic costumes, gestures and music.

In 1994 the professional dance companies in Tashkent marked a similar cultural taxonomy of Uzbek dance. There were five major companies: The *Bahor* (Spring) had a repertory of all three regional styles as did the *Shodlik* (Joy) and *Yulduz* (Star) companies. *Shodlik* company also included some of the few professional male dancers I met in Uzbekistan. *Yulduz* was affiliated with the state television and radio station. Three companies specialized in Khorezm, Bukharan and Uyghur dance. The professional dance heritage of the Soviet period, then, reflected a notion of "Uzbek" nationalism constructed on the basis of regionalism.

### **The Concert**

The Ministry of Culture was responsible for planning and producing the 1994 Independence Day concert. Choreographers, composers, and directors created works meeting the Ministry's specifications. All of the professional artists involved in the production worked for the state. Adult amateurs and children from each of the nation's provinces also participated. The President of the Republic and ten thousand national and international dignitaries attended the concert, which aired nationally on August 31, the eve of Independence Day. The program called for unity based on an illustrious history and equally promising future, while acknowledging ethnic and geographical diversity. To provide a context for discussing two examples from the program, I will provide a brief synopsis of the two-hour program. The first segment of the program interspersed historical sketches about the pre-Soviet and Soviet periods with songs and dances representing minority groups such as Tajiks, Azerbaijani and Koreans. The second part featured children performing songs and dances about their provinces. The program closed with appearances by the country's most well-known popular music (*estradni*) singers.

An illustration from the first, historical segment of the program recalled the Central Asian astronomer-king Ulughbeg. He was portrayed as a mature man in a turban and pale flowing robe reminiscent of Persian miniature paintings, standing next to a young man in a white turban and golden tunic and pants. They were surrounded by sparkling dancers depicting the constellations Ulughbeg studied in his observatory in Samarkand. Ulughbeg gave the young man a metal sphere, saying that he was handing the earth to his student (*shogurd*), the new generation. The reference to Ulughbeg as an illustrious forebear of the Uzbek people was actually a gloss over a complex intertwining of strands of ethnicity and kinship. Ulughbeg ruled in the

Samarkand during fifteenth century (1394-1449). Ulughbeg himself was the grandson of the Central Asian ruler Amur Timur, who was a descendant of Genghis Khan. Ironically, Uzbeks rose to historical prominence in the sixteenth century when they defeated Ulughbeg's descendants under the leadership of Shaybani Khan.<sup>1</sup> Thus, claiming Ulughbeg as "Uzbek" was an assertive interpretation of Central Asian history maximizing the Uzbek domain through both space and time.

Another historical scene recalled the outbreak of World War II when Uzbek men joined forces from all over the Soviet Union. The scene commemorated the enlistment of the men, and the adoption of children from all over the Soviet Union by Uzbek families. A pick up truck with rows of children rolled onto the stage. Couples embraced the children and slowly left the stage in new family groupings as a narrator recited a well-known verse with the refrain "You are not an orphan now." The scene resonated with cultural knowledge about a blacksmith's family which had adopted children from each of the Soviet republics. Their generosity had been commemorated by a statue and building in downtown Tashkent called *Halklar Dostligi* or "The People's Friendship."

Viewed together, these scenes about a Central Asian monarch and children of all nationalities seemed to say that while the Uzbek people have a great and long historical legacy of descent from Amur Timur and Genghis Khan, and of cultural and scientific achievement from the great madrasas in cities such as Samarkand, they are also generous. From the Soviet period, people of all nationalities came to the Soviet Union, and became literally part of the Uzbek family.

The second section of the program celebrated the rich histories and cultures of the nation's provinces. Children from each province performed songs and dances representing their region. Some of the directors and choreographers of the provincial groups were alumni of the central state-sponsored dance training and performance programs in Tashkent. Although a few choreographers used themes such as children's games as a source of motifs, most used the vocabulary and patterns of professional national dance. The trilogy of dance forms taught in the state choreographic school, once used to represent the three major regions of Farghana, Khorezm, and Bukhara, became a resource to portray local identities of twelve provinces. Interestingly, after local officials viewed the dress rehearsal, the number for one province, Jizzakh, was cut. Although I was unable to find out exactly why, murmurings among dancers

suggested that the number lacked a distinct regional character. An Uzbek friend explained that Jizzakh was a relatively new province, thus had little distinctive identity. The limited information I was able to gather about this incident suggests that the ability to claim roots to pre-Soviet times was important in establishing a regional character. Overall, the portrayals of the various provinces suggested a trend towards greater pluralism and recognition of all of the nation's geographic communities.

The third and final portion of the evening showed *estradni*, or popular music singers. Some were accompanied by Uzbek dancers, using the movement motifs of classical Uzbek dance to enact the lyrics of popular songs. Many people, both performers and non-performers, told me that *estradni* began in the late 1970s and was started by the group *Yalla*. The music combined Uzbek folk melodies and lyrics with contemporary electronic instruments and arrangements. *Yalla* had been inspired by the work of the Beatles. When I conducted my field research in 1992 and 1994, *estradni* music was a staple at events and cradle parties attended by young and old, in both urban and rural regions.

The dances were as syncretic as *estradni* music. They used the costumes and movement vocabulary of classical Uzbek dance to enhance the mood and lyrics of the popular songs. Gestures were often mimetic, acting out lyrics about themes such as love, longing, and women's beauty. For example in one number, a woman in a red traditional flowing dress and jeweled headpiece swirled and dipped using gestures from the lyrical Farghana style of classical dance. In front of her, male and female couples on roller skates swept across the stage in arabesques, all to the accompaniment of a female vocalist in a clinging red sequined gown and a throbbing synthesizer.

To summarize, the concert was rich in images of plurality within unity and included a broader range of geographic identities than the trilogy of Farghana, Bukhara and Khorezm which dominated dance in the Soviet period. Diversity was marked in terms of the primordial bases of kinship and geographic origin. The third, contemporary part of the program neatly bridged past and present, Uzbek and "Western" through the hybrid genre of *estradni* music and dance.

### **Primordial and Civil Ties**

The Independence Day Concert, then, appealed to what Clifford Geertz ([1963]1973:259) referred to as "primordial attachments," which he defined as the 'givens' or assumed 'givens' of

social existence such as kinship, religion, language, region or custom. Geertz contrasted communities united by primordial ties with communities united by civil affiliations. Civil ties were characterized primarily by a "vague, intermittent and routine allegiance to a civil state, supplemented to a greater or lesser extent by governmental use of police powers and ideological exhortation (id)." Having found primordial ties expressed on the stage, I expected to find the foundation of a twentieth century nation-state defined by two characteristics often associated with such polities: an impartial exercise of power over a specific territory (see, e.g. Held 1983:1). More importantly, I expected to find an emphasis on civil rather than primordial ties. My expectations were only partially met.

### **The Constitution**

As I expected, the constitution does establish the familiar structure of a nation-state as an entity exercising power over a specified territory. Article 3 establishes that the state frontier and the territory of Uzbekistan shall be inviolable and indivisible.

At first glance, the constitution also appears to reject primordial bases of identity and to adopt an even-handed stance towards all groups within its borders. For example, Article 18 says "All citizens of the Republic of Uzbekistan shall have equal rights and freedoms, and shall be equal before the law, *without discrimination by sex, race, nationality, language, religion, social origin, convictions, individual and social status*"(emphasis added).

The thorny issues of language and nationality, however, return in provisions addressing language and minority peoples.

Article 4 provides:

The state language of the Republic of Uzbekistan shall be Uzbek. The republic of Uzbekistan shall ensure a respectful attitude toward the *languages, customs, and traditions of all nationalities and ethnic groups living on its territory*, and create the conditions necessary for its development (emphasis added).

To further explore the significance of primordial ties, I looked at who would be considered an "Uzbek" citizen under the new constitution. The criteria for citizenship are particularly interesting on this point. They demonstrate a complex interplay between the notions

of jural citizenship, kinship and geography. The constitution provides that Uzbek citizenship shall be acquired or forfeited according to statute. The statute governing Uzbek citizenship provides two basic ways of acquiring Uzbek citizenship<sup>2</sup>: 1) Birth; or 2) Naturalization after residing in the borders of Uzbekistan for 5 years.

For a brief period after adoption of the law, expatriate individuals who could prove birth or prior permanent residence in the borders of Uzbekistan could become Uzbek citizens without having to meet the residence requirements. The basic provisions therefore stress the territory of birth or residence as the primary basis of citizenship.

The issue of citizenship becomes more subtle, however, in provisions governing the citizenship of children.<sup>3</sup> These sections articulate the role of kinship and territory in determining citizenship.<sup>4</sup> A child's citizenship follows that of its parents. Territory is a secondary factor which comes into play only where the citizenship of the parents is problematic. For example, a child born outside the borders of Uzbekistan to parents who are both Uzbek citizens is an Uzbek citizen. Where the parents' citizenship is unknown or nonexistent, or a child has no parents, a child's birth or residence in the territory of Uzbekistan will determine the child's citizenship. The Uzbek Constitution established and is based on the notion of a nation-state as an entity which exercises power over a specific territory. It also incorporates the notion of the state as impartial, recognizing equality of all citizens as a basic norm. The constitution, however, also establishes a new social order on the basis of primordial factors of language and nationality. It reverses the Soviet period hierarchy which made Russian the language of the elite. It addresses the nationalities issue, by encouraging the advancement of the languages and cultures of the republic's diverse peoples. The citizenship laws stress a third primordial factor, kinship and descent, as the primary determinant of citizenship, and refer to geographic origin when kinship is problematic. For the constitution, the question of defining Uzbek citizenship principally devolves into an issue of blood.<sup>5</sup>

## **Conclusion**

Comparing notions of "Uzbek" in the realms of the expressive arts and law, the Independence Day concert presented a rich kaleidoscope of images appealing to history, genealogy, geographic origin as well as Uzbekistan's role as a member of the contemporary world community. Although the Constitution established the general framework of a nation-state,

the citizenship laws, however, returned to the primordial characteristic of membership --descent-- as the key criterion for Uzbek citizenship. Territorial boundaries, a fundamental aspect of a nation state, were secondary. The Independence Day Concert expressed a wider repertoire of meanings of “Uzbek” than the Constitution.

The importance of primordial characteristics in the Uzbek Constitution and laws governing citizenship may also shed light on our understanding of the relationship between a people’s trajectory to nationhood and their constitutional models.

A member of the Uzbek intelligentsia told me that the Uzbek drafters consulted with French legal scholars. Shortly before the Constitution was adopted, one of the drafters published an article in a local newspaper in which he interviewed Michel LeSage, a French legal scholar (Saidov 1992). LeSage noted parallels between the Uzbek and French constitutions in the organization of the executive branch. According to press coverage, the final document therefore resulted from scrutiny of the French constitutional model.<sup>6</sup>

Why was the French constitutional model more appealing than, say, the United States model? Martin Rogoff (1997:2-3,13-16), a legal scholar, says that one of the key differences between American and French constitutional law is that the American constitution is concerned with limiting the powers of government while French constitutional law focusses more on displacing a social hierarchy. For the United States constitutional framers, checks and balances among the executive, legislative and judicial branches were of primary concern. The French republic, on the other hand, arose out of a rebellion overturning an aristocracy. It foregrounds the Declaration of the Rights of Man establishing a more egalitarian social order. The French constitution establishing the framework of the government, is secondary. To illustrate the difference between the two systems, Rogoff points out (id at 74) that the first case which might be said to involve judicial review of a legislative action arose in 1803 in the United States<sup>7</sup> but did not occur in France until 1971.<sup>8</sup>

Taking Uzbekistan's transition to independence into account, it is possible to speculate why the French model was more attractive to the framers of the Uzbek constitution. Like the United States, Uzbekistan was part of a colonial empire. Unlike the United States, however, Uzbekistan did not attain independence through armed conflict against an overbearing external power. Emerging from the fall of the Soviet empire, the Uzbek government's primary aim was affirming and legitimizing a new social ordering. Uzbekistan's route to sovereignty, and hence

its constitutional preoccupations, can be seen as similar to the French example. For the framers of the Uzbek constitution, social ordering was paramount. As an independent, "Uzbek" republic rather than a Soviet satellite. In both its arts and its laws, internal issues of plurality and unity among the residents of Uzbekistan, based on language, nationality, and geographic origin were of primary concern in building the new nation.

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## Notes

1. For example, Yuri Bregel (1991:60-1) argued that the influx of tribes calling themselves "Uzbek" in the sixteenth century under Shaybani Khan was a substantial migration and not simply a change in name by peoples already resident in Central Asia. Addressing ethnonyms at the beginning of the twentieth century, Ingeborg Baldauf (1991:236) noted the contested and changing meanings of "Uzbek" as a) "descendants of the invaders from Dashti Kipchak" or b) a "Turkic speaker of Turkestan" who was not Kazakh, Kyrgyz or Turkmen.

2. Law of the Republic of Uzbekistan entitled "On Citizenship of the Republic of Uzbekistan" ("Citizenship Law"), Articles I(4), II(12) and II(17).

3. Citizenship Law Articles II (12)-(16).

4. In legal terms, the two bases are characterized as *ju solis*, the notion that citizenship is determined by place of birth and *jus sanguinis*, citizenship following citizenship of a child's parents. Black's Law Dictionary. St.Paul: West Publishing Company 1990.

5. Michael Herzfeld (1992:28-34) has discussed the importance of blood as a metaphor in nationalist ideology.

6. Constitutions of several other former Soviet republics selectively incorporate arrangements from constitutional models including those of France, Germany, and the United States (see e.g. Ludikowski 1993). An extended comparative analysis beyond the scope of this paper would be necessary to determine whether particular clauses of the Uzbek constitution draw on models in addition to the French. At this point, my only intention is to note the prominence of the French example in developing and publicizing the new Uzbek constitution.

7. *Marbury v. Madison*, 1 Cranch 137.

8. *Liberte d'Association*