

**Title:** Homeless in the Homeland: housing protests in Kazakhstan

**Abstract:**

The paper tracks housing protests in Kazakhstan's former capital city, Almaty from 1989 to 2016 for what they reveal about shifting ideas of rights and obligations between citizens and state. Three broad models of moral economies of housing emerge. First, the Soviet period, where equal access to housing was nominally in return for labour. Second, the early Republican period when pro-Kazakh policies favoured previously marginalized ethnic Kazakhs, and, third, the years from 2004, when the country's wealth increased before the 2008 crash and the plunging value of the local currency. This was when a professional class became increasingly valorized with housing support mechanisms created specifically for them. The various protests highlight the failures of each model to provide secure, adequate housing. A constant theme of 'illegal legality' and informal practices, variously construed by citizens as moral, pragmatic or immoral, has consistently undermined both the achievement of housing promises and the safety and security of housing. The article explores the paradox of why citizens continue to demand help and interventions from the state amidst such pervasive untrustworthiness.

**Key words:** housing protest, post-socialism, corruption, Kazakhstan

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## Homeless in the Homeland: housing protests in Kazakhstan

### **Introduction**

In 2008, the economic crisis revealed the fragility of Kazakhstan's oil economy. After three devaluations, the local currency (*tenge*) was floated in 2015, its value plunging by a further 23%. One effect was that many holders of dollar-pegged mortgages found themselves unable to repay credit installments on *tenge* salaries. Some developers were bankrupted; others fled with deposits leaving half-finished buildings and penniless, homeless shareholders (Rolnik, 2011). Kazakhstan's central bank governor observed bluntly, "This is a market-driven decision. This is not socialism. We could not protect everything." (Farchy, 2015). But a quite different understanding of the authorities' obligations to protect citizens in need of housing appeared in the demonstrations which have rippled across Kazakhstan's major cities since 2008, claiming help with housing from the government and banks. Mortgage holders went on hunger strike in 2009 in an apartment adorned with a large poster 'Government! Help your people!' In another typical protest in Almaty,<sup>i</sup> Kazakhstan's former capital, crowds belonging to the 'Housing for People!' movement, marched on banks, banging pots, chanting 'Down with banks!', demanding loan terms to be reformulated and repossessions to cease. In 2016, local media reported suicide from self-immolation as a shocking new form of protest by despairing mortgage holders.

What is striking is that most of these protestors could be defined as middle-class, possessing qualifications, relatively secure jobs, in a middle-income bracket and aspiring or actual property owners (Daly, 2005). In common with much of the contemporary world (Sabaté, 2016 and Bruun, this vol.), urban home ownership in Kazakhstan now confers status, and, arguably, is morally charged as an index of individual financial security and autonomy, characteristics that are valorised in a neoliberal cosmology. As Muehlebach (2012) suggests, neoliberalism and capitalism are as moralised as any other system. More than this, the middle class is the basis for Kazakhstan's 2050 National Strategy's ambition to become a global economic player and politically stable. '[T]he

middle class', wrote President Nazarbayev in 2004, 'has something to lose, ... does not want revolution, does not want changes in ... laws and is a stabilizer and bulwark of the state.' (Ostrowski, 2012: 246). Further, Nazarbayev's Decree 1388 in 2004 named 'the middle class as the intended direct beneficiary of the government's housing construction programme' (Daly, 2005: 8-9), establishing mortgage mechanisms specifically to help middle-income employees get a foot on the property ladder amidst Kazakhstan's delirious housing bubble 2004-2008.

These support initiatives, plus subsequent demands for the government and banks to intervene in the effects on housing of a nose-diving economy, indicate close links between secure housing provision and conceptions, or expectations, of citizenship and the state; though when the apparent bulwark of the state protests against homelessness, its foundations begin to seem rather shaky. There are resonances here with symbolic associations made elsewhere in the world between housing, the state and the ideal citizen (see Bruun and the Introduction to this vol.). In Kazakhstan, these links are both confirmed and complicated by taking a longer view.

This article explores two related themes in struggles for decent housing. The first traces how the housing protests described above are just the latest in a series where the connection between citizenship, models of the state, tenure and rights to housing has been both a constant—and constantly reconfigured. Housing in Kazakhstan therefore reveals a series of overlapping ways in which broader moral economies have been imagined and practised from the Soviet period on. As Thompson (1971) describes, one configuration is not neatly supplanted by another (see also Koch this vol); the habitus and expectations of previous vertical relationships between authorities and people remains for some people while new expectations emerge.

In summary, in the Soviet period rights to housing were (nominally) granted in return for labour. This was enshrined in Article 44 of the 1977 Soviet Constitution, the first Constitution explicitly guaranteeing housing to all USSR citizens. Then, with perestroika in the 1980s, nationalist moves to self-determination, or at least to equal rights with more

privileged non-titular groups, began to merge ideas of rights to a home and homeland. When the new Republic emerged in 1991, Kazakhs numbered less than 40% of the population, potentially querying the legitimacy of a Kazakh government. Pro-Kazakh affirmative actions (Bassin, 2016: 281) began to appear, including offers of housing and land particularly to repatriate Kazakhs (*oralman*). As the country stabilised, however, the emphasis on labour returned, but of the kind that underpins a knowledge economy. Tensions continue over whether the country should emphasise a nationalist or a civic basis to the state (Kudaibergenova, 2015).

Until recent protests by mortgage defaultees, housing protests were largely associated with marginalised Kazakhs; it is these demonstrations which are the main ethnographic focus below. I opened with recent middle-class demonstrations, however, to highlight first, shifts in how citizenship and housing rights have been conceived, second that distinct groups have called on the authorities for help with housing and, third, that no alliances have formed between various groups who apparently have common cause. Although there is a continuing sense that the authorities have some responsibilities towards citizens, it is hard to discern moral communities of the kind described by Thompson (1971) or as Chatterjee suggests have emerged in India around campaigns for improved infrastructure (2004).

The second theme is how malfeasance has long undermined both equality in housing provision and assurance that housing was adequate and secure. Illicit preferential treatment for different groups at different times has eroded equality and created a murky arena in which citizens' struggle to engage with authorities (see Reeves 2015 on similarly ambiguous areas in Moscow). This space is partly shaped by dissonances between law 'on the books' and in practice, but also how citizens act and morally rationalise those actions, all of which are rooted in the Soviet period. Thus, the divergence between legal code and practice is rooted in revolutionary logic where state and leadership were above the law (Ioffe and Maggs, 1983: 1-2). Corruption, described below by one informant as 'illegal legality', appears as the immoral use of state-controlled resources including housing/land allocation and, vitally for this account, *regulation* which ensures safe and

decent homes. Such corruption is typically through legal or regulatory deviation but can also appear through the enactment of law on the books: as I discuss below, formalising informal property rights can lead to homelessness.

The Soviet institution of '*blat*'—the illicit appropriation of public resources through informal connections (*svyazi*) or acquaintances (*znakomye*) across public and private spheres—also continues. Crucially, as Ledeneva (1998) and Urban (2010: 99-100) describe, *blat* is based on misrecognition: it is morally censured and what *other* people do. For those who perform such actions, they are typically construed positively as mutual help in a context of need and indeed not necessarily called *blat*. Money payments, or bribes, are more commonly seen negatively, occasionally contrasted with the lesser evil of *blat*. However, while citizens' negative statements about pervasive corruption are commonplace (Oka 2013), so too is the recognition that in order to live in the city, or cut through impossible red tape, they too must sometimes act in ways that range from the illegal, but morally legitimate, to the immoral and illegal. Thus two axes might be imagined of the legal/illegal and the moral/immoral where legal codes or practice may be understood as either moral or immoral in their purpose or effect. Illegal actions may likewise be cast as moral by citizens, insofar as they are pragmatic responses to bureaucratic gordian knots.

One effect of these ambiguous, uncertain spaces is that citizens cannot simply take on or use the law, as Holston describes in his account of insurgent citizenship (2008). Instead, alongside courts that regularly merge state and commercial interests (Rolnik, 2011), there are complex waters for citizens to chart between legal and moral domains. Further, securing housing means the homeless, or potentially so, must contend with multiple layers of 'authorities': banks and politicians plus officials at state, city and local levels. These various bodies may variously offer or withdraw support, exact bribes, or try to destroy houses and expel residents; they are experienced as aphasic, corrupt, unpredictable, and sometimes violent.

The rest of this article is in three sections. The first, sketches Almaty's troubled housing history and the initial protest in 1989 for housing particularly for marginalised, ethnic Kazakhs. The next section describes the development of Shanyrak, a periurban settlement in a hazardous area where people, land and housing illustrate the legal and moral ambiguities outlined above. The third part describes a violent, attempted eviction in Shanyrak in 2006, its subsequent resistance and measures introduced to address housing problems, all of which, ultimately emerge as failures of care. The sections illustrate the shifts in privileging different groups of citizens, or attributes, for housing support: rights through labour, common ethnicity, or specific capacity and attainment. The conclusion explores the paradox that, in such a context of pervasive uncertainty and untrustworthiness, people still appeal to the state for protection.

### **Almaty and the Soviet social contract: shortage, complaint and protest**

The Soviet city was the engine of socio-economic progress and the means to a complete life with access to all a city afforded (Alexander and Buchli, 2004); moving to the city was an aspiration for many. But in Almaty, as with many Soviet cities, population growth was controlled. Introduced in 1932 to curb rural migration to the major cities (Matthews 1993), the *propiska* was a permit to live in one specified city (or village), was essential for work there but did not indicate a specific dwelling. Illustrating how such moves were often effected, Dave quotes one woman remembering, 'I came to Almaty with my mother in 1957 from our native village... Relatives ... found a place for us to stay, and used their connections to find her a job in order to get a *propiska*' (2007: 62). It was the ultimate Catch 22: no work without a *propiska*, and no *propiska* without work – unless informal connections were able to secure one or the other.

But there were further problems. Chronic urban housing shortages were an abiding feature of the Soviet Union (Andrusz, 1984; Sillince, 2014). By the late 1980s, many people, with a *propiska* for Almaty, had been waiting since the 1970s for an apartment to be allocated to them, either squashing in with relatives or renting accommodation in hostels or the self-built houses, largely to the city's north, which frequently lacked central heating, sewerage and internal running water (Anon, 1987a: 2). The housing shortage

was exacerbated by unequal allocation which, in Kazakhstan, had an ethnic dimension. Almaty was largely Russophone and mainly Russian (Dave, 2007); in the 1989 census, Kazakhs were only 22% of the city's population.

The small town was poorly sited for rapid expansion. The city's south is bounded by mountains, which occasionally suffer devastating mudslides. The northwest is swampy and crossed by a large, high-pressure gas pipe and high voltage pylons, which meant it was formally classified as a dangerous area. The three rivers running across the city from the mountains regularly flood. Building up was not an option since the area is seismic and technologies had not yet been developed for safe, high-rise constructions. During the Soviet period, building in hazardous or 'red zone' areas was forbidden. These restrictions were upheld. Numerous City Departments monitored and regulated their specialist areas in and around Almaty but, after 1991, effective funding was lost (Kuratov, 2004) and enforcement of restrictions became variable or absent.

The housing crisis was one of the major political issues during perestroika. With glasnost in the air, newspapers in the late 1980s railed against preposterous housing queues and breaches of housing allocation mechanisms. Ethnic inequalities were not mentioned. Local official newspapers reported daily on Almaty's housing crisis. Almaty's construction company, ADK, summarised problems as late and poor quality materials, few skilled builders, lack of local capacity for making prefabricated concrete panels—observing that ironically, one of the longest accommodation queues was within the construction sector itself with 2,100 families (ADK, 1987:2-3). There were said to be over half a million families waiting for homes in Kazakhstan, at least 20,000 in Alma-Ata (ibid). Housing stock (including many state apartments) was low quality, maintenance either inadequate or absent, particularly in districts beyond the prestigious centre. The Chief Engineer was named, shamed and sacked for poor work (Anon, 1987c: 2). Corruption in the allocating organisations was regularly cited where officials took better apartments for themselves, giving others to people either not in the housing queue or with years to wait; officials were named and their dismissal detailed (Anon, 1987a: 2). The implication was that this distribution was via *blat*.

In 1987, Kazakhstan's First Secretary announced a housing programme, Zhiloy-91, to address the 27th All-Union Party Congress' dictum that, by 2000, all families would have an apartment. Ambitious plans for increased housing were demanded from municipal authorities and workplaces and a third work shift recommended for accelerating ADK's construction schedule. A new scheme was introduced for young people to build apartment blocks for themselves (Anon, 1987b). Almaty's Chief Architect, Bayamurzaev noted the limitations to Almaty's expansion (the impossibility of expanding to the south and north west was then a given), suggesting that 'old, uncomfortable houses and blocks should be demolished to make way for modern, higher density buildings' (1987:3). He also pleaded with Almaty's factory directors to stop inviting workers (and providing *propiskas*) without accommodation being in place. However, lack of funding meant little happened apart from cries that something must be done.

Then, in 1989, a housing movement for homeless Kazakhs, Asar ('co-operation' in Kazakh), started in Almaty. Young Kazakhs began to occupy unused apartments and protest against the exclusion of Kazakhs from their capital, making it apparent that the myth of equal citizenship was riven by ethnic difference (Alexander, 2009). 'Home', in these protests, began to be inflected with the rights of Kazakhs to take advantage of what a home in the right place (Almaty) offered, merging demands for housing and increased ethnic self-determination.

'We wrote endless letters to the authorities,' Rustam, one of Asar's organisers, then a Komsomol member, said,

'we said they were breaking the law which said housing should be provided. We asked why there were empty apartments when there were homeless people. At this time, Almaty's population had only 22% Kazakhs. So we said: why were Kazakhs in their own land not able to have a better life, to get an education and have a good job? The authorities ignored us.'



So we told them that we were thousands strong and would do something extreme if we were not given land. Still they ignored us.

So we occupied areas outside the city like Shanyrak. Still they gave us no land, and no *propiska*. We occupied areas inside the city, empty apartments, apartments that had been turned into workshops instead of places for people to live! There were thousands! Then in October 1990 we organised a hunger strike in front of the parliament with thousands of supporters.

We said, ‘we will die here so that these other people can have land.’

Appealing to the law, here Article 44, was a traditional tactic of Soviet dissidents who called on the authorities to abide by the Soviet Constitution (Glazov, 1985:105), highlighting discrepancies between law and practice. As noted above, such dissonance is rooted in the Soviet period when practical enforcement was on the basis of unpublished regulations, secret instructions and administrative orders (Ioffe and Maggs, 1983: 24, 103), producing law in practice that was often arbitrary and coercive (Schwartzman, 1986: 687). Such arbitrariness opened up a space where *blat* could ensure both legal rights and illegal favours, when enactment of the law could not be assumed.

Rustam commented that the occupation emphasised apartments not being used for their proper purpose, thus referencing Article 1 of the initial Civil Code, expanded in the 1964 revision (Article 5) to ‘protect civil rights (of dwelling) except when exercised in contradistinction to their socio-economic purpose’. The protest thus suggested that the authorities were misusing apartments and therefore deviating from the Code. So far, the protests had a familiar form (letters, hunger strikes, pot banging, and marches) and basis (dereliction of legal duties). However, claiming rights through blood not just citizenship and the law was new.

Although today most citizens have forgotten these glasnost/perestroika housing protests, they were a significant turning point in the country’s history. In summary, interests

coalesced between influential proponents of the emerging nation-state and Kazakhs without housing or land in Almaty. A few Kazakh senior officials in the city administration quietly backed the protests, providing land for young urban Kazakhs with no home of their own and Kazakhs from rural areas and abroad. Much of this land was in a district called Shanyrak, in Almaty's boggy northwestern reaches.

### **Shanyrak: Kazakh nation-state, home—and land of documents**

The emergence and development of Shanyrak reveals the fluidity of how citizenship and attendant rights have been conceptualised and practised since the late 1980s and early 1990s. When the new Republic emerged in 1991, Almaty's mayor (*Akim*), Zamanbek Nurkadilov, called for young Kazakhs to come and make a home in their homeland's capital. Housing—not just anywhere, but in the capital with all it afforded—was fleetingly the informal basis of a new social contract where rights were through Kazakh ethnicity.

A series of documents controls and legitimises the right to property and the city. These documents are: title deeds to land, certificates from five committees (Fire, Sanitary, Land, Akimat [city administration] and Architecture), which together allow a 'technical passport' for a house to be issued and legal ownership, which, in turn, opens up the possibility of a *propiska*, that unlocks social benefits, including, ironically, public housing as well as access to formal work and credit. These documents can be arbitrarily deployed and are frequently modified. The novelty is that contemporary *propiskas* are linked to a specific dwelling.

The process of obtaining land and house documents is so opaque, lengthy, changeable and expensive that a widespread procedure is to build illegally and then register a house, providing the timing meets a 'wave' of posthoc legislation (see below) or the applicant pulls strings (*blat*) and/or pays. Obtaining documents is time-consuming. It can take years to sort out paperwork, as many Shanyrak residents wearily explained, one laughingly saying that Kazakhstan was in fact Qaghazstan: 'land of documents'. After seven years of piecemeal building, he observed that his retrospective application for registration was

approved and signed off by ‘the five committees’ without any inspection for regulatory compliance. Indeed, his house remains incomplete for want of money although its legal form is entire. As is common, he found a friend of a friend in the local Akimat to usher the registration through. Although he did not call this *po blaty* (via blat), this is how it works. When due process becomes practically impossible, such informal mechanisms to acquire rights, take on a legitimate if not entirely moral hue.

After 1991, many Kazakhs moved to Almaty without *propiskas*, claiming a right to live in their capital, answering Nurkadilov’s call. From their perspective, moral right trumped the law. One such was Bazargul, a Shanyrak resident, now in her 60s, who recalled leaving her village and moving to Almaty in 1992. Her account echoed her neighbours’. She sold her animals and moved to Shanyrak where they were given land, built a two-room *vremiyanka* (lit. ‘temporary house’), in which she, her husband and twelve children lived for eleven years. ‘Then,’ she said, ‘all this was just mud, we wore plastic bags on our feet because we had no money for rubber boots.’ She secured a *propiska* via this house.

For those without a house it has become increasingly difficult to obtain a *propiska*. In the 1990s, informal markets emerged in fake *propiskas* and residents offering their address for cash but, in 2010, harsher restrictions were introduced in Almaty (Yaskevich and Toguspaev, 2014). Formal rental agreements suffice, but cheaper rentals, where tenants crush together to save expense, are typically undeclared to avoid taxation, based on oral agreements and thus cannot be used as an address (cf Osmonova 2016). Those most in need of housing and welfare are therefore unlikely to qualify, hovering in the margins as indeterminate citizens,<sup>ii</sup> paying off policemen with bribes, buying expensive fake documents and risking fines much as Reeves (2015) and Höjdestrand (2009) show for immigrants and the homeless in Moscow and St Petersburg. Those without *propiskas* generally shrugged, construing these actions as the penalty for lacking the right documents but aware that policemen were likely to pocket fines. They were more voluble about the iniquity of not being granted a *propiska*, despite frequent requests, believing they had a moral right to one as Kazakhs. The sharp difference between this and the ambiguous spaces of personal rule and official corruption that Central Asian immigrant

workers negotiate in Moscow, is that such spaces can be equally uncertain in Almaty for Kazakh nationals and, on occasion, the middle class, regardless of ethnicity.

In 2000,<sup>iii</sup> when I started fieldwork in Shanyrak, it was still bare fields studded with small shacks. There were no utilities. Land was obtained through many means and different prices paid. Some had been allocated land gratis, as in Bazargul's case, others were squatting, explaining (some tongue in cheek) that everyone in Kazakhstan with a house was entitled to the land on which it stood, so they had decided to take up their entitlement in Almaty rather than in their village. Some had paid the then official price of \$500 for deeds, others unwittingly paid considerably more to corrupt local officials, while many were victims of a common scam buying fake deeds, only discovered when another family turned up with official deeds to the same plot. Few were evicted; at this time possession counted for something. Officials in the 1990s often lacked knowledge of what they were supposed to do but many embraced the confusion of the times to secure illegal income. The ramifications of that period persist.

Occasionally, residents said, a city official would arrive and say houses should not be built in boggy areas, but little happened. Again, housebuilders knew that technical passports could only be granted to 'red brick' (*kirpich*) houses, said to be seismically safe, which were too expensive for most; a single layer of red bricks was therefore either applied to the outside of adobe houses 'like a skin', in their words, to fool officials or homeowners just shrugged. Legalising a house was a luxury when many remained incomplete for want of money to buy materials. Abandoned houses were swiftly cannibalised for bricks, wood and glass. Occasional requests were made to the Akimat for improved infrastructure, but most residents muttered that this was 'an illegal district', meaning many people and houses were not ratified and certificated. The state's absence, in such circumstances was, for some, a boon. The mass of documents required to regularise property at this point often outweighed the benefits for residents. No-one seemed aware that title deeds had been given for hazardous land.

Elsewhere, Almaty's housing landscape continued to change in respect of who had access to what and how rights were understood and practised. With the 1991 Government Programme of Privatisation, the process of devolving ownership of state apartments to sitting tenants speeded up; effectively, concretising Soviet-era urban inequalities (Alexander, 2009). As the oil-based economy boomed from the late 1990s Almaty's wealth grew. It became difficult for young urban dwellers to buy an apartment; physical shortage now exacerbated by spiraling costs. Mirroring housing market dynamics elsewhere, a housing bubble emerged, partly supported by investing new wealth in property, new mortgage availability for middle incomes, the urge among owner occupiers to maximize the value of what was now a tradeable asset (Bissenova, 2009) and the sense that owning not renting signified status and security. Almaty's 2002 General Plan designated tracts of the city, including peri-urban settlements, for demolition to make way for infrastructural and elite housing developments

### **Shanyrak 2006: violence, resistance and illegal legality in the homeland**

By 2006, Almaty's development plan was being implemented via acquisitions of urban land, often entailing dispossessions and contested compensation claims. Shanyrak's residents say it was destined for luxury housing. On 14<sup>th</sup> July 2006, warning was given that 115 houses would be demolished in Shanyrak the following morning. A few individuals roused neighbours to action, responding to armed riot police with Molotov cocktails and stones. There were injuries on both sides, a policeman died from burns and 500 shacks were obliterated. The event made global headlines as a human rights violation (Kozhahmetov, 2012, Rolnik, 2011; Yessenova, 2010). The questionable legality of this police action, alongside the earlier allocation of unsafe land plots that violated red zone restrictions, prompted Adilbek, a local NGO leader, to describe the area's history as one of 'illegal legality', blaming the authorities for their failure to abide by the law, echoing Soviet protests.

'After the conflict,' Adilbek observed, 'the Akimat, the land committee and the lawyers gave their permission for this land to be legalised in only 10 minutes! They were scared.'

This legalisation was only partly enforced, although many citizens also said it was unenforceable, a meaningless populist move to quash discontent.

The symbolic effect of Kazakh armed police attacking Kazakhs was profound. A shanyrak is a yurt's smokehole; it also signifies Kazakh lineage and embellishes state emblems. The government's website explains that the shanyrak 'is a symbol of common home and common homeland of all people living in Kazakhstan'. After the clashes, however, the word that encapsulates shelter, nation and homeland is also shorthand for both the state's savagery to its own people and for a particular kind of social unrest. 'These areas are nicknamed Almaty's Shahid Belt,' Adilbek said, 'explosive belts worn by suicide bombers ... and triggered by someone else. You see, these people come from many different places in Kazakhstan and they don't know how to protest like urban people. So the government is afraid because the Shanyrak event showed these people will stand up to armed police for their homes because they have nothing else and nowhere else to go'.

Adilbek's comments indicate a new disjuncture between the Kazakh state and Kazakhs who had moved to the city from rural areas or abroad. The ephemerality of the earlier moment during the new Republic's emergence when the authorities and Kazakh people appeared to have common cause was illustrated by this violent attempt to evict peri-urban dwellers and their resistance. The event revealed the gap between rich and poor, a gap that is increasingly racialised as extremes of wealth, influence and poverty both seem to be dominated by Kazakhs (Junisbai, 2014: 1246; Sanghera et al, 2012).

Not all residents chose outright defiance. Some rapidly moved away, frightened by the confrontation, many were reluctant to discuss what had happened. Older residents such as Bazargul found themselves caught in a conflict between a habitus of compliance, a sense of betrayal by the authorities and resentment towards some neighbours. She described how in 2005 she had complied with the Akimat's order to destroy her house and return her swampy land, only to find, after the event in 2006, that the land was re-legalised and a neighbour had taken it, to Bazargul's fury. 'I became homeless in my motherland,' she

said, wondering whether or not she should have obeyed the authorities. Her indignation was at the violation of an understanding that meek compliance would be rewarded. She did not question the rapid reversal of decisions: that marshy land could be legally bought, declared off limits and then re-legalised but was confounded by state officials failing to intervene when 'her' land had been appropriated.

Although Bazargul (like many of her neighbours) cited her ethnicity as her entitlement to land, she further distinguished between her rights as a dutiful citizen and the opportunist (also Kazakh) who took her land. Her qualifications became even more pronounced as she discussed her *oralman* (repatriate Kazakh) neighbours:

'They are rich because they know how to live in these times.

But we were brought up in the Soviet times. Then, when you looked at an apple you couldn't just take it. You had to ask permission. You had to say, 'Please grandmother, may I eat this apple?'

It's the same with land. You can't just take it as you want. You have to ask... But *oralman* don't do this. They just come and look and say 'oh! This land is empty. I'll make it mine.

And now they have made their roots here (*zhergelikte osip ketti*)'

Despite Bazargul's tirade, many *oralman* also speak of returning to the homeland, have come from formerly Soviet countries and therefore share the Soviet habitus to which she refers. Nevertheless, Bazargul called on different communities, relations, habituses and practices at different times to make her claims or to frame appropriate behaviour that justified claims (cf Flynn's article on rights through performed obedience, this vol). Although rights through blood to the land and the city, echoing nationalist rhetoric, had impelled her move to the city, she rejected the *oralman* and many Kazakh neighbours as rivalrous groups. The protestors who had emerged in extremis first, as Asar and then resisting demolition, never became a lasting community. Nor did the occasional local lobbying groups for improved infrastructure endure, instead dissipating into factions based on the regions from which people had originated.

Yessenova (2012) notes that despite the President's declaration that Shanyrak's housing should be legalised, four years later, some residents were still waiting for formalised property rights and suggests that once the economy recovers, the property rights of the poor may once again be overturned. To describe this liminal status of not knowing if, or for how long, claims will be upheld, she uses Smart's evocative term for squatters in Hong Kong of 'borrowed places' (1992). In other words, they lack the security to make a house a home. Nonetheless, after the clashes, there were a series of state interventions and investments in Shanyrak.

These scrubby areas were united into their own district in 2008 with its own court, tax office and Akimat, funded from the State and Almaty's city budget. The local Akimat increased and improved the infrastructure. It might seem as though social protection was offered after Shanyrak's residents resisted semi-legal coercion, a double movement. But the question of formalising property rights is complex. The status of land in Shanyrak in the early years varied from squats, to fake registration, formally-registered plots given gratis or bought. But, as Adilbek noted, formal title deeds were allocated for plots known to be boggy or over Shanyrak's high-pressure gas pipe or below high voltage electricity pylons violating safety norms. Formalising these property rights would at worst be an abandonment of care, at best, technically illegal. However, occasional interventions to move people away from hazardous land, have been overwritten by various 'waves' of legislation: formalising land grabs, confirming previous deeds or unsanctioned house building. The most recent Legalisation Law 30 July 2015 (No. 213-V 3RK) states that its purpose is 'to reduce the size of the shadow economy and include additional funds and property into the main economy', i.e. to increase state revenues not citizen security. In 2016, the President declared the programme so successful it would be extended.

Houses over the gas pipe have now been removed but those under the pylons remain, as do many in swampy areas. In 2009, (re)legalised houses were flooded. In neighbouring Algabas district, legalised houses on marshy land, were swept away by floods in three successive years. Across the city, land and housing that have been legalised after



construction is also regularly flooded or destroyed in mudslides. Such catastrophes were exceptional in the Soviet period but are now regular, devastating occurrences.

The Government's Affordable Housing-2020 programme, established June 2012 is 'aimed at the comprehensive solution of the housing problems' (Samruk Kazyna, n.d.), suggesting planned welfare to protect citizens. Yet, there have been endless complaints. The local Akimat began building housing blocks for those in need, but the quality was described as 'disgusting' by residents. Newspaper reports showed leaks so bad that wallpaper billowed out and plaster crumbled under large, weeping, ceiling stains. Another building has been nicknamed The Tower of Pisa for its list. These problems are rife across Kazakhstan (Urazova 2015).

Moreover, public housing misappropriation by the bank established to fund affordable homes, was reported in October 2015 when the President's Strategy website said that the 'top official of the bank and his family members had received apartments under the Affordable Housing Programme' and that, as a consequence, the Board Chairwoman had been removed. The failure of the state to fulfil its duty of care in providing adequate housing, and indeed fair allocation, echoes the complaints of the 1980s. The mortgages that the Programme offered to those in state or secure employment, were ultimately compromised by the Central Bank's decision to devalue and float the local currency. Arguably, the Affordable Housing Programme and Legalization Laws play out as pacifiers or even a 'deal', echoing previous deals made by the Soviet regime to keep the show on the road (Dunham, 1990; Millar, 1987), but ones that have ended up creating inadequate and insecure housing at best, homelessness at worst.

## **Conclusion**

Three models emerge linking home, citizen and state, each model implying a different moral economy. Thus the ideal, unrealized, Soviet model was for all citizens to have a state apartment with all modern conveniences (see Johnson, this vol) in return for labour. The metaphor of the USSR as a communal apartment has also been used, sometimes

ironically, to evoke the sense of an overarching polity/shelter within which there are separate ethnic Republics/rooms (Vareikis, 1924: 59; Slezkine, 1994).

The second model associates the Kazakhs' ancestral lands with the yurt-as-home, increased numbers of Kazakhs, alongside other pro-Kazakh policies, while also attempting a discourse of multiethnic equality: which appears as internationalism with a Kazakh face (Schatz, 2000). This model emphasises rights through blood. The third model still foregrounds an ancestral homeland but, as described above, frames the nation-state's stability and future as resting on a knowledge economy and a professional, property-owning class. Perhaps partly recognising of the pervasive distrust in the law, the President's preface to the Strategy mentions that, 'we must pay serious attention to the incompleteness and instability of our legislation. It is not enough to build a foundation; it must be substantiated with floors, walls, roof and all'. But the gap between such pronouncements and action is all too familiar. It is not only the authorities' failure to enact their legal responsibilities, or their arbitrary practices that have caused distress, protest and a sense of betrayal, but the creation of laws that have legalised houses in hazardous areas.

This situation suggests a paradox: given the omnipresent untrustworthiness of various state levels, why does anyone bother to protest or feel betrayed? What lived sense, if any, of moral economy survives beyond different models of citizenship that fail in practice? After all, there have been several ambitious government housing programmes from 1989's Zhiloy-91 to the Affordable Housing Programme, all described by one informant as political posturing. None achieved its goal. Almaty's Akimat has variously given and repossessed land, sometimes violently, established a local infrastructure, constructed abysmal social housing and ignored its own red zones. Bar the credit schemes and the violence, many unfulfilled promises echo the late Soviet period, perhaps recapitulating the actions of a weak state, now with depleted coffers and fearful of another 'coloured revolution'.

The key difference is the new lack of regulatory oversight since 1991. This, above all, is where laments and protests are focused now: the authorities' failure to oversee safety whether environmental (flooding, mudslides, earthquakes), construction (housing and location) and now financial (devaluation). Such expert knowledge and appropriate intervention is still a lingering expectation it seems. Regulation, I suggest, is a key state resource, degraded here to another rent-seeking activity. It is this that is vital for securing adequate homes—something that is often elided in calls to formalize insecure property rights, to help the economically marginalised (see van der Molen's 2012 discussion of these debates following de Soto, 2002). Indeed, as the ethnography indicates, ratifying property rights or failing to help those indebted through currency flotation can create homelessness.

Finally, the *form* of Almaty's recent housing protests is revealing about the current relationship between people and state bodies. Highlighting the authorities' disregard of the law was standard late Soviet practice, as were hunger strikes and public marches, all still common, although increasingly suppressed. But the suicide of evicted mortgagees and the violence of the Shanyrak event have been profoundly shocking. One, the ultimate expression of anomie, the other showing a ferocity quite alien to how urban protest for rights has conventionally been performed. Both suggest a desperation to achieve moral citizenship rights to housing and the city—or simply hopelessness. The state's failure to provide secure and adequate housing for the people on whom its claims to legitimacy and hopes for stability rest, recapitulates the increasingly unstable foundation of both homes and the homeland in Kazakhstan.

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<sup>i</sup> The Soviet name was Alma-Ata, later changed to 'Almaty'. I use only the latter for simplicity.

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<sup>ii</sup> Such precarious groups are large. In Shanyrak, the official population was reported as 160,000 in 2016 but local officials said their ‘working’ population was 220,000 to include unregistered, ‘invisible’ tenants (cf Sanghra et al, 2012).

<sup>iii</sup> I have carried out fieldwork in Almaty and or Shanyrak from 2000-2016.