Making Property in Kyrgyzstan: Bishkek's Urban Periphery as Redistributive Space

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Abstract

This article explores urban land claims made by residents living in Bishkek's informal settlements (*novostroikas*) located on the edge of the city. By examining the growth of the urban periphery alongside shifts in property rights enacted through privatization programs, Bishkek's *novostroikas* are a grassroots attempt to correct previous inequitable distributions of private property. The political unrest of the Tulip Revolution in 2005 and the violent events of 2010 are taken as decisive moments to challenge this unequal distribution. The article examines how the residents of *novostroikas* enact collective and moral claims over land that demonstrate an understanding of private property to be contextual, overlapping, and heterogeneous, rather than singular and predetermined.

Keywords

informal settlement – novostroikas – property – privatization – Bishkek – redistribution

In all newly emergent states, land reform offers an opportunity to address fundamental social inequities. At the same time, it offers an opportunity to local elites to enhance their power and develop patronage networks.[1]

1 Gregory Gleason, "Land Reform in the New States of Central Asia," The National Council forSoviet and East European Research, November 11, 1992.

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Introduction

Sitting among piles of folders and plans in his dusty Bishkek office, the urban planner at the State Agency for Construction and Architecture (*Gosstroy*) seemed to be becoming agitated. Deflecting one of my questions, the planner asked: "Why does everyone keep coming to me about this settlement?" With- out giving me any time to respond, he pulled a folder from the shelf behind him, flicked through it, and pointed to a document inside. "There is nothing I can do," he declared. "The land is not safe, in fact, it's sinking!" Continuing, he said, "and in any case, they [the residents of the settlement] *grabbed* the land, they are *nelegal*."

Several interviews with residents of Ak Jar and staff of local nongovernmental organizations (NGOs) had led me to the city planner that day. Ak Jar was one of Bishkek's informal settlements, commonly referred to by the Russian word *novostroika*, meaning "new construction." Long-term residents of the city (*starozhily*) draw a line between "their" Bishkek of high-rise luxury apartment buildings (*elitka)* that line *Bulvar Erkindik* together with their nostalgic memories of Frunze, as the capital was known in the Soviet era, often described as clean, orderly, and green, and the so-called ring of illegal (*nelegal*) *novostroikas* on the edge of the city, home to new arrivals from rural areas of Kyrgyzstan who threaten Bishkek's cultured urbanity. While previous governments retroactively legalized many *novostroikas*, Ak Jar remains "illegal," with the residents blaming the urban planner at *Gosstroy* for holding up the settlement's legalization process.

I draw on my discussion with the urban planner about Ak Jar and the on- going debate in Bishkek of its legalization to illustrate the contestations and the everyday enrollments that are involved in the *making* of property in Kyrgyzstan. During my fieldwork in Bishkek, I began to question why the government had legalized some settlements and not others: how were these claims communicated and who had the power to legitimize such demands? By examining the mapping of illegality onto Ak Jar, addressing the urban planner's labelling of the residents as "land grabbers" as well as understanding the

2 I would like to thank the anonymous reviewer, Nicholas Blomley, Madeleine Reeves, Philipp Schröder, and Nazira Zholdoshbekova for their suggestions and comments on earlier versions of this article as well as participants at the 2015 Law and Society Association conference in Seattle, where I presented my initial thoughts on this topic. I am also grateful for the kind research assistance and support of Rahat Shamshieva during my time in Kyrgyzstan. This research was funded by the Swiss National Science Foundation Early Postdoctoral Research Grant. Any errors are my own.

importance given to material factors and aesthetics, I question how property becomes legitimized in Kyrgyzstan and who (or what) controls this process of legitimation.

I examine performative enactments of property to understand how claims to land on Bishkek's urban periphery are locally situated and brought into being through specific "doings" and "enactments."3 These performative enactments "plug" into dominant and "successful" understandings of private property that the government continues to roll out in various land reform and privatization programs.4 Such performances of privatization include the introduction of private homeownership associations, voucher issuing as a means of distributing capital, and the development of land registration documents and electronic cadastral systems. These performative enactments collectively come together as an emerging assemblage to *mak*e private property in Kyrgyzstan, which the residents of Ak Jar cite and also partly realign to legitimize their own land claims on Bishkek's urban periphery. Rather than subverting the notion of private property, enactments of property in Bishkek's *novostroikas* instead reflect a demand to be included and be a part of Kyrgyzstan's wider economic and societal post-socialist transformations, particularly the distribution of private property. Informal settlements in Bishkek therefore represent a spatial claim to wider property enactments unfolding in post-socialist Kyrgyzstan. As con- tested spaces, they challenge the inequitable distribution and certain *doings* of private property rather subvert private property *writ large*.

Exploring the emergence of informal settlements involves understanding property to be a fragile and contingent assemblage of people, materialities institutions, techniques, and relations. The fragility of property therefore, not only raises the question of why private property as a model is more successful than others, but also how its instability results in slippages and realignments that have the potential to reassemble property relations, possibly for the wider public good. I go on to note that locally situated enactments of property within Ak Jar differ from enactments of private property that occur outside of the settlement in other parts of the city. Observing property practices in Ak Jar highlights how the claim for land titles by the residents in order to become part of the wider assemblage of "legal" property in Kyrgyzstan, merges with a moral- and community-based approach to property. The property enactments in Ak Jar

3 Nicholas Blomley, "Performing Property: Making the World," *Canadian Journal of Law and Jurisprudence*, 26, no. 1 (2013): 23–48.

4 See Craig Hatcher, "Globalising Homeownership: Housing Privatisation Schemes and the Private Rental Sector in Bishkek, Kyrgyzstan," *International Development Planning Review*, 37, no. 4 (2015): 467–486.

demonstrate how private property is a heterogeneous and flexible category, which the residents are capable of adapting to their own ends. As the dominance of private property becomes increasingly accepted, unchallenged, and almost invisible to critical debate, the case of Ak Jar offers an insight of how property is performed and realigned at its margins.

The article proceeds as follows. First, using the concept of performance, I discuss how dominant meanings of property, and specifically private property, become reified and successful. Specific property performances lead to the *making* of private property that have transformed and continue to trans- form property relations in Kyrgyzstan. I then observe how the establishment of informal settlements—especially following the 2005 Tulip Revolution— represents a corrective to the inequitable distribution of private property that occurred during the privatization programs enacted in the newly independent Kyrgyzstan, while simultaneously marking the success of private ownership programs. By drawing on empirical material from Ak Jar, I go onto emphasize how private property is performed locally, in its "place," through the residents' collective and moral performances to present a contextual assemblage of private property that emerges on the urban periphery.

Enacting Property

Property is often understood as the rights of a person with a respect to a "thing." I can point to my house or my car, for instance, as "things" I own. From a juridical perspective, however, property is the relation between persons with respect to a valued resource: I exercise a certain amount of control over a thing and have the power to exclude or allow access to others. Property is about appropriation, and thus power, and which actors or relations are privileged in a given understanding of property.5

Property has the potential to exist in different forms, yet private property has become synonymous with understandings of property based on its close links to the rise of a capitalist market society.6 Private property is the key enactment that brings capitalist relations into being.7 Privatization therefore formed a key part of the neoliberal structural adjustment programs implemented in

5 Katherine Verdery, "After Socialism" in David Nugent and Joan Vincent (eds), *A Companion to the Anthropology of Politics* (Oxford: Blackwell Publishing 2007), 21–36.

6 Crawford Brough MacPherson, *Property, Mainstream and Critical Positions* (Toronto: University of Toronto Press, 1978).

7 Timothy Mitchell, *Rule of Experts: Egypt, Techno-Politics, Modernity* (Berkeley, University of California Press, 2002).

Kyrgyzstan following the collapse of the Soviet Union. Privatization takes land previously held either by the state or by collectives and divides and distributes it separately among individual entities. This distribution creates private property whereby the private individual becomes the paradigmatic holder of property. In the context of land, private property is based on an individual's exclusive right to a use or benefit over a clearly defined plot of land. Known as the "ownership model," private property draws on classical liberalism and the centrality of the individual subject by granting the property owner the freedom to use their property in any way they see fit.8 The individualization of the owner- ship model "assumes a unitary, solitary, and identifiable owner, separated from others by boundaries that protect him and her from non-owners and grant the owner the power to exclude."9 This exclusion operates as a negative freedom from the potentially intrusive state imposing restrictions on private actions.10 The ownership model has played an important role in shaping understandings of what property *is* and how it *should* be done.11 Nicholas Blomley highlights how dominant representations participate in enacting and bringing property into being through forms of reiterated performance.12 These reiterations occur through various performative acts such as fence building, the publication of law textbooks, or placing a "keep out" sign on one's property. As Blomley notes:

> [P]roperty does not pre-exist its performances. The sites for such performances are diverse: real property, for example, is produced through humble acts of fence building, mortgage foreclosures, judicial pronouncements, debates around the use of force in the protection of one's home, burglary, instructions to children not to cross someone else's lawn, the installation of security systems, law review articles, the creation of a cadastre, the cutting of hedges, World Bank funding initiatives, struggles over gentrification, property registration, indigenous mobilizations and on and on.13

8 Joseph William Singer, *Entitlement: The Paradoxes of Property* (New Haven, ct: Yale University Press, 2000).

9 Nicholas Blomley, *Unsettling the City: Urban Land and the Politics of Property* (New York, Routledge, 2004): 2.

10 Singer, *Entitlement.*

11 Nicholas Blomley, "Making Space for Property," *Annals of the Association of American Geographers*, 104, no. 6 (2014): 1291–1306.

12 Nicholas Blomley, "Performing Property: Making the World," *Canadian Journal of Law and Jurisprudence*, 26, no. 1 (2013): 23–48.

13 Blomley, "Performing Property," 23–48.

Property is not pre-political or natural nor separate from our representations but rather becomes reality through persuasive and successful narratives that bring together and align multiple and diverse socio-material actants. As Rasanayagam, Beyer, and Reeves note in discussing the performance of politics, a performative lens questions "how" categories and boundaries become fixed rather than "what" they are.14 Examining property through a performative lens questions why private property is sustaining and successful and how property relations are altered rather than assessing whether the reality of property "matches" its representative models.15

The fragile relational arrangements of property break apart and are reconfigured through struggles over authority, space, and identities.16 The making of private property in England during the enclosure movement saw a violent transformation in the mode of holding rural land. Common arrangements ("the commons") with shared access granted to villagers were appropriated and fenced off, or "enclosed," to exclude the users that previously relied on cultivating the land for their own subsistence. The struggles and contestations in holding property not only represent a shift in property practices but also link to the relational nature of property and how its entanglement with neoliberal discourse and its emphasis on commodification and capital accumulation led to the dispossession of England's rural population. Individuals who instigated acts of enclosure and the making of private property in England prospered and benefitted from this realignment, but the vast majority of the population did not.17 Analogies of a new enclosure movement focus on Hernando de Soto's property titling schemes rolled out in property formalization programs across the global South.18 Proponents of property titling emphasize how secure property rights are a key requirement for economic development and poverty reduction by bringing assets supposedly locked "outside" of the market into the formalized capitalist economy.19 An extensive critique of property titling has developed, but taking a performative approach emphasizes why and how such

14 Johan Rasanayagam, Judith Beyer, and Madeleine Reeves, "Introduction: Performances, Possibilities, and Practices of the Political in Central Asia" in Madeleine Reeves, Johan Rasanayagam, and Judith Beyer (eds), *Ethnographies of the State in Central Asia: Performing Politics* (Bloomington, Indiana University Press, 2014).

15 Blomley, "Performing Property," 23–48.

16 Nancy Lee Peluso and Christian Lund, "New Frontiers of Land Control," *Journal of Peasant Studies*, 38, no. 4 (2011): 667–681.

17 Mitchell, *Rule of Experts,*

18 Hernando de Soto, *The Mystery of Capital: Why Capitalism Triumphs in the West and Fails Everywhere Else* (London, Bantam Press, 2000).

19 Mitchell, *Rule of Experts.*

representations of property become successful rather than if they are accurate or not.

Writing on *novostroikas* in Bishkek, Sanghera and Satybaldieva highlight how property involves reasonable expectations of land use and moral responsibilities whereby "owners attract moral and social disproval if their property rights harm others' human capabilities and societal loss."20 When moral responsibilities are broken, the poor and propertyless are denied the means of a dignified existence and therefore acquire the right to rebel and appropriate property. Sanghera and Satybaldieva argue against morally individualistic versions of property, especially, they note, propagated by de Soto's titling schemes, and instead argue in favor of a "moral responsibilities" approach as a better means to understand property. While I agree with Sanghera and Satybaldieva's ethical stance and important suggestion to view property as relational, relative, and contextual, which I also pursue in my own research, I depart from their argument by using a performative approach that attempts to explain how property is done and how enrollments form reality. I therefore draw from per- formative enactments rather than focus on representative models of property. An over-emphasis on representative models runs the danger of inadvertently "policing" ideological boundaries of property and reinforcing the hegemony of the ownership model.

Below, I examine the effect of land reforms in Kyrgyzstan and go onto explain how "revolution" and political protest play a role in reshaping and le- gitimizing new claims to property. These protests were actively upholding the values of private ownership, although with limitations based on moral judgments and the needs of the wider community.

Making Property in Kyrgyzstan: Inequity, Unrest, and *Novostroikas*

Whereas other post-socialist cities such as Moscow and many cities of East- ern Europe had an existing, pre-capitalist structure (both physically, as well as in a political-economy sense), Bishkek, or Frunze as it was known during the Soviet period, developed primarily during and after World War ii. Its geographical distance from the targeted devastation of the war allowed the city to become strategically important for the relocation of factories, together with

20 Balihar Sanghera and Elmira Satybaldieva, "Ethics of Property, Illegal Settlements, and the Right to Subsistence," *International Journal of Sociology and Social Policy*, 32, no. 1/2 (2012): 97.

the displacement of mainly Russian and Ukrainian workers from the European part of the ussr to the wider Central Asian region.21

The city's development, especially in terms of housing, began to gather momentum during the 1960s. Between 1959 and 1970, Frunze grew more rapidly than any other city in the Soviet Union when, in just over a decade, its population more than doubled—from 220,000 in 1959 to 431,000 in 1970.22 The egalitarian and collectivist sentiment of socialist urbanization began to take hold with the construction of standardized *Khrushchovka* apartment buildings. These constructions, in their various series, continue to dominate the central area of Bishkek today and the micro-districts (*mikroraiony*) that comprise the outer area of the city. The paneled construction of these apartments have left an indelible mark on many cities of the former Soviet Union as part of a Soviet- wide urban planning initiative. Built cheaply and quickly, *Khrushchovka* were constructed alongside tree-lined pavements, squares, and parks. An emphasis on public space was integrated with cultural meeting points such as cinemas, an opera house, and the philharmonic hall that line *Chui Prospekt*, one of Bishkek's central thoroughfares, and educational amenities such as the main library, several universities, and the art gallery.

Egalitarian notions of urban design and architecture that formed an important background to the socialist city did not necessarily translate to all aspects of urban life. While housing, for example, was supposed to be allocated ac- cording to need rather than the amount one could pay, it was always treated as a reward for certain social categories of workers and certain parts of Bishkek became more desirable than others, as did individual building types.23 Ethnicity also played an important role in fostering unequal allocation of housing in Kyrgyzstan. This was largely due to the ethnic make-up between rural and urban areas and the strict controls the *propiska* (internal passport) system placed on internal migration.24 In the 1950s, the population of Bishkek was ap- proximately two-thirds "Slavic" and less than a quarter titular (ethnic Kyrgyz), with technical, industrial and administrative professions and urban housing

21 Mathias Schmidt and Lira Sagynbekova, "Migration Past and Present: Changing Patterns in Kyrgyzstan," *Central Asian Survey*, 27, no. 2 (2008): 111–127.

22 Chauncy Harris, "Urbanization and Population Growth in the Soviet Union," *Geographical Review*, 61, no. 1 (1971): 102–124.

23 On housing allocation in the Soviet Union, see: Michael Gentile and Örjan Sjöberg, "Housing Allocation under Socialism: The Soviet Case Revisited," *Post-Soviet Affairs*, 29, no. 2 (2013): 173–195.

24 On the *propiska* system in Kyrgyzstan see Craig Hatcher and Susan Thieme, "Institutional Transition: Internal Migration, the *Propiska*, and Post-Socialist Urban Change in Bishkek, Kyrgyzstan," *Urban Studies*, 53, no. 10 (2016): 2175–91.

dominated by the former—although studies suggest that there was little ethnic segregation at the neighborhood level during the Soviet period.25

As the Soviet Union began to crumble, the ethnic issue and questions of nationalism began to rise to the surface in the form of the *Ashar* (mutual assistance) movement; the first significant independent social organization in the Kyrgyz Soviet Socialist Republic. The movement was formed largely of young, ethnic Kyrgyz originally from rural families who were either studying in the city or had finished their studies and planned to stay in Bishkek. The members were typically living in poor quality and cramped state-owned housing,26 or renting rooms at a rate far above the rent-controlled price established for Soviet cities.27 At the same time, when a new factory opened in the city, workers were frequently brought in from Russia and other "central" republics to undertake middle- and senior-level management positions and were given apartments soon after moving to the city.

These underlying tensions related to inequitable housing allocation were ignited in 1989. Following violent unrest in neighboring Uzbekistan, rumors emerged that housing in Bishkek was to be allocated for Meskhetian Turks. The potential allocation of housing to a minority ethnic group roiled existing tensions over access to housing in the city.28 Large groups of ethnic Kyrgyz, riding on a new and more tolerated wave of nationalism, began to meet and protest on fields surrounding the periphery of the city where they demanded housing and land for young Kyrgyz families. Eventually, the local Communist Party agreed, with the nod from officials in Moscow, to distribute land on the outskirts of the city. Ak Orgo, in the southeast of the city, was the first settlement and allocated land to approximately 3,200 people.29 The allocation of land marked a departure point in the tightly controlled top-down processes of Bishkek's planning and urban development: while the land distributed

25 Philipp Schröder, ""Urbanizing" Bishkek: Interrelations of Boundaries, Migration, Group Size, and Opportunity Structure," *Central Asian Survey*, 29, no. 4 (2010): 453–467.

26 Eugene Huskey notes that of the 20,000-person-strong movement of Ashar, 5,000 were on the housing waiting list at the time. See Eugene Huskey, "Kyrgyzstan: The Politics of Economic and Demographic Frustration," National Council for Soviet and East European Research, Washington dc, July 31, 1995.

27 Hatcher, "Globalising Homeownership."

28 Venera Djumataeva, "1989 Kyrgyz Protests Verged on Ethnic Conflict," Radio Free Europe, December 11, 2009. Accessed January 18, 2017, http://www.rferl.org/a/Kyrgyz_Protests_in_1989_Verged_On_Ethnic_Conflict/1901704.html.

29 Dina Sharipova, "Who Gets What, When and How? Housing and Informal Institutions in the Soviet Union and Post Soviet Kazakhstan," *Central Asian Affairs*, 2, no. 2 (2015): 140–167.

continued to be owned by the state, construction of property was left to the individuals who began to self-build low-rise, single family housing. A new property aesthetic emerged on the outskirts of the city that looked very different to the multi-storey *Khrushchovka* housing that had dominated the city's planned construction efforts. It was not just the physical appearance of settlements on the edge of the city that was different, however; a new form of holding property was beginning to emerge that would pre-empt the roll-out of privatization programs as the Soviet Union began to show signs of faltering.

Independent Kyrgyzstan: Privatizing Property

The socialist mode of holding property collectively or by the state lost its persuasive narrative with the collapse of the Soviet Union in 1991. Private property—alongside other tenets of neoliberalism—gained a performative force, but its implementation through privatization programs required work and citational labor to bring together a new assemblage of ideologies, materialities, and identities. This involved enactments to break down Soviet property holdings based on collective and state ownership that relied on the common ownership of resources, the pooling of labor and income, and housing construction largely controlled by state enterprises. The break down and realignment of existing arrangements of property were therefore initiated through a series of performative enactments—legislative acts, conditional loans from international organizations, the production of privatization vouchers, and the establishment of a "state Property Fund" that organized the transfer of collectively held property to private individuals.

Prior to the collapse of the Soviet Union, 500 agricultural enterprises, owned both collectively and by the state, controlled 98 percent of arable land; the remaining two percent was held as small, family land plots.30 In February 1991, the "Law on Peasant Farms" provided for the distribution of unused land and land from failing collective or state farms to private individuals.31 Along with the aim of putting land into more productive use, the law established the "peasant farmer" as the new propertied identity of independent Kyrgyzstan. The "peasant farmer" had to exist before the state could enact the liberal individualism of private property; a new single identity was necessary for private property to work. The Law on Peasant Farmers was accompanied two months

30 Zvi Lerman and David Sedik, "Agricultural Recovery and Individual Land Tenure: Lessons from Central Asia," *Policy Studies on Rural Transition,* no. 3 (Budapest: FAO Regional Office for Europe and Central Asia, 2009).

31 Brent Hierman and Navruz Nekbakhtshoev, "Whose Land is it? Land Reform, Minorities, and the Titular "Nation" in Kazakhstan, Kyrgyzstan, and Tajikistan," *Nationalities Papers*, 42, no. 2 (2014): 336–354.

later by the "Law on Land Reform," which pronounced the establishment of an inventory of public and private land, the voluntary reorganization of inefficiently operated collective and state farms, and the creation of a special land fund that was to contain unused and inefficiently used land for redistribution to other private individuals.

Between 1991 and 1993, 10,000 peasant farms were established. The re-distribution of the land, however, was mired in controversy that continues to have lasting effects in Kyrgyzstan today. A lack of irrigated land meant that some re-distributed plots were unusable. Of 199,000 hectares of privatized land, only 30,000 hectares were irrigated.32 As a resident of Ak Jar informed me: "We lived in the village [near Osh]. … There were just empty fields. … They are very dry, and it's difficult to irrigate them, so anyone who wanted to grow crops would take a piece of a field and then plant crops." Moreover, farmers were often unable to afford the fertilizer required to maintain their crops while some lacked the agricultural skills needed to independently cultivate the land and enact private property. Parcels of distributed land were either thought to be unusable, seen as a burden, or were intensely farmed causing the land to degrade. Unused or over-used farmland often either reverted back to the local *ayil okmoto*, the local government unit responsible for administering land is- sues at the village level, or were transferred to larger farming cooperatives with the necessary skills and infrastructure to cultivate the land properly.33 The inequitable process of land distribution was also reinforced by individuals in the densely populated south receiving less land than those in the north. Land re-distribution was organized depending on the number of collective or state farm members during the Soviet period. As there were often more members in each farm in the south, the farmers received a smaller sized land plot than those in the north.34 The small size of the land plot was often insufficient for growing crops to sell at a profit and, depending on the quality of the land, also for subsistence growing. Following a decentralization initiative implemented during the early 1990s, a Land Redistribution Fund was also implemented in order to distribute land or extra land to those "most in need," but this rarely worked equitably in practice, given that it was governed at the local (*raion*) level by rural elites with their own vested interest in land distribution.

32 Gleason, "Land Reform."

33 See also, Katherine Verdery, "The Obligations of Ownership: Restoring Rights to Land in Postsocialist Transylvania," in Katherine Verdery and Caroline Humphrey (eds), *Property in Question: Value Transformation in the Global Economy* (New York: Berg, 2004).

34 us Agency for International Development, *Land Tenure and Property Rights Assessment for Kyrgyzstan* (Washington DC: USAID, 2005).

Writing on enactments of private property in Egypt during the nineteenth-century, Mitchell notes how the virtues of a universal right to private property were presented as the opposite of arbitrary power or coercion represented by state ownership of the land.35 Yet the principle of private property supported the seizing of land by force and justified the violent exercise of power. Moreover, these new private property arrangements came into being through the transfer of historical estates: "[r]ather than being a rupture, the old had helped the new." Private property is presented as an abstraction where the particular histories that produce it are seen as "incidental." In Kyrgyzstan a "rupture" is maintained between past, socialist modes of holding property and private property implemented in independent Kyrgyzstan, yet the inequalities of the former were reproduced within the latter arrangements of private property that led to the dispossession of part of the rural population. Thus, persuasive narratives of private property and its liberal associations of freedom obscured for a time at least, both its dispossessing qualities and how its making was preconditioned by power structures formulated during the Soviet period.

Migrating to the Periphery

Enactments of private property and the growing fragility of the rural economy played a role in the large movement of rural dwellers to the capital city, as well as abroad, with Russia becoming a major receiver of international migrants from Central Asia. Officially, the population of Bishkek increased by 151,000 between 1989 and 1999 (approximately 20 percent of its population), while unofficial contemporary estimates typically report this increase to be closer to 300,000, pushing the total population of Bishkek to over one million inhabitants. Rural-to-urban migration gathered momentum following the collapse of the Soviet Union, creating a new wave of development on the urban periphery. As Kostyukova notes, writing in 1994:

> Let us remember in 1989 those who claimed land achieved the desired result rather quickly, and it took place under a government outwardly acting against the squatters. The positive result aroused followers, the more so that the national and democratic led by Askar Akayev came to power in the republic. Big loans were allocated and favorable conditions for getting building materials were created for the first independent

35 Mitchell, "Rule of Experts," 56.

> builders. Despite all official statements, the real policy of the government encouraged the migrants' actions and hence migration as such.36

The subsequent growth of the urban periphery in Bishkek became linked to people migrating from rural areas and appropriating land on the urban periphery leading to what some locals describe as the "ruralization" of the city.37 Al- though the government supported construction of private, self-built housing on the outskirts of the city, as Kostyukova notes, the popular mapping of illegality onto the urban periphery by long-term Bishkek residents applies to both *novostroikas* legalized by the government and those that remain illegal such as Ak Jar. Although the state might officially legitimize property, this does not guarantee or sanction property in populist understandings of the *novostroikas*, especially when the state communicates an ambiguous message of their legitimacy. Instead the material features of property—self-built, temporary, lacking infrastructure—perform a role in asserting the *novostroikas*' lack of sociallegitimacy.

Narratives over the allocation of land during the period of the early 1990s vary depending on the *novostroika* under discussion. The government continued to allocate land plots in settlements such as Ak Bosogo and Kok Jar in the south of the city to individuals who were on an official housing waiting list. In 1988 this was approximately 31,800 or 17 percent of the capital city's households.38 These are now the more established *novostroikas* in the city, equipped with schools and medical clinics as well as infrastructural provision such as electricity and water. Other *novostroikas*, as Nasritinov, Zhumakadyr, and Asanalieva note, were established through a "land mafia."39 This distribution of land during the de-collectivization of farming and privatization of land involved a transfer of state-owned land from the national to the municipal level of government. A shift in ownership to the local *ayil okmoto* proved extremely lucrative for individuals working in local administrations together with "middle men" that connected the *ayil okmoto* with the migrants moving

36 Irina Kostyukova, "The Towns of Kyrgyzstan Change Their Faces: Rural-Urban Migrants in Bishkek," *Central Asian Survey*, 13, no. 3 (1994): 425–434.

37 Philipp Schröder, "Urban Spaces and Lifestyles in Central Asia and Beyond: An Introduction," *Central Asian Survey*, 35, no. 2 (2016): 145–156.

38 Gregory Andrusz, "Housing Policy in the Soviet Union," in J. Sillince (ed.), *Housing Policies in Eastern Europe and the Soviet Union* (New York: Routledge, 1990) cited in Dina Sharipova, "Who Gets What, When and How?"

39 Emil Nasritdinov, Bermet Zhumakadyr, and Diana Asanalieva, "Myths and Realities of Bishkek's Novostroikas," in Marlene Laruelle and Johan Engvall (eds), *Kyrgyzstan Beyond "Democracy Island" and "Failing State"* (Lanham, md: Lexington Books, 2015), 143–164.

to the city. Moreover, the municipal authorities continued to distribute land in reaction to protest movements. Reports in the local newspaper, *Vechernii Bishkek* at the time describe how *Dordoi novostroika,* named after its proximity to the Dordoi Bazaar, one of Central Asia's largest trading spaces, was established through a combination of protest, including the blocking of roads, and the eventual acquiescence of the government to protestors' de- mands for land. Reporting at the time emphasized that the protestors were offered land plots in one of the established *novostroikas* located in the south of the city. The protestors exclaimed, however, that they needed land in the north of the city, near the bazaar where they, and many other residents of nearby *novostroikas* worked ("where we make our daily bread"). This was despite being offered land plots in a *novostroika* that was already connected to water and electricity. Some of the protestors also highlighted that they already had land in their home village and would not be entitled to land if they had to go through such "official" procedures. The residents were per- forming a relational understanding of private property. Property is a network and entangled within its local context. For the protestors, accessing private property in Bishkek was not only about its materiality—the bricks and mortar required for shelter—but its location in the city and its distance from their work and income opportunities. They also had a preferred location in Kyrgyzstan: the residents wanted property in the city and access to the locational advantages it brings, and not just in the village. These demands were also prioritized against, at the time of the protest, other relational aspects such infrastructural access.

Questioning Inequity: The 2005 Unrest

In 2005, political events shifted the organization and understandings of property holdings once again. After 15 years of power, President Askar Akayev was ousted from his position by what came to be known as the "Tulip Revolution." The grossly inequitable distribution of economic benefits following the creation of the newly independent Kyrgyzstan was high on the list of grievances. It angered the protestors that the "trickle down" effects following years of shock therapy remained with the political elites, especially the extended family of Akayev (and their corporate interests). Now the people wanted a piece of it, too. Looting followed immediately after the toppling of the president. In Bishkek, young, typically Kyrgyz, men plundered the presidential "White House" on Chui *Prospekt*, while later that evening supermarkets and other businesses were looted in the center of the city. Writing on the 1960s race riots in Unit- ed States, Quanrantelli and Dynes note that, "[i]f property is seen not just as physical goods, but as a shared understanding about the allocation of valued resources within a society, a growing lack of consensus will progressively

manifest itself in open conflict."40 The looting in Bishkek, among other grievances that led to the unrest, highlighted the wider injustices and frustrations of property distribution in Kyrgyzstan, where a growing consensus of the com- munity began to override fear or deference.41

Just over a week later, with some form of normalcy returning to the city, so-called squatters on fields located on the outskirts of the city began dividing land into equal plots marked by pegs and ropes that followed the plot size typically distributed officially by local administrations. The redistribution of land formed an important mandate of the revolution; one article in *Vechernii Bishkek* notes, "You grabbed power: now give us land,"42 while Madeleine Reeves emphasizes how "[i]t was this sudden shift in the quality of land—a public resource that demanded just allocation—that was the most visible spontaneous reaction to the shifts in the political landscape … the revolution had made seizure legitimate."43 The interim administration, led by Kurmanbek Bakiyev, the main protagonist behind the opposition movement in the run-up to the Tulip Revolution, was reluctant to intervene in the "land grabbing" process realizing that this was part of the bargain required to install him in power. As Fryer, Nasritdinov, and Satybaldieva highlight, a popular slogan during the 2005 election was "Vote for Bakiyev and get a plot of land!"44 Land and its distribution to the protestors was a promise that Bakiyev had to fulfill if he wanted to solidify his control over the country. It was clear that Bakiyev's political power relied on sanctioning the property claims of the protestors. Months later, the government began to officially distribute land on the outskirts of the city, and other settlements were retroactively legalized.45 These official distributions were followed by Bakiyev making an official request to the World Bank for support to improve the infrastructure of these new settlements, which eventually led to the "Bishkek and Osh Infrastructure Project."46

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40 Enrico Quarantelli and Russell Dynes, "Property Norms and Looting: Their Patterns in Community Crises," *Phylon*, 31, no. 2 (1970): 168–182.

41 See Sanghera and Satybaldieva, "Ethics of Property."

42 Madeliene Reeves, "The Time of the Border: Contingency, Conflict, and Popular Statism at the Kyrgyzstan-Uzbekistan Border," in Madeleine Reeves, Johan Rasanayagam, and Judith Beyer (eds), *Ethnographies of the State in Central Asia: Performing Politics* (Bloomington, University of Indiana Press, 2014), 198–221.

43 Reeves, "The Time of the Border," 205.

44 Paul Fryer, Emil Nasritdinov, and Elmira Satybaldieva, "Moving Toward the Brink? Migration in the Kyrgyz Republic," *Central Asian Affairs,* 1 (2014): 171–198.

45 Sanghera and Satybaldieva, "Ethics of Property."

46 World Bank, "Project Appraisal Document on a Proposed Grant for the Bishkek and Osh Infrastructure Project," World Bank Sustainable Development Department, Central Asia Country Unit, Report No. 42108-kg, 2008.

Performing Property in Its Place: The Case of Ak Jar *Novostroika*

In this section, I draw from my research conducted between 2011 and 2015 in Ak Jar to understand how private property is constituted and brought into being in a particular place: a place at the edge of the city where its "illegality" offers an insight into everyday citations and also adjusted or variant performances of private property. Ak Jar emerged from the 2005 Tulip Revolution and has gradually developed through the incremental construction of properties built by migrants who had either arrived from other areas of Kyrgyzstan and were searching for employment in the city or had moved to the city earlier and were renting property around Bishkek. At first, a small settlement with temporary (*vremianka)* and half-built housing constructed with mud-bricks, Ak Jar has developed rapidly since 2011. Despite this rapid growth, a strictly observed boundary with the neighboring farmland squeezes the settlement into a long and narrow piece of land that at one end abuts the main road to Kazakhstan. The residents highlight that the area Ak Jar occupies was deliberately chosen for settlement because it stood abandoned and unused by its owner, unlike the neighboring farmland. As one resident noted: "The original owner did not plant anything here! The land was not used at all … it was just empty." The residents legitimize their claim to the land by highlighting how their collective use as a housing settlement transcends the abandonment by the private title owner. Their claim to the land is enacted by its "improvement" as the residents mix their labor with the land by flattening it, constructing houses, and laying the road.47 At the same time, the residents observe how the neighboring farm- er, by cultivating the field, had communicated ownership that marked their own exclusion: the cultivated land performs the boundary that separates Ak Jar and marks its territory.

An official court decision over the land moved toward recognizing the collective property claim of the residents. As the chairman of a local NGO highlighted: "[the original owner] was supposed to use the land for agricultural purposes but he never did, so when the residents sued [the original owner] in the Supreme Court, the decision was made in favor of the residents." Further interviews with representatives of the local administration highlight, however, that the decision was made based on the technicalities of private ownership

47 As John Locke notes on improvement and private property: "As much land as a man [sic] tills, plants, improves, cultivates, and can use the product of, so much is his property." See: John Locke and Richard Howard Cox, *Second Treatise of Government* (Arlington Heights, il: Harlan Davidson, 1982 [1681]).

and whether the private owner was "legally" transferred the property in the first place, rather than on a moral assessment that examined the residents' collective property claim against the "abandonment" of the land by the private owner. Private ownership of the land was not challenged but rather *how* the private land was previously transferred.48

Communication of ownership became important to highlight property claims and exclude other residents from making a claim to their land plot. While Ak Jar was never advertised as "illegal" by the land grabbers who also began to sell land plots, the noticeable lack of any urban infrastructure—roads, electricity, running water—made purchasing land cheaper in the settlement than other areas of the city. Some individuals immediately started to build their own homes and moved into them straight away, while others purchased plots but only built the foundations (*fundament*) of the property. The foundations acted as a material marker and placeholder of their ownership, excluding others until they returned to the settlement once electricity and water had been installed or when they had saved enough money to restart the construction process. Building the foundations of the property therefore represented a minimal enactment required to "communicate" a claim to ownership and exclude access to others. As Carol Rose notes: "in rewarding the one who communicates a claim … the useful labor is the very act of speaking clearly and distinctly about one's claims to property."49 The *fundament*, while not being a fully built house, communicates to other residents that "this land plot is mine,"acting as material manifestation of private property.

Bishkek was again thrown abruptly into urban unrest in 2010. The second storming of the parliament building in five years resulted in the ousting of President Bakiyev and the formation of an interim government led by President Rosa Otunbayeva and Prime Minister Almazbek Atambayev. The continuing of "clan"-style politics, which was also prevalent under Akayev's regime, was unfolding at a greater scale under Bakiyev and included the large-scale siphoning off of state-owned utility companies at a fraction of their market value. These sales, compounded with power blackouts during the especially cold winter of 2008–2009, were followed by an announcement of increased energy tariffs for heating and water, with the former set to rise by 400 percent

48 For a more detailed commentary on this point see Craig Hatcher, "Illegal Geographies of the State: The Legalisation of a Squatter Settlement in Bishkek, Kyrgyzstan," *International Journal of Law in the Built Environment*, 7, no. 1 (2015): 39–54.

49 Carol Rose, "Possession as the Origin of Property," *The University of Chicago Law Review*, 73 (1985): 73–88.

in January 2010.50 Such cost increases, imposed upon a largely impoverished population already suffering from reduced remittances from their family members in Russia as a result of the global economic crisis, marked a "tipping point" for a population that could no longer meet the payments. As with the 2005 Revolution, land rights became a salient topic during the unrest as protestors complained, in front of television news cameras, about the lack of housing in the city and the need for land to be given to the "people."51 Just as the protestors of the 2005 unrest are linked to a population of internal migrants who were living in rented accommodations around Bishkek, a connection is often also made between the bloody events of the 2010 unrest and the residents of the *novostroikas* on the outskirts of the city.52 These are the new arrivals to the city, perceived by the older, more established residents as threatening the legal as well as cultural and social order of Bishkek.53 As a friend of mine who had grown up in Bishkek exclaimed: "They [the residents of *novostroikas*] are just too lazy to work on the land [in the countryside], so they come and earn easy money in the city's *bazaar*." Reeves also draws on the divide in the city between new- comers and the old-timers and, writing on the 2010 unrest, notes, "[f]or many Bishkek residents, the young men who thronged to the city as the day began—predominantly poor, predominantly rural in background and Kyrgyz-speaking rather than Russian—were a "people" with whom they only ambivalently identified."54

The 2010 unrest again led to looting in the city and new claims, sometimes violent, over land on the outskirts of Bishkek. These claims now took on an ethnic dimension, whereby ethnic Kyrgyz attempted to expropriate property from established minority ethnic populations. In Maevka, a multiethnic village on the outskirts of Bishkek, several homes belonging to Meskhetian Turks were attacked and destroyed.55 In a different turn of events to the 2005 unrest, such

50 Venera Djumataeva, "The Roots of Kyrgyzstan's Uprising," Radio Free Europe, April 23, 2010. Accessed January 20, 2017. http://www.rferl.org/content/Commentary_Roots_Of_Kyrgyzstan_Uprising/2022430.html.

51 Madeleine Reeves, "The Latest Revolution," *London Review of Books*, 32, no. 9 (2010): 27–28.

52 Nasritdinov, Zhumakadyr, and Asanalieva, "Myths and Realities."

53 Moya Flynn and Natalia Kosmarskaya, "Exploring "North" and 'South" in Post-Soviet Bishkek: Discourses and Perceptions of Rural-Urban Migration," *Nationalities Papers*, 40, no. 3 (2014): 453–471.

54 Reeves, "The Latest Revolution."

55 Robin Forestier-Walker, "Kyrgyzstan's Hollow Revolution," *Aljazeera*, May 5, 2010. Accessed January 17, 2017. http://www.aljazeera.com/focus/2010/05/201052133118763837. html.

land "grabs" were halted by government-sanctioned vigilante teams who protected private property at a time when official forces lacked credibility.

Following the 2010 unrest, Ak Jar began to develop a form of political authority within the wider state politics of Kyrgyzstan and especially in its role "sanctioning" property. Understandings of "illegality" already mapped onto the urban periphery began to merge with discourses of danger and violence, which the "weak" and newly established interim government needed to man- age with caution in order to prevent any further unrest. The residents of the *novostroikas* were thought to have played a part in installing Bakiyev in power, yet they had also, through a more violent interaction, partly played a role in ousting him when the hopes of the "Revolutionary government" failed to materialize. The urban periphery not only highlights the spatial inequalities evident in the city but also the partial relocation of political authority to the *novostroi- kas.* Political authority was becoming increasingly spatially disaggregated and re-*placed* across the city; now it began to include the periphery. The residents of Ak Jar, in particular, began to use this disaggregation and the interim government's fear of further unrest to articulate their property claims through their own forms of protest.

The emerging political authority of the residents on the outskirts of the city was a concern for the new interim government.56 Therefore, when the residents of Ak Jar blocked a main road near the settlement toward the end of 2010, only months after the April unrest in Bishkek and the bloodier conflict in June in the south of the country, the government needed to respond quickly and diplomatically. The residents blocked the main arterial road and trading route abutting the settlement that connects the Dordoy bazaar to Almaty in Kazakh- stan. Through this protest, the residents demanded an improvement of their living conditions in the settlement, particularly the installation of electricity and water together with a declaration of their legal status. By the end of 2011, parts of the settlement received electricity and water. Atambayev was elected president and subsequently fulfilled his promise of organizing infrastructural upgrades. As one resident noted:

> "We blocked the road in 2011. Atambayev … transferred 36 million 600 thousand soms from the state budget and 16 million 600 thousand soms of this sum were transferred to the company, "Elektro sila." So 8 million soms of this money were dedicated to the water, the rest of this sum went to the electricity. The electricity only reached the 27th street, there was no budget

56 See also, Elisa Isabaeva, "Migration into the 'Illegality' and Coping with Difficulties in a Squatter Settlement in Bishkek," *Zeitschrift für Ethnologie*, no. 138 (2014): 1–16.

> left for the other streets, so the residents collected money themselves to buy pylons but the electricity lines were still installed by Elektro sila."

Struggles over property are as much about the "scope and constitution" of political authority as they are about access to resources.57 The demands of the Ak Jar residents were entangled with their idea of how the state should enact private property. The ideas were based on performative enactments observed in other (legalized) *novostroikas* by previous governments allocating funding for the urban periphery as well as the initiation of the World Bank infrastructure project but were also based on notions of what the state used to provide during the Soviet era as well as what they believed they were entitled to as a citizen of the Kyrgyz Republic. The persuasive claim of the residents coupled with the realignment of power toward to the *novostroikas* led the government to respond to the residents' demands. The promises and allocation of money by Atambayev "sanctioned" the property claims of the residents and to a certain extent guaranteed protection—from eviction—by the government.

The arrival of infrastructure denoting a connection to the "legal" city resulted in more individuals purchasing land, joining family members who had already been living there, or returning to land they had previously bought to complete construction on their property. During my last visit in September 2015, the protests had diminished and instead, particularly in the run up to the parliamentary election in October that year, electoral candidates began to compete for the votes of the residents. One community leader noted the ongoing persuasive and coercive techniques used by the residents to ensure the state's continual enactment of private property that would benefit the wider community:

> Candidates of [a political party] visited our settlement to ask for votes. I brought up this issue about the road … so now [the political party] is repairing our roads … There are many people who have biometric data here, so all the parties are interested in Ak Jar. Of course, [the political party] needs votes, this is why they are doing our roads, but I think I will vote for another party, the one who has funded this office.

This development of the infrastructure acquired through increasing political authority of the residents has diminished the challenges and fears of being "illegal." As one resident noted: "The settlement being illegal does not make me

57 Christian Lund, "Rule and Rupture: State Formation through the Production of Property and Citizenship," *Development and Change,* 47, no. 6 (2016): 1199–1288.

nervous: why should it? The state is doing the roads, it has installed electricity, we have *krasnaia kniga* for our settlement, Ak Jar has become one of the better equipped settlements in terms of infrastructure!"58 The *material* performances of legality such as road connections, the construction of electricity pylons, and the production of property documents become important to the residents more than the declaration of legality. The mapping of "illegality" onto Ak Jar loses its meaning and importance as the residents coerce the state to sanction their property claim. The installation of infrastructure illustrates the wider assembling of property to include both human subjects and materialities. Infrastructure not only materially connects Ak Jar to the rest of the city, reducing the divide between "old" and "new" Bishkek, but also demonstrates the state's sanctioning of the residents' claims to property. These material enactments also develop over *time.* As one resident noted in 2015: "We've already been here 10 years … plus, there are so many families and people living here." The years that have passed suggest an attachment to land, a sense of belonging and per- sonhood that strengthens the residents' claim over the private owner's claim as the latter becomes increasingly detached from the land over time.

The enactments of private property in Ak Jar are formed from a desire to produce an equitable privatization process in Kyrgyzstan that is also based on the collective and moral endeavors of private property. As an assemblage of multiple and overlapping enactments, it is possible to perform private property differently. As Blomley notes, "Property is not a 'closed loop'—the very necessity that property has to be performed … opens the possibility, perhaps even inevitability, of re-articulations of property and subjectivity."59 The *a priori* certainty of private property therefore becomes a much more diverse category when property is enacted.60 The needs of the settlement as a wider community are sometimes pitted against an individual resident if that individual is perceived to be acting beyond the interests of the wider settlement. One of the settlement leaders highlights this when she explains why some of the residents are trying to prevent another resident from selling multiple parcels of land:

58 *Krasnaia kniga* is an official document that denotes property ownership. Here, the resident is not referring to a property document for his individual land plot, but rather the document or *krasnaia kniga* for the whole settlement as it was originally one field owned by one private individual, and the residents have only informally separated the land intoindividual plots.

59 Blomley, "*Performing Property*," 21.

60 Frode Flemsæter and Gunhild Setten, "Holding Property in Trust: Kinship, Law, and Property Enactment on Norwegian Smallholdings," *Environment and Planning A*, 41 (2009): 2267–84.

> One woman got 10 plots at the beginning [2005] because she registered her entire family. She built something like an outhouse on each plot to show that each one has an owner, and now she is trying to sell the plots individually. We are doing our best not to let her sell the plots because we would like them for a school, kindergarten, and medical clinic … so if she is showing a potential buyer the land, we see that, approach them and explain to him/her that the land in Ak Jar is illegal … and if they want to buy a house, the state will confiscate it because it's illegal.

There are limits placed on the performances of private property—especially on alienability—if they disrupt the wider interests of the community. These limits also reflect a version of private property based on owner occupation and physical possession that transcend conceptions of ownership as a fungible commodity. Thus, while wider property performances in Bishkek draw on the notion of speculation, investment, and house flipping, especially as luxury, newly constructed and multi-story houses (*elitka)* increasingly replace older properties in the city center, a counter-performance is evident in Ak Jar based on community values. Here, the residents selectively cite official meanings of their own "illegal" status to both further the community interests as well as their own personal interests, highlighting how legal ambiguity is used to pursue their own version of private property. The residents cite multiple and contradictory enactments of private property depending on to whom they are communicating their property claim. To one of the potential buyers above, the residents perform their illegality by citing their unlawful possession of the land whereas, in contrast, claims to the government are based on their attachment, personhood, and labor invested in the land.

As well as taking on the needs of the community, disputes over property between individual residents are often assessed based on moral reasoning. A community leader described a dispute over the "ownership" of a single plot land between different potential "owners":

> One land plot was sold to many different individuals. On one and the same plot, one person built the *fundament* [foundations], another person built the walls, then a family with three children moved in and built the roof. A fourth person who had also originally bought the land worked in the Ministry of Internal Affairs and decided to claim his ownership over the land. But during this tough dispute, the father and husband of the family died. … We gathered the *Aksakal sotu* [wise members of the settlement] and they all agreed that the woman should keep the house because of the situation she was in.

Contestations over "ownership" are decided within a moral framework policed by the authority of the *Aksakal sotu* (courts of elders). As title deeds for the land do not exist, it is not possible determine the owner by way of property documents that perform an abstract version of property. Similarly, the judgment by the *Aksakal sotu* does not consider the time and labor invested by each individual or question which individual put the land to a more productive use, as was the case when residents of Ak Jar articulate their own collective property claim against the private owner. With this dispute, property ownership was instead assessed by examining the needs of each individual and their personal situation. Assessment of these internal disputes seem to vary and, again, draw on multiple enactments of private property. A resident described another dispute where multiple claims to a property were evaluated in terms of possession and improvement, she noted: "The majority of residents take the side of the person who maintained the plot. … I participated in some disputes and I tried to be very fair. I didn't even take the side of the people from my own village, even my relatives." The decision of who should rightfully obtain informal ownership of the property was based on the particular resident's labor investment rather than moral reasoning. The residents of Ak Jar perform multiple and overlapping versions of property that are embedded within their contextual circumstances.

Conclusion

Property is embedded in forms of rhetoric, political protest, and power relations. Understanding the contestations over making property in Ak Jar involves examining wider property shifts in Kyrgyzstan, how these shifts are enacted and by whom, and the contestations that emerge from these shifts. Implemented after the collapse of the Soviet Union, privatization programs performed a new property arrangement in Kyrgyzstan whereby land previously held by the state and in collectives was distributed to private individuals as a means of kick-starting the market economy. Based on official pronouncements of sharing wealth and the promotion of an entrepreneurial society, these enactments of private property were unequal, creating winners and losers, with a disproportionate amount of the latter hit especially hard in Kyrgyzstan's rural areas. The resulting increase of rural-to-urban migration in the mid- to late-1990s and the demand for housing and land unfolded spatially on Bishkek's urban periphery, where new claims over property were articulated by the city's growing ethnic Kyrgyz community. These claims reached their peak in 2005, following the Tulip Revolution, when protests over access to land in Bishkek intensified.

Examining performances of property in Kyrgyzstan emphasizes how private property was brought into being as the Soviet Union began to falter as well as the labor required to maintain and continually enact private property. Drawing on the individual enactments required to *do* private property also emphasizes potential slippages or counter performances that open up possibilities for realignment and the potential to enact a more equitable mode of doing property. The 2005 unrest was especially important in assessing the current inequities of private property and the redistribution that followed from this.

A focus on the enactment of property in Ak Jar offers a useful insight into how private property is performed at the margins. In the settlement, at the edge of the city, the contextual underpinnings of property are more fragile and open to counter-performance. The enactments of property in Ak Jar do not contest the hegemony of private property, but instead reveal its multiple and overlapping enactments. Private property endures, but its fragility means that it is potentially subject to reinterpretation. The residents use this flexibility and the settlement's legal ambiguity to their own advantage through their multiple and contradictory citations of private property that may shift depending on the audience of their property claim.

Taking a performative lens helps us understand how models of property, in this case private property in Kyrgyzstan, endure and become successful. Performativity places an emphasis on doings and enactments rather than assessing property models based on their representative accuracy. These representative assessments of property, while often highlighting an important ethical stance, run the danger of policing and contributing to the hegemony of the ownership model through their citations and repetitions of it.

In returning to my initial vignette of my meeting with the urban planner in Bishkek, it is worth reflecting on his role in the *making* of property in Kyrgyzstan. Examining empirical enactments of property in Ak Jar offers an insight into how property is contextually and iteratively produced in its "place." The planner's pronouncement of Ak Jar's "illegality" was hindering the residents' claim to the land on the edge of the city: but for how long will his enactment of property endure? Property is a fragile and contingent assemblage of materialities, identities, and social relations that come together to bring property into being. It is this fragility and contingency that allows for realignment and counter-performances that potentially enact more equitable and inclusive versions of property. These new enactments have the ability to replace other alignments and to reduce the importance of other enactments, including the planner's performative effect on the resident's claim to land on Bishkek's urban periphery.