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The Institutionalization of Social Conflict in Central Asia: A Philosophical Analysis

Social conflict studies view social conflict as a dysfunction requiring technical resolution, thereby concealing a normative bias in favor of stability at the expense of justice and recognition. The article argues that the institutionalization of social conflict is an inescapably philosophical problem, and that conflict studies must be reconstructed as a normative discipline capable of assessing the legitimacy, rather than merely the effectiveness, of conflict management institutions. Drawing on Hegel's dialectic of recognition, Georg Simmel's sociology of conflict, Chantal Mouffe's agonistic pluralism, and Ralf Dahrendorf's theory of institutionalization, the article examines social conflict as a constitutive condition of social order. Regional conflict management institutions — the Aksakal Council in Kyrgyzstan, the mahalla system in Uzbekistan, and the legislative model of mediation in Kazakhstan — are interpreted as examples of what the article terms «pseudo-institutionalization»: conflict is contained but not legitimized, suppressed but not transformed. Thus, the analysis in this article revolves around three social tensions: justice versus stability, formal institutions versus informal practices, and state control versus social dialogue. In conclusion, three normatively grounded principles — reflexive justice, dialogical accountability, and agonistic legitimacy — are proposed as the minimum conditions necessary for an institution to claim normative legitimacy in the realm of social conflict.

Keywords: social conflict, institutionalization, conflictology, agonistic pluralism, reflexive justice, post-Soviet governance, Central Asia, political legitimacy, recognition, negative peace.

Introduction

The question of how societies manage social conflict is among the oldest and most persistent in political philosophy. Yet in the contemporary landscape of applied social science, this question has been largely ceded to a technocratic discipline — conflictology — that purports to offer neutral, evidence-based tools for the analysis, management, and resolution of social conflict. From peace and conflict studies programs to the policy apparatus of international organizations, conflictology operates with a set of assumptions that are rarely subjected to rigorous philosophical scrutiny. Social conflict is framed as a dysfunction, a deviation from the normal functioning of social systems, and the task of the conflictologist is to restore equilibrium through intervention, mediation, or institutional redesign.

This framing conceals a paradox that political philosophy has long recognized but that conflictology has consistently refused to name. The institutions societies build to manage social conflict — courts, mediation bodies, constitutional procedures, customary councils—do not simply contain it. They constitute it: they determine which antagonisms are legible as political claims, which grievances attain the status of justiciable disputes, and which forms of contestation are recognized as legitimate rather than suppressed as threats. To institutionalize social conflict is not to resolve it. It is to make a set of irreducibly normative decisions about the grammar through which social antagonism may be expressed and about who has the authority to write that grammar. This is, at its core, a philosophical problem, and it demands a philosophical response.

Yet the discipline most directly concerned with it — conflictology — has largely treated it as a technical one. From J. Burton's basic human needs theory [1] to Lederach's conflict transformation models [2, 3], mainstream conflictology operates with a positivist ontology of social conflict: conflict is a dysfunction, a deviation from equilibrium, and the analyst's task is to restore normality through appropriate intervention. This framing is not merely theoretically inadequate. It is normatively consequential. It conceals, beneath the language of neutral technique, a substantive political commitment—to stability over justice, to the cessation of violence over the transformation of its structural conditions, to the management of antagonism over the recognition of the claims that generate it.

The philosophical inadequacy of this framing can be stated precisely. Mainstream conflictology lacks a theory of legitimate institutionalization. It can describe how conflicts are stopped; it cannot specify the nor-

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mative conditions under which the institutional arrangements that stop them deserve the reflective endorsement of those subject to them. It can distinguish between direct and structural violence [4]; it cannot adjudicate between the competing demands of justice and stability when those demands conflict. It can design mediation procedures; it cannot specify the normative threshold below which a mediation procedure ceases to be a legitimate form of conflict management and becomes an instrument of domination. What is needed is not a more sophisticated technique but a philosophical framework capable of evaluating the legitimacy — not merely the effectiveness—of institutions that claim authority over social conflict.

This article argues that the institutionalization of social conflict is a normative achievement — not merely an organizational one—and that any institution claiming to manage conflict legitimately must satisfy three philosophical demands: it must enable rather than merely suppress contestation (agonistic legitimacy); it must remain open to redistributive critique (reflexive justice); and it must structure the relationship between competing normative frameworks without dissolving either into the other (dialogical accountability). These principles are not policy prescriptions. They are the minimum normative conditions under which an institution can be said to manage social conflict rather than merely mask it.

The argument proceeds from a prior philosophical claim about the nature of social conflict itself. Against the equilibrium ontology of mainstream conflictology, this article draws on Hegel's dialectical philosophy, G. Simmel's formal sociology, and C. Mouffe's agonistic pluralism to establish that social conflict is not the negation of social order but one of its constitutive conditions. R. Dahrendorf's foundational account of the institutionalization of social conflict supplies the sociological complement: genuine institutionalization transforms conflict by embedding it in legitimately authorized procedures; pseudo-institutionalization mimics this transformation while preserving the power asymmetries that generate conflict in the first place [5].

It is precisely this distinction that post-Soviet Central Asia renders philosophically unavoidable. The region is not invoked here as an object of area expertise; it functions as a philosophical limit case, a site where the gap between institutional form and normative content is maximally visible and where the consequences of that gap are politically concrete. The five post-Soviet states of the region have developed elaborate architectures for conflict management — constitutionally recognized customary courts, state-integrated community institutions, and formally mandated mediation frameworks — that achieve a form of surface stability while failing to generate what this article calls «normative authority»: the reflective endorsement, rather than merely the sullen compliance, of those subject to institutional power. The result is pseudo-institutionalization: a condition in which social conflict is contained but not legitimized, antagonism suppressed but not transformed, and institutions maintained but not justified. This concept is not a regional diagnosis. It names a structural possibility latent in any political order, and Central Asia makes that possibility philosophically legible.

Materials and methods

This article employs a methodology of philosophical reconstruction and normative critique. It does not conduct original empirical research; rather, it draws upon existing scholarship across three domains—philosophical theories of conflict and recognition, critical analyses of conflictology as a discipline, and political-sociological studies of Central Asian conflict management—to construct a normative framework for evaluating the legitimacy of conflict-management institutions.

The methodological approach is organized in four moves. First, conceptual genealogy: the article traces the philosophical genealogy of social conflict from Hegel through G. Simmel to C. Mouffe, establishing the ontological inadequacy of mainstream conflictology's treatment of conflict as dysfunction. This move supplies the positive philosophical resources upon which the normative framework is built. Second, immanent critique: the article critiques conflictology on its own terms, before exposing the normative presuppositions inscribed in its methodological tools, demonstrating that the discipline is never value-neutral, necessarily encoding a political philosophy, whether it admits or not. Third, case-based philosophical analysis. The article draws on three Central Asian institutional arrangements not as empirical case studies, but as philosophical limit cases, sites where abstract theoretical tensions become manifest and where the limits of received conceptual frameworks are most strongly exposed. Every mention of Central Asian institutions is in the context of a philosophical, rather than descriptive, argument. Fourth, normative construction: From the analysis of structural tensions, rather than from ideal theory, the article derives a set of principles for a normatively reflexive conflictology, ensuring that the principles are responsive to the conditions of non-ideal political life.

The approach is inspired by the tradition of critical social theory according to which the analysis of social phenomena cannot be separated from normative reflection about the ends served by those phenomena. It also appreciates the recognition that philosophically the margins are often where the gap between institutional claim and institutional performance is greatest; and it is at such sites that the philosophical demands of legitimate governance are most clearly revealed. The main philosophical sources are Hegel [6], G. Simmel [7], C. Mouffe [8, 9], R. Dahrendorf [5], J. Rawls [10], A. Honneth [11], J. Habermas [12], D. Estlund [13]. The empirical literature on institutional arrangements in Central Asia is analytically rather than descriptively engaged and includes J. Beyer [14], M. Sadyrbek [15], M. Reeves [16], C. Owen et al. [17] and R. Urinboyev [18].

Results

Social Conflict as a Constitutive Concept of Philosophy.

Social conflict, as the term is used throughout this article, is a normatively charged contest over claims to recognition, resources, or authority, in which the parties do not merely disagree about outcomes but inhabit at least partially incommensurate normative universes. To be in social conflict, in the philosophically relevant sense, is not just to want something another party wants differently. It is to challenge the very criteria by which competing claims are to be judged—to contest not only the verdict but the standards of judgment. This definition has an immediate and far-reaching implication. If social conflict is irreducibly normative in structure, it cannot be adequately analyzed by a framework that treats it as a natural-scientific phenomenon — as a measurable deviation from equilibrium to be corrected by appropriate technique.

Much applied conflictology builds on a particular and contestable ontological assumption. The assumption is that social systems have a natural resting state of harmony or stability from which conflict is a departure, and that the task of the analyst is to identify the cause of the departure and restore the system to its prior condition. Philosophically this assumption is untenable on two counts. First, it treats the antecedent condition of social harmony as normatively neutral, but it is always already structured by particular distributions of power, recognition, and resources—distributions that may themselves be deeply unjust. Justice is not restoring balance but recreating the conditions that created the conflict in the first place. Second, the equilibrium model ignores the generative dimension of social conflict: that conflict is not only destructive of social arrangements but constitutive of them. Social order is not something that precedes conflict and then falls apart under its own weight, but is constituted, reconstructed and transformed in conflictual relations. Three thinkers from different but complementary traditions provide the philosophical resources for a richer ontology.

In the *Phenomenology of Spirit*, Hegel argues that contradiction is not an accident to be avoided, but the very engine of historical and social development [6]. The flow of consciousness through internal contradictions — moments when a given form of self-understanding encounters its own inadequacy and is negated, and then sublated into a fuller form — is not a flaw but the very medium of progress. In the register of social life, then, the Hegelian insight generates a claim of some force: social contradictions, conflicts of competing ethical claims, institutional forms and modes of recognition are the medium through which social order develops. An institution that simply suppresses social conflict does not transcend it but intrudes upon the dialectic movement in which social life progresses. The philosophical criterion of institutional adequacy, then, is not stability, but *Anerkennung*, that an institution should be able to mediate competing claims rather than simply subordinate some of them to others. This criterion already has a normative dimension totally absent from the equilibrium model. Institutions are not legitimate because they work or maintain order; they are legitimate to the extent that they allow the parties to social conflict to obtain authentic recognition.

A philosophically important and complementary position is represented by G. Simmel's formal sociology. In conflict G. Simmel argues that social conflict is not the opposite of social unity, but one of its fundamental forms, a form of *Vergesellschaftung* or sociation in which individuals and groups enter into real relations with each other [7]. Conflict creates relationships, defines limits, has a binding function that cannot be reduced to its destructive effects. A society without conflict will not be a harmonious society; it will be a society of passive coexistence, an aggregate without internal articulation, where real social relations have been replaced. G. Simmel's most significant contribution to a normative conflictology is his distinction between forms of conflict that are constitutive of social bonds and forms that are destructive of them: between conflicts that take place within a shared normative space, in which parties recognize each other as genuine adversaries with claims worthy of contestation, and conflicts in which one party denies the very standing of the other. The first mode is the institutionalization of opposition. As G. Simmel puts it, institutions are channels for the expression of conflict, which enable societies to absorb and transmute tensions without systemic rup-

ture. L. Coser's elaboration introduces the concept of safety-valve institutions, mechanisms that permit the expression of hostility in ways that relieve social tension without challenging fundamental power asymmetries [19]. This idea captures a recurring pattern in the post-Soviet space: informal bodies can be safety valves soaking up conflict, but not turning it into vehicles for recognition and distributive justice.

Chantal Mouffe's agonistic pluralism provides the explicitly political dimension the Hegelian and Simmelian accounts require. C. Mouffe's central claim is that the political is constitutively antagonistic—any political community is formed through the drawing of a boundary between «us» and «them», a boundary that cannot be dissolved by rational consensus without suppressing the conditions of genuine political life [8]. Liberal consensus models—above all, J. Rawls's conception of public reason and J. Habermas's discourse ethics—attempt to purge political life of its agonistic dimension by relocating legitimacy in procedures of rational agreement. This attempt is both theoretically incoherent and politically dangerous: it drives antagonism underground, where it festers in forms that are no longer subject to democratic articulation and eventually erupts in violent or illiberal forms. C. Mouffe's alternative—agonism is a precise philosophical move: the transformation of antagonism among enemies refusing each other's right to exist within the political community into agonism among adversaries who contest each other's positions while recognizing each other's standing within a common political framework [9]. Democratic institutions are not procedures for arriving at consensus but devices for directing and legitimating continuing contestation.

These three thinkers converge on a single claim, one that is philosophically determinate: social conflict is not the negation of social order but one of its constitutive conditions, a medium of social development (Hegel), a form of social bond (G. Simmel), and an ineradicable dimension of political life (C. Mouffe). The convergence has a particular normative implication. The job of political institutions is not to erase social conflict but to give it a normative grammar, to establish the forms in which social antagonism can be expressed, contested and possibly transformed without destroying the conditions of social life itself. This process of giving social conflict a normative grammar is institutionalization in the normatively adequate sense. That is to say, institutionalization consists of rules and procedures that not only regulate social antagonism but lay claim to justifying the terms of that regulation and are capable of vindicating those claims to reasoned endorsement of those subject to them. Pseudo-institutionalization, by contrast, names the structural condition in which conflict is managed in ways that produce the organizational form of institutionalization—regularity, durability, embeddedness—without producing its normative substance. Normative authority, as used here, is the condition in which an institution can justify its claim to regulate social conflict with reasons that can be reflectively endorsed by those subject to it under conditions of free and equal deliberation, not simply accepted because of habit, self-interest, or lack of alternatives [11, 13]. R. Dahrendorf's analysis shows that true institutionalization is the product of procedures governed by rules accepted as legitimate by all parties [5]; J. Knight's power-sensitive complement shows that institutionalization has a systematic tendency to reproduce the power asymmetries that generate conflict [20]. A further dimension is added by M. Reeves's critical reading of post-Soviet conflictology: this is a knowledge-power formation that legitimates governance intervention by problematizing conflict, positioning the conflictologist as an indispensable expert and reproducing the conditions that it claims to manage [16].

Pseudo-Institutionalization in Practice: Three Central Asian Cases.

Post-Soviet Central Asia provides the philosophical laboratory this article requires. The five republics that emerged from the Soviet collapse in 1991 have, over the subsequent three decades, developed a dual institutional architecture for conflict management that encompasses formal state institutions—mediation laws, interethnic councils, constitutional courts — alongside deeply embedded informal practices rooted in customary law, elder authority, and Islamic ethics. This institutional landscape, while effective in maintaining a certain surface stability, has largely failed to generate normative authority. The three cases analyzed below — Kyrgyzstan's aksakal courts, Uzbekistan's mahalla system, and Kazakhstan's court-annexed mediation framework — represent distinct structural modalities of pseudo-institutionalization. Together they illuminate, with philosophical precision, the three tensions analyzed in the Discussion section.

Kyrgyzstan's aksakal courts — constitutionally recognized elder courts authorized to adjudicate minor civil, family, and property disputes on the basis of customary norms (adat) — represent one of the most sophisticated formal-informal hybrid arrangements in post-Soviet governance. Their constitutional recognition signals the state's acknowledgment that customary authority constitutes a genuine source of social legitimacy; their statutory authorization provides formal accountability structures. J. Beyer's ethnographic analysis complicates this surface reading: aksakal courts are not pre-modern residues but hybrid formations in which elders' decision-making is profoundly shaped by their perceptions of state law and state authority, so that

what appears as custom is a negotiated response to the dual demands of community moral legitimacy and state recognition [14]. M. Sadyrbek's legal pluralism research confirms the systemic character of this duality, documenting how rural Kyrgyz communities regularly address disputes through customary practices—including apology rituals such as *kechirim suroo*—that operate alongside and sometimes in explicit tension with state law [15]. The philosophical problem emerges most sharply in cases where customary norms and codified state law are directly in conflict. The practice of bride kidnapping (*ala kachuu*) — criminalized under Kyrgyz state law but persistent in many rural communities — illustrates this with philosophical precision. When such cases reach *aksakal* courts, elders face a structural contradiction between their legal mandate (referral to state courts) and their customary authority (community reconciliation and family mediation). In practice, the latter typically prevails: cases are settled through family mediation in ways that effectively nullify criminal prosecution, and the individual legal rights of the women involved are foreclosed by the community's interest in harmony. The state's response to this contradiction is strategic ambiguity: it postpones contentious issues to informal bodies but keeps the right to re-impose formal jurisdiction when politically convenient, thus establishing a gray zone of mutual non-accountability. The *aksakal* court releases social pressure without challenging the power asymmetries that generate it — the very logic of Coser's safety-valve [19]. This is pseudo-institutionalization via strategic vagueness.

Uzbekistan's *mahalla*, a neighborhood community institution rooted in Islamic traditions of communal self-regulation, presents a structurally different but philosophically cognate case. *Mahalla* committees, composed of respected community elders (*oqsoqollar*), mediate family conflicts, property disputes, and minor offenses through consensus-building and moral suasion rather than legal coercion. In principle, this arrangement represents precisely the kind of community-embedded, dialogue-centered conflict management that a reflexive conflictology would value: it is locally grounded, sensitive to community norms, and capable of generating the social trust that formal institutions characteristically lack. In practice, the Uzbek state has systematically transformed the *mahalla* from an autonomous site of community governance into an instrument of administrative control. Since independence, *mahalla* committees have been officially recognized, their leaders subject to state approval, and their functions broadened to include welfare distribution and surveillance of socially deviant behavior [18]. The state appropriates the *mahalla*'s moral legitimacy, its deep social embeddedness, its claim to speak for community values, to extend its reach into the intimate sphere of social life, but at the same time evacuates the autonomous normative grounding that makes that legitimacy real. In this context, mediation is not a site of agonistic contestation but rather a mechanism of social control in which community norms are mobilized to serve ends of state stability. The political structure is well-captured by Owen et al.'s concept of illiberal peace: surface order achieved through state-centric mechanisms that prevent structural justice and inhibit legitimate contestation [17]. This is co-optation as pseudo-institutionalisation.

Kazakhstan's court-annexed mediation regime, introduced by the 2011 Law on Mediation and reinforced by directives from the Supreme Court for court-annexed mediation in some civil and family cases, exemplifies the third modality of pseudo-institutionalization. This modality leverages the global discourse on conflict management as a means to bolster, rather than constrain, state power. The framework led to real institutional uptake — by 2016 tens of thousands of civil cases were settled through mediation, a significant year-on-year increase — often cited as evidence of Kazakhstan's advancement towards a rule-of-law state. Philosophical analysis paints a more complicated picture. The Kazakhstani model of mediation is distinguished by state certification of mediators, professional training requirements, and close court supervision — features that sharply differentiate it from organic, community-based traditions of mediation and reveal its fundamental character as a governance technology rather than a genuinely empowering conflict-management mechanism. The state promotes mediation not to empower communities to resolve their disputes themselves, but to deal with backlogs and to project an image of institutional modernisation in keeping with global governance norms. M. Reeves's analysis of post-Soviet conflictology naturally extends to this context: the adoption of global conflict-management discourse simultaneously legitimizes governance intervention and normalizes state authority over social conflict [16]. The fundamental philosophical flaw is not a procedural deficiency but a structural foreclosure of real contestation: a system in which the state certifies who may mediate and under what conditions, in which participation is formally voluntary yet administratively induced, and in which the enforceability of outcomes depends on judicial approval is not a space of agonistic legitimacy, but a space where the appearance of participatory conflict management is produced while substantive power remains concentrated in state institutions. This is pseudo-institutionalization through procedural rationalization.

The diagnosis is the same in each case, philosophically. Hobbesian order: the management of social conflict through the concentration of coercive authority. They exclude the Hegelian recognition that genuine institutionalization requires the process through which conflict becomes a medium for mutual acknowledgment of claims and the rational development of institutional forms. At best, they yield sullen compliance — the pathology of order: a social arrangement wherein the absence of open conflict conceals the presence of unaddressed injustice, and institutions are maintained through power rather than vindicated through principle.

Discussion

Three Philosophical Tensions in the Institutionalization of Social Conflict.

The three tensions analyzed in this section are not contingent problems arising from defective institutional design that could be remedied by superior planning or more inclusive procedures. They are constitutive of the very project of institutionalizing social conflict under conditions of normative pluralism, structural features of the philosophical problem that any adequate account must theorize rather than dissolve. A conflictology that promises to resolve these tensions is not more ambitious but less philosophically honest. The first is irreducible for a certain philosophical reason: the normative goods at stake are really different in kind, stemming from conflicting views of what political institutions are fundamentally for. The second is irreducible because the sources of normative authority are plural and partially incommensurable. The third is irreducible because the conditions under which legitimate authority can be exercised are structurally at odds with the conditions under which it can be generated.

Justice versus Stability: The Foundational Antinomy.

The first tension concerns the relationship between two goods that political institutions are supposed to serve at the same time: stability, the preservation of a social order within which the basic conditions of collective life are kept intact, and justice, the ordering of that order according to principles that can be justified to all who live under it. In much political philosophy these goods are treated as complementary: a just order is a stable one, because it has the reflective endorsement of its members, and a stable order gives the conditions within which justice can be progressively realized. But the complementarity thesis presupposes empirically achievable conditions — the slow growth of shared norms, workable deliberative institutions, and a civic culture of trust — that are hardly universally present. In cases of deep normative pluralism or recent authoritarian consolidation or post-imperial state-building, stability and justice are not complementary but antinomical; the pursuit of one is a matter of course at the cost of the other.

On one end of the spectrum is the Hobbesian argument: that the main function of political authority is to establish and maintain a condition in which social life is possible at all—in which individuals are shielded from the ruinous consequences of unconstrained conflict. Thus the normative priority of political institutions is order: without a minimal sovereign authority able to enforce social peace, there can be no justice, no rights, no social goods of any kind. The Hobbesian argument is not that justice doesn't matter, but that justice is subsequent to order. This argument yields a particular normative claim when applied to the question of institutionalizing social conflict: institutions that maintain order, even if by means of coercion and at the cost of some injustice, are preferable to the normative void that would result from their collapse. At the other pole stands J. Rawls: justice is the first virtue of social institutions, and laws and institutions, however efficient and well-arranged, must be reformed or abolished if they are unjust [10]. An institutional arrangement that stabilizes an injustice is not legitimate, no matter how effective it is in preventing violence, and its stability is therefore not a genuine political good but a postponement of the conflict that the injustice makes inevitable.

Neither argument, in its pure form, is adequate to the conditions of institutionalizing social conflict under normative pluralism. The Hobbesian argument does not offer a normative criterion for assessing the terms of order, as any stable arrangement, no matter how unjust, meets its requirements. It confuses the condition of political life — minimal social order — with its content and thus abandons the normative dimension that separates legitimate institutionalization from mere domination. For another reason, the Rawlsian argument fails: one presupposes an institutional context, a functioning basic structure, a culture of public reason, a sufficient background consensus on fundamental values, without which its principles cannot be practically applied. In cases in which the pursuit of justice would itself lead to the collapse of that minimal order needed for any political life, the Rawlsian priority of justice becomes, in one sense, self-defeating. What the tension reveals is the need for a threshold concept of legitimacy, one that does not collapse into Hobbesian minimalism, nor demands of the Rawlsian ideal justice as an immediate political requirement, and that spells out the minimum normative conditions under which an institution claiming to manage social conflict can be consid-

ered legitimate. In J. Galtung's terms [4], the Central Asian arrangements analysed above reach negative peace, but systematically refuse the positive peace required by the threshold concept. Pseudo-institutionalization is not legitimate conflict management that fails to achieve some ideal standard. It is a category mistake in philosophy, the deferral of justice at a higher eventual price, masquerading as institutional accomplishment.

Formal Institutions versus Informal Practices: The Problem of Plural Normative Authority.

The second tension concerns not the relationship between competing political goods but between competing sources of normative authority over social conflict. In any society with a complex institutional history, conflict is regulated through a plurality of overlapping frameworks — state law, customary practice, religious ethics, and community tradition — that do not merely coexist but compete, their competition constituting a meta-conflict about the legitimate terms of conflict management itself. Two dominant tendencies in political theory have obscured the philosophical significance of this competition. Legal positivism treats the state law as the only authoritative language of social regulation, and informal practices as pre-legal residues waiting for the supersession of modernity. By contrast, uncritical legal pluralism celebrates the multiplicity of normative frameworks without due regard for the internal power dynamics of such arrangements: who benefits from customary arrangements, whose claims are systematically excluded by informal practices, and whether the multiplicity of normative frameworks is a form of genuine pluralism or the fragmentation of authority in conditions of state weakness.

Both tendencies fail for similar reasons. Legal positivism fails because it confuses legal authority with normative authority—the very confusion pseudo-institutionalization trades on. Formal legal institutions in post-Soviet Central Asian contexts have legal authority but not normative authority in the philosophically relevant sense: they are not able to vindicate their claim to regulate social conflict through reasons that are genuinely responsive to the normative worlds of those subject to them. Uncritical legal pluralism is mistaken because it confuses descriptive multiplicity with normative adequacy: the existence of a plurality of normative frameworks does not mean that any of them fulfills the philosophical conditions for legitimate conflict management. Customs, even when they are deeply embedded in social practice, can operate as mechanisms of internal domination. J. Beyer's ethnographic analysis of Kyrgyz aksakal courts illustrates this double failure with philosophical precision [14]: the court's dual derivation of authority, from both constitutional recognition and from the customary moral embeddedness of the court's authority, creates a site of mutual non-accountability that does not synthesize the formal and informal legitimacy of the court, but rather creates a space in which neither framework's demands are fully honored and neither party's claims are fully vindicated. The philosophically satisfactory response locates normative authority not within the formal properties of any one framework, but in the quality of the relationship between contending normative frameworks: an institution possesses normative authority to the extent that it can vindicate its claim to regulate conflict through reasons that are truly responsive to the normative worlds of all affected parties, and that are open to challenge through processes that recognize the standing of all those subject to them.

State Control versus Social Dialogue: The Paradox of Institutionalized Legitimacy.

The third tension is, in some respects, the most philosophically complex, for it concerns the structural conditions under which legitimate authority can be produced at all. The paradox may be stated precisely: the power of institutions that is requisite to effective social conflict management is precisely the power that tends to foreclose the dialogical processes from which the legitimacy of conflict management is generated. The possibility of assessing the legitimacy of an exercise of institutional authority in the name of managing social conflict depends on the conditions of every exercise of institutional authority. The legitimacy of J. Habermas's discourse ethics is sought in the quality of the communicative processes that produce norms — in the conditions of the ideal speech situation, where the only authority is the power of the better argument [12]. The problem is that discourse ethics presupposes a background of communicative equality that is precisely what is contested in conditions of social conflict: parties are not simply at odds about arguments but are in contest over the terms of the conversation, the standing of the participants, and the criteria by which better arguments are to be recognized. C. Mouffe's agonistic response rejects this aspiration as politically illusory: all political communities necessarily exclude some forms of contestation. The philosophical question is how to manage this constitutive exclusion in ways that minimize domination and maximize the space for legitimate contestation.

State-centric conflict management — institutionalization through formal, legally-backed, centrally administered procedures — tends to create authoritative settlement without dialogical authorization: outcomes imposed by coercive force but without the quality of genuine arrival through processes that recognize the

voices and standing of all affected parties. Community-based social dialogue — informal, decentralized, community-based negotiation of conflicting claims — tends to produce dialogical authorization but not authoritative settlement: processes that are genuinely responsive to community norms and have high local legitimacy, but lack the power to enforce just outcomes against determined resistance, protect minority claims from majoritarian pressure, or coordinate across diverse normative frameworks. The Uzbek mahalla is a particularly sharp illustration of the paradox: in the absence of preconditions for genuine dialogue — because of state supervision, state-ordained leadership and performance constraints imposed by the state's interest in social order — what appears to be dialogue of the community is in fact a performance of dialogue, whose normative terms have been pre-ordained by the absorbing state apparatus.

Principles of Legitimate Institutionalization: A Normative Derivation.

In addition to being diagnostic, the three tensions discussed above are generative: each identifies a particular normative deficit that any institution claiming authority over social conflict must fill. The principles advocated here follow directly from the structure of those tensions. This thus forms the logical bridge from the preceding analysis to the normative framework. The tension of stability and justice requires a principle relating institutions to the continual accountability of their ordering function to the justice claims they process: reflexive justice. The tension between formal institutions and informal practices calls for a principle that structures the relationship between competing normative frameworks without dissolving either into the other: dialogical accountability. The tension between state control and social dialogue requires a principle that commits institutions to the facilitation of real contestation, not its simulation: agonistic legitimacy.

The principle of reflexive justice is that institutions should consider the justice claims made through social conflict as real normative demands that require structural responsiveness, and not as sources of disruption to be handled administratively. The Hobbesian deferral objection — that the pursuit of justice may itself be destabilizing in conditions of acute fragility — is philosophically serious. But it is structurally self-undermining: it lacks a principled account of when deferral must end. In practice, the logic of deferral tends to be self-perpetuating, producing the permanent postponement of justice under the permanently renewed justification of fragility. This is exactly the pattern of pseudo-institutionalization as exemplified in the above cases from Central Asia. Reflexive justice maintains that an institution is justified in prioritizing order only if it can specify the normative threshold below which its claim to authority cannot be maintained and if it is institutionally open to the claims that conflicts are expressing. This is inspired by J. Rawls's insistence that institutions should be justifiable to free and equal citizens [10], but also considers A. Honneth's insight that justice is not only a matter of distribution but also a matter of acknowledgment: an institution that stabilizes a distribution of status or resources but refuses to acknowledge the standing of those it disadvantages cannot claim normative authority, no matter how effective it is in preventing violence [11].

The principle of dialogical accountability holds that legitimate institutionalization requires a structural condition in which competing normative frameworks remain genuinely answerable to one another's claims, rather than existing in hierarchical subordination or parallel insularity. From the formal side, the legal positivist objection fails because it conflates legal authority with normative authority. From the informal side, the uncritical legal pluralist position fails because descriptive embeddedness is not normative adequacy: elder councils that systematically exclude women from participation, customary norms reinforcing ethnic hierarchy, or religious arbitration denying equal standing to minority claimants cannot claim normative authority by virtue of social depth alone. Dialogical accountability, on the other hand, locates normative authority in the quality of the relationship between competing frameworks, requiring conditions under which genuine normative learning — the revision of each framework's claims in light of the other's — remains genuinely possible. This builds on J. Habermas's insight that legitimate norms require inclusive communicative processes [12], replacing the demanding presupposition of communicative equality with the more modest but practically achievable requirement of mutual normative responsiveness.

Agonistic legitimacy is the idea that institutions of social conflict should allow for real contestation of their legitimacy, not just the appearance of consent. The specific kind of failure that this principle addresses is the production of elaborate displays of participatory legitimacy — advisory commissions, community meetings, government-sponsored councils — that simulate the appearance of inclusive conflict resolution, but do so in a way that systematically excludes the forms of contestation that would truly threaten institutional authority. This simulation of consent is not just a deception but a self-reinforcing structural condition: it occupies the institutional space where real contestation could occur and prevents the development of the social capacity for real political challenge. An institution that fosters real contestation, not simulated, meets three conditions, derived from C. Mouffe's agonistic framework:

- the subjects of institutional authority have available to them modes of contestation not controlled by the institution itself;
- the contestation has genuine stakes, meaning that institutions are structurally open to revision in response to successful challenges;
- the standing of all affected parties as legitimate contesters is institutionally recognized, excluding no one on the grounds of gender, ethnicity or economic position, no matter what historical or cultural justification may exist [8].

The three principles constitute a unified normative framework rather than an aggregated list. They are mutually entailing: an institution that maintains reflexive justice but lacks dialogical accountability will find that justice claims are filtered through the dominant normative framework before they arrive so that formal openness conceals substantive closure. An institution that achieves dialogical accountability but lacks agonistic legitimacy will find that the dialogue it facilitates is staged, not real — consultation without stakes, participation without power. An institution that allows for real contestation but does not have reflexive justice will find that contestation does not produce redistributive results, because the institution is not constructed to remain open to the claims that contestation raises. The real institutionalisation of social conflict presupposes the simultaneous fulfilment of all three conditions. The framework is context-sensitive but not context-determined: the conditions must be realized in forms appropriate to particular historical and cultural contexts, but the conditions themselves are not contextually variable — they follow from the philosophical concept of institutionalizing social conflict under conditions of pluralism, and they apply wherever that project is undertaken. This distinguishes the framework from both liberal universalism, which requires certain institutional forms, and cultural relativism, which claims that normative adequacy requires a good fit with local values. An institution that satisfies culturally embedded expectations does not thereby acquire normative authority if it systematically denies standing to some of those affected, forecloses genuine contestation or insulates itself from redistributive challenge just by virtue of its cultural embeddedness.

Conclusion

This article has argued that the institutionalization of social conflict is irreducibly a philosophical problem and that conflictology, as an applied discipline, cannot remain adequate to its subject matter without becoming philosophically reflexive. The discipline's positivist inheritance — its treatment of social conflict as dysfunction to be managed, its teleology of resolution, its concealed preference for negative peace over structural justice, its presentation of normative commitments as technical neutrality — represents not a contingent methodological limitation but a constitutive normative blindness that distorts the practice of conflict management wherever it is deployed.

Three interconnected contributions have been made. First, the article has presented a philosophically adequate ontology of social conflict. Based on Hegel's dialectic of recognition, G. Simmel's account of conflict as sociation, C. Mouffe's agonistic pluralism, and R. Dahrendorf's and J. Knight's complementary accounts of institutionalization, it has argued that social conflict is not the negation of social order but one of the constitutive conditions of social order and that genuine institutionalization is a normative achievement, not an organizational one. From these theoretical resources emerge the concepts of normative authority and pseudo-institutionalization which provide a more demanding philosophical vocabulary for the assessment of conflict-management institutions than the sociological vocabulary of effectiveness and stability, and a more practically responsive vocabulary than the ideal-theoretic vocabulary of liberal justice.

Second, the article has developed and applied the concept of pseudo-institutionalization as a tool of analysis in the field of philosophy. The three Central Asian modalities discussed in the Results section — strategic ambiguity in the Kyrgyz aksakal courts, co-optation in the Uzbek mahalla system, and procedural rationalization in the Kazakh state-institutionalized mediation framework — are not regional case studies but philosophical limit cases, each illustrating a particular mechanism by which the normative substance of legitimate conflict management is evacuated while its organizational form is preserved. The philosophical significance of these cases extends beyond their particular locality: they reveal structural potentials lying dormant in any political order in which the resolution of social conflict is oriented to the interests of institutional self-preservation rather than to the normative claims of those subject to institutional authority.

Third, the article has derived three normatively grounded principles — reflexive justice, dialogical accountability, and agonistic legitimacy — from the philosophical analysis of the structural tensions that institutionalizing social conflict produces under conditions of pluralism. This is not the importation of principles from ideal liberal theory, which are then applied as external standards to non-Western contexts. Rather, these

principles flow from the philosophical idea of institutionalizing social conflict itself. They are context-sensitive but not context-determined, normatively demanding but not utopian and formally open to diverse institutional realisations while precluding the simulation of legitimacy that pseudo-institutionalization systematically produces.

Several questions opened by this analysis exceed its scope and constitute a research agenda for normatively reflexive conflictology. Can non-liberal societies institutionalize social conflict on their own normative terms, or do the principles articulated here entail, despite their stated non-universalism, a specifically liberal horizon? What is the relationship between the normative philosophy of conflictology developed here and the adjacent field of transitional justice, which grapples with institutional contexts in which the very institutions required to manage social conflict are themselves implicated in producing it? And how can philosophical analysis of the kind undertaken here engage productively with the actual practitioners of conflict management — the mediators, judges, elders and community leaders who do the work of everyday life that expresses the tensions theorised in this article? These questions gesture toward a conflictology that subjects its own normative commitments to ongoing philosophical scrutiny rather than treating them as unexamined technical assumptions. Central Asia is not peripheral to theoretical debates on social conflict, normative authority and political legitimacy. It is a site where such debates become unavoidable — where the distance between what institutions claim and what they achieve is maximally visible and where the philosophical task of naming that gap and specifying the normative conditions for closing it is most urgently required.

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Орталық Азиядағы әлеуметтік қатығысты институттандыру: философиялық талдау

Әлеуметтік конфликтология қатығысты техникалық шешімді талап ететін дисфункция ретінде қарастырады және осы арқылы әділеттілік пен тануды екінші кезекке ысыратын, тұрақтылық пен тәртіп пайдасына бағытталған нормативтік бейімділігін жасырады. Мақалада әлеуметтік қатығысты институттандыру таза техникалық немесе құқықтық міндет емес, сөзсіз философиялық мәселе екені дәлелденді. Сондықтан конфликтологияны қатығысты басқару институттарының тиімділігін ғана емес, легитимділігін де бағалауға қабілетті нормативтік пән ретінде қайта құру қажеттігі негізделді. Зерттеу Гегельдің тану диалектикасына, Г. Зиммельдің қатығыс социологиясына, Ш. Муффың агонистік плюрализміне және Р. Дарендорфтың институттандыру теориясына сүйене отырып, әлеуметтік қатығысты жойылуға тиіс ауытқу емес, әлеуметтік тәртіптің конститутивті шарты ретінде талдайды. Осы теориялық негізде посткеңестік Орталық Азиядағы қатығыстарды басқарудың үш институты — Қырғызстандағы ақсақалдар соты, Өзбекстандағы махалла жүйесі және Қазақстандағы медиацияның заңнамалық моделі салыстырмалы тұрғыда қарастырылды. Бұл институттар мақалада «псевдоинституттандыру» деп аталатын құбылыстың көріністері ретінде түсіндіріледі: мұнда қатығыс шектеледі, бірақ легитимденбейді; басып-жаншылады, бірақ трансформацияланбайды, ал қатысудың сыртқы формалары шынайы қарсы тұруды ауыстырады. Талдау нәтижесінде үш негізгі әлеуметтік шиеленіс анықталды: әділеттілік пен тұрақтылық, ресми институттар мен бейресми тәжірибелер, мемлекеттік бақылау мен әлеуметтік диалог арасындағы шиеленістер. Қорытындыда институттың әлеуметтік қатығыс саласында нормативтік легитимділікке қол жеткізуі үшін қажетті минималды шарттар ретінде үш нормативтік қағида ұсынылады: рефлексиялық әділеттілік, диалогтық есеп берушілік және агонистік легитимділік.

Кілт сөздер: әлеуметтік конфликт, институттандыру, конфликтология, агоникалық плюрализм, рефлексивті әділеттілік, посткеңестік басқару, Орталық Азия, саяси легитимділік, тану, жағымсыз әлем.

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Институционализация социального конфликта в Центральной Азии: философский анализ

Социальная конфликтология рассматривает социальный конфликт как дисфункцию, требующую технического разрешения, тем самым скрывая нормативную предвзятость в пользу стабильности в ущерб справедливости и признанию. В статье утверждается, что институционализация социального конфликта является не технической задачей, а неустранимо философской проблемой и что конфликтология должна быть реконструирована как нормативная дисциплина, способная оценивать легитимность, а не только эффективность институтов управления конфликтами. Опираясь на диалектику признания Гегеля, социологию конфликта Г. Зиммеля, агонистический плюрализм Ш. Муффа и теорию институционализации Р. Дарендорфа, статья рассматривает социальный конфликт не как подлежащее устранению отклонение, а как конститутивное условие социального порядка. На этом основании сопоставляются три института управления конфликтами в постсоветской Центральной Азии — суд ақсақалов в Кыргызстане, система махалли в Узбекистане и законодательная модель медиации в Казахстане. Они интерпретируются как примеры того, что в статье обозначается термином «псевдоинституционализация»: конфликт сдерживается, но не легитимизируется, подавляется, но не трансформируется, а внешние формы участия замещают действительное противостояние. Анализ выявляет три социальные напряжённости: справедливость против стабильности, формальные институты против неформальных практик, государственный контроль против социального диалога. В заключении предлагаются три нормативно обоснованных принципа — рефлексивная справедливость, диалогическая подотчётность и агонистическая легитимность — в качестве минимальных условий, необходимых для того, чтобы институт мог претендовать на нормативную легитимность в сфере социального конфликта.

Ключевые слова: социальный конфликт, институционализация, конфликтология, агонистический плюрализм, рефлексивная справедливость, постсоветское управление, Центральная Азия, политическая легитимность, признание, негативный мир.

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