

Local Alliances Providing Local Governance in Tajikistan?

An Analysis of the Consolidation Process of Modes of Local Governance
in Rural Areas of Tajikistan

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In this article, the preliminary findings from eleven months of field research in Tajikistan are presented.¹ The aim is to account for the state of the state at the local level in rural areas of Tajikistan in terms of security (physical security and welfare), legitimacy, participation and the capacity to process conflicts peacefully. Following this assessment based on three case studies, the author will present those alternative modes of local governance (local cocktails) which have emerged as an answer to the deficiencies of the state on the local level. The time horizon of the article is from the end of the civil war (June 1997) to the present day.

Tajikistan has substantially stabilized since the end of the civil war, but to what extent has the state on the local level in the course of the civil war been captured by informal mechanisms. Particular structural, e.g. institutional,² changes have taken place that stabilized the state and its relations with the society, putting in place new modes of governance. Alternative modes of local governance and the role of informal, formal, official and unofficial institutions in post-Soviet Central Asia, particularly Tajikistan, make up a new topic that has not sufficiently been researched in the past. It is a bottom-up perspective that is rather unusual for political scientists.

Previously, post-Soviet Central Asia has only been seen through the lenses of sovietologists and orientalists. Other influences such as the rising significance of tradition and religion in particular, their local manifestations (in form of localised customs; Tajik: *urfu odat*) and their role in social and political life have not been emphasised sufficiently.

Security (including welfare) –as core functions of statehood- are of particular significance for the successor states of the Soviet Union. The Soviet Union was a comprehensive system, known for providing security, education, health care and infrastructure to all its citizens. Therefore it is a Soviet legacy that people have high expectations in terms of output functions. Tajikistan is not an exception, but due to its high dependency on subsidies from the center during Soviet times, the discrepancy between people's expectations on the one hand and the actual provision by the state on the other hand is especially high in Tajikistan.

How actors in local governance are legitimised depends on the extent to which they are socially embedded –accepted as authorities within the local communities. Legitimacy is important because it tells us more about the sustainability of the “power infrastructure” in place. The question of legitimacy is highly connected to the question of participation of the local population in political and social decision-making processes.

¹ The study is part of a research project at the East-European Institute of the Free University Berlin, titled “Accounting for State-Building, Stability & Violent Conflict: The Institutional Framework of Caucasian and Central Asian Transitional Societies”. The project aims to compare state-building processes and the role of institutions (rules of the game) in the non-violent processing of conflict. The six participants carried out field research in Kabardino-Balkaria and Karachevo-Cherkessia, in Georgia, Azerbaijan, Uzbekistan, Kyrgyzstan and Tajikistan. In December 2004 two further researchers joined the team and will carry out their field research in Afghan Badakhshon. The approach is interdisciplinary and combines approaches from political science, social anthropology, social geography and contemporary history; also see: www.oei.fu-berlin.de/cscca for further details.

² Here I use the definition by Douglass North: Institutions emerge as a result of an interaction between actors. Institutions are constraints that shape human change and institutional change over time; they are the rules of the game in society; see: North, Douglass: *Institutions, Institutional Change and Economic Performance*, Cambridge UP, Cambridge, 1990.

Rule-of-law is important because it is an indicator for the stability of a system and it is connected to conflict-resolution mechanisms. If people have a reliable “pool” of laws (legal pluralism) they base their action on, it becomes easier for them to start up their own business or to “privatise” a piece of land. But if their lives is beset by uncertainty, people do not dare to risk anything. People are too afraid to take up initiatives due to unexpected costs that might be accrued somewhere along the way. Therefore in a way rule-of-law, in terms of the certainty that laws exist and are enforced by the state, creates some kind of flexible stability; it allows both adaptation towards new developments and trends.

Three regions have been chosen in order to sketch the process-ness of modes of local governance. Guy Peters calls this “events” data and poses the question: “Governments change constantly, but when is the transformation great enough to count?”³ In the case of Tajikistan the answer to this question is easy. There are two major events that provided the impetus for transformation: the breakdown of the Soviet Union – i.e. the disappearance of the overall framework of formal institutions- and the civil war in Tajikistan.

During the field research in Tajikistan (from September 2003 to July 2004) the main methods used were participant observation and qualitative interviews⁴ in rural areas of Tajikistan. The local level was chosen as the main level of analysis because this is the level where state and society interact most intensively. Representatives of formal as well as informal structures were interviewed in order to analyse the interaction between the official and unofficial⁵ and also the formal and informal⁶ spheres of state and society.

Three regions (Rasht valley, Kulob and Mountain-Badakhshon) are compared in this article and the comparison is carried out along the following parameters: Economic, social and political preconditions and modes of local governance (exercised by who, through what mechanisms and leading to what outputs).

Carrying out field research in order to collect qualitative data in Tajikistan is a challenge and it certainly has its limits with regard to security. On the one hand, as a young woman the author enjoyed a “jester’s license” as she was not taken as seriously as, let us say, an older man would have been and she therefore gained access to pieces of information that would otherwise have been sealed off. However, living conditions in rural areas are harsh and transport from one village to the other is difficult to arrange. Tajikistan is a post-Soviet state that retains strong elements of authoritarianism. A fear of repression remains and many people are simply too afraid to tell what they “really” think. The author therefore spent extensive periods in the regions, living with local families and carried out interviews in Russian, Tajik or English.

Political, Economic and Geographical Preconditions

Shortly after its independence, Tajikistan became embroiled in a cruel civil war.⁷ The Tajik civil war was a regional struggle for power, mainly financed by external forces (by forces in Russia and Uzbekistan and by rebel groups from Afghanistan). Reasons for the outbreak of the Tajik civil war were that the new power arrangements were still shaky and the rules of the game had yet to be defined. This left a niche for cheap violent “solutions” to small scale conflict which gradually escalated into civil war.

³ see above, p.181

⁴ A total of 125 interviews were conducted. Of the respondents 54 were women and 90 were men. 11 men were representatives of the local Tajik state administration, 36 people were representatives of local NGOs, 8 people were representatives of IOs and INGOs, and 8 were Tajik politicians at the national level.

⁵ In my terminology official stands for the state and unofficial for non-state structures.

⁶ In the formal sphere rules are fixed in a written form, in the informal sphere rules are not “visible” but carried on orally.

⁷ It left an estimated 50,000 people dead, approximately 80,000 refugees in Afghanistan, about 100,000 internally displaced people and an economically ruined country.

Boundaries between state and society were extremely blurred during Soviet times. This is still very much the case in Tajikistan today. Regional networks and groupings, which are in competition for access to natural, financial and administrative resources, dominate the political process. Moreover, Tajikistan is extremely dependent on external aid. International aid and development cooperation with international partners has had a great impact on the local economy.⁸

Political elites and parties are not legitimised democratically, e.g. through elections, but are mostly based on the various regional networks and groupings. The Tajik state in most parts does not finance itself by extracting money through tax collection, but various power holders have positions in the Tajik state and economy that are tied to certain resources⁹ which allows these individuals to enrich themselves and provide their networks with goods.

The economic collapse following the civil war had an especially significant impact on Tajikistan, which already during Soviet times had been the poorest of the Soviet Socialist Republics and had been receiving the highest level of subsidies from Moscow (until 1991, officially 40% of the budget came from Moscow). Today the situation is even more devastating with more than 80% of the population living below the national poverty line.¹⁰

The main sources of profit in Tajikistan today are the production of cotton, aluminium, the refinement of uranium, the harvesting of fruits and vegetables and the production of hydropower¹¹. In the illegal sphere, the trafficking of drugs and weapons, mainly from Afghanistan, dominates the Tajik economy.

Tajikistan is an agrarian country, but only 8% of the territory is arable land with the rest being extremely mountainous. In the cotton growing areas especially, the old structures of *kolkhozes* (collective farms) were *de facto* preserved. In the Rasht valley, land distribution was largely carried out during the course of the civil war, often by force of arms. This led to a highly unfair distribution of land.¹² In Mountain-Badakhshon land was distributed fairly equitably in the early 1990s. Under the land “privatisation” process in Tajikistan, the land of the collective farms has not been automatically distributed, as is the case in neighbouring Kyrgyzstan. People had to apply for land individually, which meant bureaucratic barriers and bribing.¹³

The geographical preconditions for the state, the economy and centre-periphery relations to function properly are extremely bad. Tajikistan is fully landlocked.¹⁴ Many areas are barely accessible from November until April. 75% of the population lives in rural areas and mainly survives with the help of remittances from work migrants and through subsistence economy. In addition, Tajikistan is one of the countries in the world most prone to natural disasters.¹⁵

⁸ “Official Development Aid” (ODA) amounted to US\$ 124 million in 1999-2000 (more than 10% of GDP); http://earthtrends.wri.org/pdf_library/country_profiles/Eco_cou_762.pdf

⁹ ...such as cotton, uranium, aluminium, drugs, weapons, coal, gas, land, hydropower etc.

¹⁰ See: www.irinnews.org, 24.01.015; The endemic poverty rate in 2003 was even estimated at above 80%; see: Freedom House, Nations in Transit, Tajikistan 2004

¹¹ Tajikistan is the fourth largest producer of hydropower in the world.

¹² In Tajikistan land is the property of the state and cannot be sold or used as collateral. Rather, people may inherit land plots for permanent use. All state farms except those producing seed and those that have stockbreeding farms are to be broken up and converted to private farms by this year (2005). All citizens of Tajikistan are entitled to land except those working in the administration of the government. Those with farming experience and the ability to farm the land have first priority; see Article 66 of the 1997 land code, see: MSDSP (an Aga Khan Foundation project), 2002 Baseline Survey of Gorno-Badakhshan Autonomous Oblast, Tajikistan, February 2004, p.5. In the Rasht valley 71% of the population have only kitchen gardens at their disposal; see: the 2002 Baseline Survey of Rasht Valley, Tajikistan for the Tajikistan Poverty Reduction Project, funded by ADB and the Government of Japan, by MSDSP, June 2003.

¹³ See the 2002 Baseline Survey of Rasht Valley, Tajikistan for the Tajikistan Poverty Reduction Project, funded by ADB and the Government of Japan, by MSDSP, June 2003, p.21.

¹⁴ The fact of being landlocked makes it difficult to get access to inter-regional and world markets.

¹⁵ It frequently suffers from earthquakes, landslides, rock falls, avalanches, droughts, heavy snowfalls, floods etc.

Three target regions were selected for conducting the fieldwork: the Rasht valley¹⁶ northeast of Dushanbe, Kulob on the Tajik-Afghan border in the very southeast of Khatlon region, south of Dushanbe, and the autonomous region of Mountain-Badakhshon in the very East of Tajikistan, on the border with Afghanistan (Afghan Badakhshon). The aim of this particular selection of case studies was to have a selection from regions that are structurally different. The main difference between the Rasht valley and Mountain-Badakhshon on the one hand and the district of Shurobod on the other, is the fact that the population in the Rasht valley and Mountain-Badakhshon predominantly supported the *United Tajik Opposition* (UTO) during the Tajik civil war, while the population of Shurobod and its surrounding areas mainly fell under the influence of and supported government forces (the *Tajik Popular Front*). In terms of resources, the Rasht valley and Mountain-Badakhshon are not important. The Rasht valley is mainly a region where the people live from working their land. Mountain-Badakhshon has only some reserves of uranium, marble and other (half-)precious stones. Shurobod is the neglected part of Kulob part of Khatlon administrative region where cotton plays an important role. But in the district of Shurobod itself water is a major problem and therefore, no cotton is grown., Shurobod is important strategically as a border region. Not only was the Rasht valley a stronghold of the opposition during the civil war, but also until today it continues to be a major flashpoint as rival parties continue to vie for power despite the agreements made between opposition and government forces.¹⁷

The Historical Context and Starting Point of the Statehood-Building Process

Contemporary Tajik history and political developments can be divided into three major periods: the immediate post-Soviet period since the breakdown of the Soviet Union in 1991, the most intensive period of the Tajik civil war (1992-1994) until the presidential elections of November 1994 and since then until the peace accord in June 1997. Each of these historical periods gave rise to particular legacies that had a significant impact on future developments. The rules of the game that defined governance and the particular “local cocktails” are, to a large extent, legacies of the civil war.

In the beginning the conditions for a potential statehood-building process were extremely hostile. The last all Soviet Union referendum (March 1991) revealed that 96% of the voters (with a 94% voter turnout) wanted to preserve the status quo of the *Soviet Socialist Republic of Tajikistan* (SSRT) as a constituent part of the Soviet Union. Tajikistan receiving its independence without even wanting it, was a major impediment to the statehood-building process. Tajikistan was the republic furthest away from Moscow in the geographical sense, and this also had an impact on the extent to which Moscow could enforce control over this part of the country and provide the local population with its ideology. The extent to which the Soviet state managed to penetrate society varied significantly throughout the Soviet Union. Even within Tajikistan, the degree to which the Soviet state was able to penetrate society varied considerably from region to region. This is where it becomes difficult to judge whether Tajik society had either not been penetrated extensively by the Soviet state, or whether the formal Soviet structures in Tajikistan had, to a large extent, been captured by informal rules. Many pre-Soviet “traditional” informal and formal institutions (for example „religious” institutions such as *shariat*, *hashar*, *qars*, *taloq* etc.) preserved their role both during Soviet

¹⁶ The term Rasht valley in this study subsumes the following *rayons* (districts) of republican subordination (RRS): Gharm, Tavildara, Zhirgatal, Tojikobod, Darband, Roghun and Faizobod. Fieldwork was conducted in all of these districts.

¹⁷ In terms of living conditions the region is characterised by low levels of food security and low incomes; 2002 Baseline Survey of Rasht Valley, Tajikistan for the Tajikistan Poverty Reduction Project, funded by ADB and the Government of Japan, by MSDSP, June 2003, p.5. As in other rural areas of Tajikistan people are lucky if they have three hours of electricity per day. The “graphica” (Engl. schedule) is as follows: one and a half hours in the morning from six till seven thirty and in the evening from six till seven thirty. Otherwise the cooking is done with gas or, if there is none, on the stove, which is heated with (goat) dung.

times and today. Even into the *kolkhoz* traditional institutions as the *hashar* were incorporated in form of the *subbotnik*.¹⁸

State-Society Relations

The state in Tajikistan is a highly fractured system in terms of social control sanction capacities. The system is likely to face even further fragmentation in the future due to its extremely localized modes of governance and the “local cocktails” of actors that dominate in the regions, and because the newly established state structures are not well-embedded in the local communities. Many strongmen have captured segments of the state and have succeeded in having themselves or their associates placed in state posts to ensure allocation of resources according to their own rules, rather than the rules dictated by the “official state”.

The Tajik government does not undertake any attempts to regain those parts of the state, which it has lost or given up on. Therefore fragmentation and differentiation is even higher in those regions the state has given up on because the overall framework formerly provided by the state has broken apart.

The state is here defined as the main statehood producing¹⁹ and rule-setting agency and the agency that coordinates the provision of public goods and other services. State-society interaction is a dynamic process, which changes the actors involved in the “political game”, their strategies and the rules of the game. In theory the “contract” between the state and the people foresees that the former somehow extracts money from the latter (through taxation, customs etc.) and provides public goods, services and “securities” such as physical security, welfare, health care, education, emergency relief, rule-of-law etc. in return. In the case of Tajikistan, domination is dispersed. Neither the state nor any other social forces manage to achieve countrywide domination.²⁰

A state can be termed weak if it lacks infrastructural power, if social control is extremely fragmented and local leaders suborn state institutions for their own private gains and if efficient monitoring and policing mechanisms fail to deal with diffuse security threats.²¹ There is, however, evidence pointing to the fact that in Tajikistan statehood is being re-established and consolidated, even if this initiative has been driven predominantly by non-state actors.

In the case of Tajikistan the state is more an arena in which local (often informal) leaders who enjoy some kind of legitimacy compete for domination –setting the rules of the game- in their “enclaves”. Therefore the state cannot be seen as a coherent organization, as it incorporates conflicting forms of social control.²²

These modes of governance and forms of social control are based on institutional arrangements²³, which have emerged since the breakdown of the Soviet Union and have had a

¹⁸ For a discussion of this see Olivier Roy’s work: *The New Central Asia. The Creation of Nations*, I.B. Tauris Publishers, London 2000

¹⁹ **Statehood** in my way of defining it, stands for the provision of what is commonly defined as public goods, first and foremost the provision of physical security, welfare, (access to) institutions and procedures processing conflict in a non-violent way; see: Zürcher, Christoph: *External Intervening vs. Local Self-Repairing*, Paper prepared for the conference “Identifying Self-Repairing Dynamics in Post-Conflict Societies: The Caucasus and Central Asia”, February 3-5/05, at the North-western University in Chicago.

²⁰ See: Migdal, Joel S.; Kohli, Atul; Shue, Vivienne: *State power and social forces. Domination and transformation in the Third World*, Cambridge University Press 1994, p.9

²¹ Blum, Douglas; “Contested national identities and weak state structures in Eurasia”; in: Sperling, James; Kay, Sean; Papacosma, S. Victor (eds.): *Limiting institutions?. The challenge of Eurasian security governance*, p.37.

²² see: Migdal, Joel S.: *State in Society. Studying How States and Societies Transform and Constitute One Another*, Cambridge University Press 2001, p.52/53

²³ Institutions are the rules of the game in society –the constraints shaping the interaction between collective and individual actors. They are mechanisms in society that guide actors by setting the rules of interaction, exchange and relationships between individuals and groups. One can differentiate between “traditional” and new, formal and informal, official and unofficial institutions that have emerged since the state’s independence. The scope of institutions or legal space are marked by sanctions. Institutions reach as far as the capacity to sanction goes;

significant impact on the regulation of inter-personal relationships, as well as relations between center and periphery.

In Tajikistan the arena in which these institutions are effective is limited and usually does not extend beyond the borders of the *mahalla* (the living quarter) or the village. It comprises an extremely small entity because the main means of sanctioning belong to the “eye of the village”, for example spreading rumours in order to ruin an individual’s reputation or in the worst case excluding a person from the family (speaking *taloq*²⁴) or *mahalla* community.

Legal insecurity is widespread due to the fact that conflicts about the rules of the game exist, e.g. religious against secular, modern against traditional, local against universal etc.. The fact that to a certain extent the “youth have taken over the village” because they have access to economic resources has had a major impact on the rules of the game.²⁵ At the same time, the state is weak in terms of “rule of law” and cannot even exercise existing laws. Often there is still the threat that the gun will have the last word. It is difficult to separate the formal from the informal rules of the game, they often merge into hybrid institutional arrangements.

Local governance is about how power and authority is being organized and exercised at local level. Local modes of governance include modes initiated and enforced by the state as well as those enforced by non-state actors such as local strongmen. Boundaries between the state and society constantly shift, as we find a “mutual” process of powerful social forces in particular arenas appropriating or capturing parts of the state, while at the same time components of the state co-opt influential social figures.²⁶

North, Douglass: *Institutions, Institutional Change and Economic Performance*, Cambridge UP, Cambridge, 1990.

²⁴ *Taloq* is to condemn one’s son, daughter or wife as punishment for ruining the family’s honour.

²⁵ A good example for this is the conflict in Navdi. The two parties involved in the conflict in Navdi were: the old generation and the young generation. The old generation was mainly represented by the mullah (local religious authority for Sunni Muslims) and the young generation by the head of the youth organization. The suggestion of the young people on the one hand was to build a youth center. The old generation on the other hand emphasized the need for additional classrooms, water pipes and better provision of electricity for the village. A vote on the priorities followed and the youth center won the most votes. Following this defeat the mullah realized that he was losing his authority. He expressed his disagreement with the new procedure (the democratic elections within the *village organization*). In the end the mullah did not accept the victory of the young generation and protested by leaving the village meeting. Some time later another village meeting the *mullah* now brought forward his opinion that a mosque or a *madrassa* (Islamic school) should be built in the village. The leader of the youth organization vehemently answered him back and said in his opinion there was a need for a youth center instead of a mosque. A few days later this argument escalated into an affray between the older and younger men of the village. The leader of the youth group blamed the *mullah* for destroying several families of the village and in his rage hit the mullah into the face. This is considered to be a taboo due to the fact that the respect for the elder and religious authorities is one of the essential rules of the Tajik society. Following this incident the mullah left the village and went to Dushanbe for good. Since then representatives of the village community say that shame has hit their village and it has been isolated by other surrounding village communities. The outcome of this conflict shows that there is not only monitoring and sanctioning within the village, but also between villages concerning major incidents. A respondent said, that he had voted for the youth center during the meeting and supported the younger generation, but the escalation of the conflict was a shame for the whole community. What added up to the hard fronts within the conflict, was the fact that the young generation in Navdi is fairly organized and even officially registered as a youth organization. The members are from 16 to 30 years old. The youth organization has about 300 members (half of them working in Russia for at least one season a year, but they keep in touch with the leaders of the organization and support the organization financially). The members of this youth organization pay a member fee of 20 Diram (app. 6 cents) per month and currently the organization has a fund. The former leader of the *village organization* in Navdi withdrew from his position because the young people were putting a lot of pressure on him and did not actually let him fulfil his tasks properly. For the last two years Navdi has not had an *aksakal* (who is in Gharm an elected wise elder, who takes important decisions). Those, who had been chosen as *aksakals*, refused to take the position. As a consequence no all-village-events were organized anymore because this is one of the tasks of the *aksakals*. During the latest elections for the head of the *village organization* the youth won and the brother of the head of the youth organization is now leading the *village organization*. *De jure* and *de facto* the young generation took over the leadership of the village.

²⁶ See: Migdal, Joel S.; Kohli, Atul; Shue, Vivienne: *State power and social forces. Domination and transformation in the Third World*, Cambridge University Press 1994, p.26

Strongmen play a particularly important role in local modes of governance in rural Tajikistan as they not only exercise social control over their subordinates, but, because of their positions of power, they also make demands upon the state and in some cases even capture parts of it.²⁷ Therefore the relationship between these local strongman and the “state” (its representatives at local level) can be described as a bargaining relationship.²⁸ It is a question of weighing up the costs and benefits of the various strategies. On the one hand through the social control exercised by local strongmen certain stability is created which is in the interest of the state. On the other hand the state does not have any incentive to invest state funds into those “enclaves” ruled by local strongmen.²⁹

Nasrin Dadmehr described the Tajik constellations on the ground the following way:

"One of the results of the civil war in Tajikistan, as in many other post-conflict countries, was the emergence of powerful regional warlords. These warlords were active on both sides of the power struggle -the government as well as the opposition. In addition to politically oriented warlords, there were independent ones who did not support any political faction. The appearance of these new elements totally changed the political balance of power in Tajikistan, and no political or economic calculation is possible without taking them into consideration."³⁰

A frequently applied mode of governance, which emerged in Tajikistan since the civil war, is the outsourcing of state functions. Outsourcing is a term borrowed from the field of economics and refers to instances when an enterprise starts to pass on a particular branch of production to another company. Outsourcing is of major importance in Tajikistan. The outsourcing of state functions to alternative agents by definition has to be initiated by the state. Outsourcing occurs if there is a lack of resources and the state has little capacity to fulfil its functions all by itself. The next step that might follow outsourcing is capture, in which an actor other than the state completely takes over a territory or a functional sector of the state such as external security. The reverse process is re-capture, in which the state takes over a function that had previously been outsourced to a particular agent.³¹ A state that is not capable of re-capturing its core functions can be defined as weak. There are several “agencies” that state functions can be outsourced to and that can emerge as alternative providers of statehood: foreign troops (in the case of security), foreign companies, NGOs, local companies, criminal groups, and finally INGOs³².

Preliminary Results: Statehood and the Provision of Public Goods

In terms of the provision of public goods the state is not functioning properly. The state is providing schooling, health care, infrastructure and security on the lowest possible level. Therefore societal forces have developed new alternative modes of governance in order to deal with the deficiencies of the state. The existing phenomenon can be termed diffuse statehood. Statehood is not exclusively created by one actor –the state- anymore but by a number of providers. The state (elites) at local level have left gaps open that were filled by a

²⁷ See: Migdal, Joel S.: *State in Society. Studying How States and Societies Transform and Constitute One Another*, Cambridge University Press 2001, p.90

²⁸ See: Migdal, Joel S.: *Strong Societies and Weak States. State-Society Relations and State Capabilities in the Third World*, Princeton University Press, Princeton, New Jersey 1988, p.247/248.

²⁹ *Ibid.*, p.254.

³⁰ Dadmehr, Nasrin: "Tajikistan: Regionalism and Weakness; in: Rotberg, Robert I. (ed.): *State Failure and State Weakness in a Time of Terror*, Washington 2003, p.245

³¹ Re-capture: The Tajik state re-claimed the border control from the Russians on the Chinese-Tajik border.

³² As for example AKF; examples of *outsourcing*: for example the guarding of the Tajik-Afghan border on Tajik side is *outsourced* to CIS troops that are de facto Russian troops (e.g. at the level of the commanders the guards are Russians and below that they are Tajik natives); AKF in Badakhshon. In addition emergency relief (public good) is outsourced to IOs in Tajikistan.

variety of other actors (local strongmen –great landowners, former *muğohidon*³³ or religious authorities, NGOs, INGOs, IOs etc.) which led to new modes of local governance.

Local state representatives often lack the necessary degree of social-embeddedness and therefore their legitimacy is often questioned. The fact that they are representatives of the state does not mean that they are legitimate leaders according to local standards. It is more often the case that the state at local level gained legitimacy because its local representative had been a legitimate leader before he received the official post provided by the state and not the other way around. A local leader is legitimate if his authority is supported by the local population. If he is accepted as the local authority, then his position is legitimate providing his subordinates –the local population- have the possibility of influencing his actions (participation). If a legitimate leader does not put into action whatever his supporters are supporting him for, then there should be sanction capacities in place to sanction him, e.g. by de-legitimizing and even dismissing that particular leader.³⁴ Legitimacy is not necessarily tied to democratic procedures. A leader is legitimate if he receives his position in accordance with rules that are broadly accepted and practiced on the local level. As a consequence informal leaders on the local level are often much more embedded in the local communities do to the fact that they for example protected their village community during the chaotic times of the civil war, than official leaders (representatives of local government) who were just recently installed. There seems to be the tendency that representatives of local government who just recently received their posts are especially seductive to orders and decrees that are issued from above and there is no accountability towards toward lower levels.³⁵ Therefore one cannot talk about a patron-client system in this context anymore because there is no “rebound”. Dependencies only go into one direction, towards the next higher level, but an official patron (representative of the local government) is not accountable and mostly independent from its clients. In the Tajik context “...local leaders have become the brokers for the contracts, jobs, goods, services, force, and authority that filter through the bureaucratic tentacles of the state.”³⁶

Conflict processing capacity is the capacity of local formal and informal, official and unofficial institutions to deal with conflict –the clash of contradicting interests- in a constructive and non-violent way, which allows state and society to adapt to changing circumstances. Functioning conflict processing institutions and procedures are a constituent element of functioning statehood. At local level in Tajikistan the main sources of conflict are the scarcity of (fertile) land and (clean) water and the question of what rules of the game should be applied. Land (especially irrigated) is scarce and therefore the pressure on land is high. In theory everybody would like to “privatise” a piece of land. *De facto*, the state and the individuals representing it on the local level create additional barriers and act as parties involved in the conflict over land. A good example for this phenomenon is the case study of Aghankul and Khipshon (in the district Tavildara of the Rasht valley³⁷).³⁸

³³ *Muğohidon* is the Tajik plural term for (opposition) fighter during the Tajik civil war.

³⁴ An exception to this last element of legitimacy is if leaders have some kind of “divine right to rule” as in the case of the “Hazor Imam”, the religious leader of the Ismailites –the Aga Khan- or other religious authorities.

³⁵ Interview with Gisela Nauk, UNDP Dushanbe, 04/07/2005

³⁶ Migdal, Joel S.: *State in Society. Studying How States and Societies Transform and Constitute One Another*, Cambridge University Press 2001, p.93

³⁷ Shortly after the civil war local combatants took over land in Aghankul (district Tavildara, Rasht valley). Even though this piece of land was situated in Aghankul, according to the documents it belonged to Khipshon. It comprised 24 hectares (8 hectares of arable land).³⁷ The people from Khipshon were paying the taxes for that piece of land and the people from Aghankul were using the land. In 2000 a group of former combatants from Aghankul went to a field on which people from Khipshon were working and berated them. Reportedly, those people working on the field did not answer back, as they knew that these people from Aghankul were *muğohidon* and were afraid of them. Those former combatants from Aghankul had brought with them a car and a tractor and they loaded those farmers from Khipshon onto the tractor and car and took them with them to Aghankul. The people from Khipshon informed the *jamoat* about this incident. The *hukumat* (district) became involved and the

The local communities in Tajikistan are more or less able to deal with conflicts about land and water due to the fact that these kind of conflicts are not actually that new and there are institutions –rules of the game- in place that manage these kinds of conflicts.³⁹

In many rural areas of Tajikistan local NGOs (such as MSDSP) and international organizations (such as UNDP) are important service providers. In Mountain-Badakhshon in particular the population only survived periods of extreme scarcity during the civil war because already in 1993 the *Aga Khan Foundation* had become heavily involved in the land distribution process so that food security could be increased. The implementation of land reform in Mountain-Badakhshon began in 1997.⁴⁰ It was carried out by the *German Organization for Technical Cooperation (GTZ)*, its local partner the *Mountain Societies Development Support Programme (MSDSP)*, which was established by the *Aga Khan Foundation*, and the local state land committees.

In 1997 MSDSP put the *hukumat* under pressure, saying that if it did not implement the land reform right away, MSDSP would not provide any seeds or fertilizers. “MSDSP made it clear to the *hukumat* from the very beginning that they would only support the land reform, if the land was divided equally and in a fair way.”⁴¹ The rhetoric of this quotation shows how great the impact of MSDSP on the *hukumat* is; *de facto* MSDSP is more powerful than the *hukumat* in terms of financial and human resources and has the capacity to manipulate political and economic decisions at local level. According to other sources MSDSP enforced the distribution of land from state farms before the law on land reform had actually been passed. In Mountain-Badakhshon peasants who privatised a piece of land did not inherit any major debts from the state farms, therefore the people were more courageous in applying for a piece of land. Eventually, land in Mountain-Badakhshon was distributed much more equitably than in the other two regions and most people perceived the land distribution process as fair. Even those who had not been part of the *kolkhoz* could apply for and received their own little plots.

Building a Parallel State in Mountain-Badakhshon?

Some commentators claim that MSDSP is the state in Mountain-Badakhshon or that the Aga Khan Foundation (AKF) is trying to build up a parallel state in Mountain-Badakhshon. It is

people from Aghankul were asked to give their explanation for the incident. Eventually, the case was taken to the court and it was decided that the land in the future should be used by the *jamoat* for public purposes. Originally, the people from Khipshon used to have the certificates for this particular piece of land, but after the court decision the people from Aghankul made new certificates. The people from Khipshon were punished for their falsified certificates and the land was for some time given to the people from Aghankul. But the disagreement continued. In November 2002 the *hukumat* decided that the *jamoat* should take over the land, in order to use it for public purposes (in order to build a boarding school and a hospital). *De facto* employees of the *jamoat* are now using the land privately, but still the people from Khipshon are paying the taxes. Eight hectares are still not distributed and used by the employees of the *jamoat*. For now the conflict is being avoided. This case is an interesting example for state agents on the local level acting under double standards. There was a conflict and in order to solve the conflict, the land was given to a “neutral institution”, the *jamoat*. Obviously, state control and the rule-of-law at the local level are not strong enough in order to enforce the neutrality of the local state administration. The state is not capable of acting as a mediator, instead he is one of the involved parties.

³⁸ Also see further details on “privatisation” of land in Mountain-Badakhshon in the next section on outsourcing of state functions to alternative service providers.

³⁹ In many regions water is distributed according to a certain schedule “*graphica*” that is re-established every year when the watering season starts, a person is elected who is in charge of enforcing this schedule, the *Mirob*.

⁴⁰ An agricultural specialist from MSDSP in Khorugh, Imatbek (22.06.04) even said that the process of distribution of land had already started in 1995 and that it would only be totally completed by the end of this year (2004). Only four state farms were still left: one in Sagredasht, one in Roushon, and two livestock farms in Murghob.

⁴¹ Interview with Fatullo Nusayriev, regional manager of MSDSP Mountain-Badakhshon, 09.07.2004, in his office in Khorugh.

more prestigious and better paid to work for *the* “khasina” (Tajik for foundation meaning AKF/MSDSP) than for the *hukumat* (district administration) or any other state institutions. MSDSP (in Badakhshon and recently also in the Rasht valley and parts of Kulob) provides agricultural extension, humanitarian aid, supports hospitals and renews “medpunkty”, training, small grants for business and procedures, financing for grass-root local governance, as well as renovation of schools, water pumps, channels, and small hydro power plants.

There are also other examples of outsourcing. Reportedly, there have also been cases of local strongmen in all regions analysed, who made their fortunes through drug-trafficking or other kinds of illegal business and who invested the drug-money into local communities by charitable acts such as renovating the village school. In this way they were able to increase their prestige among the local community. The author found that in the district of Shurobod (Kulob), where local strongmen had obviously made a fortune from the drug trade and had invested the profit into community projects, this was extremely well-received by the community. Even though drug-trade is generally seen as “dirty business”, members of the local community did not question or worry where the money had come from, what counted was that this particular person had done something for the community. Another example was that in Tajikistan external security on the Tajik-Afghan border had been outsourced to Russian troops, the Tajik state is now regaining the control of the Tajik-Afghan border.

At local level in regions where there are only few resources (Rasht valley and Mountain-Badakhshon and also the resource-poor districts of Kulob such as Balzhuon and Khovaling) and that were previously controlled by the opposition, the provision of public goods such as education, the provision of jobs, the maintenance of schools and hospitals as well as the maintenance of infrastructure such as roads, bridges, water pumps, wells, electricity and relief from emergency situations, have mostly been outsourced to international NGOs or internationally financed local NGOs. In general, there is a tendency that more and more state functions are outsourced to local and international NGOs. This is a short-term solution; it creates the impression that statehood functions in a proper way. But actually this constellation is unstable; it takes the responsibility away from the state and does not resolve the “weakness” of the state in a sustainable way.

“Local Cocktails”

In rural communities in Tajikistan local power-brokers or “strongmen” very often set the rules of the game and define the connections between various levels of society. These strongmen, bosses⁴² or patrons oppose horizontal social control by local people and have the means to make people stick to the rules of the game (sanction capacities). The patron-client relationships they create not only divide society by defining who is in and who is out, but at the same time tend to crosscut and undermine potential cleavages based on class, ethnicity (including religion), region, and gender. Particularistic alliances or *networks* based on bonds of personal reciprocity emerge and function instead.⁴³ Local strongmen are the heads of these influential networks. Often they have an interest in keeping the state weak in order to rule their own territories without the state interfering. Therefore they tend to promote low-level conflict with a view to maximizing the dependency of political actors on them.

⁴² “...a boss may often function as a patron... he is the most powerful man in the arena...his power rests more on inducements and sanctions at his disposal than on affection or status.”; The term boss refers to the phenomenon of men using their control over the state in order to exploit resources.; see: Sidel, John T.: Capital, Coercion, and Crime. Bossism in the Philippines, Stanford University Press, Stanford (California) 1999, p.19.

⁴³ Cp. Sidel, John T.: Capital, Coercion, and Crime. Bossism in the Philippines, Stanford University Press, Stanford (California) 1999, p.7

Especially in the Rasht valley, these strongmen were also often involved in the process of land reform by controlling the distribution of large parcels of land during the civil war. Many only appeared during the civil war and emerged from it as powerful landlords. In different regions, different “local cocktails” dealt with the process of land distribution in local-specific ways.

In Tajikistan, formal institutions (for example the *jamoat* -the administration of a sub-district) tend to be captured or even taken over by informal institutions. Network rule tends to prevail over rule by formal official institutions. The central authority in the local communities is mainly perceived as either non-existent or extremely weak due to a lack of financial resources and the lack of power to implement policies. Especially in those regions previously controlled by the opposition “the center” is perceived as far away and *de facto* does not have a lot of influence.

As a result of these processes, the mode of governance in Tajikistan is defined by what the author refers to as “local cocktails” of actors. These “local cocktails” are alliances of local strongmen and in some cases representatives of INGOs and/or local NGOs. In the Rasht valley the local ruling cocktails mainly consist of an alliance of former *muğohidon* (combatants and commanders from the time of the civil war) and local (informal) religious authorities (such as the *Sheikh* of Childara). Only in a few cases these actors cooperate with the state.

The Case Studies

Below, the author will focus more closely on these “local cocktails” in the Rasht Valley, Mountain-Badakhshon and Kulob in order to explain the phenomenon in more detail.

Childara belongs to the district of Tavildara -one of the seven *Rayons (districts) of Republican Subordination* (RRS) in Central Tajikistan’s Rasht valley. The *jamoat* of Childara is a good example of how local power and governance are *de facto* structured in the Rasht Valley. The territory of the Valley is divided and “ruled” by local big men who are either religious leaders, former combatants (*boeviki/ muğohidon*), drug barons, *rais(a)hoi rayon* (chair(wo)men of the district) or a mix or coalition of those just named. Often these local strongmen also act in alliance with local NGOs, INGOs and international organisations. There are strongmen who already held important positions (e.g. head of a *kolkhoz*) during Soviet times, but most of them emerged since Tajikistan’s independence and during the Tajik civil war, which was fought especially bitterly in the Qarotegin valley.

The Sheikh of Childara

In Childara (district Tavildara) there is a so-called *Sheikh*⁴⁴ who controls most of the land. Land is important because potatoes are grown as cash crops and it is the main source of income for the local people. When asked how he became *Sheikh*, local inhabitants claim that he “fell from heaven in a wooden cradle”. During Soviet times the *Sheikh* used to be the director of the *sovkhos* (specialized on silk-worm breeding) and after the transition became the director of a seed-producing “association”.⁴⁵ The people are highly dependent on him because he is a generally respected, feared and for some even mystic figure. People heavily rely on him in terms of access to land. He is

⁴⁴ A *Sheikh* is a religious leader who is supposed to live in abstinence. *Sheikh* is also a title in Sufism. It is unclear where the *Sheikh* got his title from. But he seems to be a respected leader among the local community; interviews with inhabitants of Tavildara district in fall 2003.

⁴⁵ A seed-producing association is basically a state farms because seed-producing associations were not included in the official “privatisation” process, but are aimed to be kept as state institutions in the future.

the biggest landlord in the area and people mainly rent land from him. For some he is a strong religious authority. The *Sheikh* is said to know religion very well. The *association*, which is led by the *Sheikh*, was founded in 2000 and it controls 129 hectares of arable land. Some people in the district perceive the *Sheikh's* orders as a threat and try to get around him as much as they can. During Soviet times, when he was the director of the *sovkhos*, the *Sheikh* was already very influential and tried to force the people to breed silkworms. Some people, despite the fact from not being part of the *sovkhos* workforce, e.g. teachers were also forced by the *Sheikh* to breed silkworms. Some refused to raise silkworms because it was difficult, but others respected the order by the *Sheikh* and followed it. One respondent said: "If you raise silkworms in your house, you have to move out yourself because they need a warm humid climate, a constant warm temperature and they only eat the leaves from mulberry (Tajik: tut) trees." For those who refused, their relation to the *Sheikh* was spoiled and these people fear the *Sheikh* until today. The *Sheikh* is not particularly well-known across the border from the district of Tavildara; in the neighboring district of Gharm most people have never heard of him. However, he is part of an influential network; he is related to the head of the district of Tavildara, his nephew *Panjara* (Tajik for "five bullets"⁴⁶) is a well-known *muğohid* and he is related to the Minister for Emergency Situations, Mirzo Ziyoyev (also often called *Mirzo Jaga*). *Mirzo Jaga* is also one of the biggest former *muğohidon* on the opposition side and one of the few opposition figures to have received and kept a minister (Minister for Emergencies) post as part of the peace agreement in the Rakhmonov government.

Another particularly influential 'strongman' in the Rasht Valley is a businessman called "Shoh" Iskandarov.

The Shoh of Zhirgatol

The "Shoh" is based in Zhirgatol, in the very northeast of the Rasht valley on the Kyrgyz border. "Shoh" used to be the commander of the troops on the border with Kyrgyzstan and is said to have been controlling drug-trafficking, as well as the trade of tobacco, vodka and coal, throughout the entire valley. However, he was recently removed from his position on the Kyrgyz border and by the spring of 2004 he had been appointed as the commander of troops in the Sogd region (in Istarafshan). Many of "Shoh's" relatives are also prominent figures in Tajikistan. His brother is Makhmadrozi Iskandarov, who used to be the head of the national gas company and is now the head of the main opposition party -*Democratic Party* (DPT). Their nephew Odiljon Nijozov until March 2004 used to work for the regional office of MSDSP in Gharm (Rasht valley). His father used to be the head of the foreign ministry in the department for the countries of Asia and Africa until he became the Tajik ambassador to Afghanistan in the early 1990s. He held this position for six years.⁴⁷ The inter-linkage between these three strongmen ("Shoh", Makhmadrozi Iskandarov and the former Ambassador to Afghanistan) shows that to a large extent political power structures in Tajikistan are infiltrated by informal networks like that of the Iskandarov family.

MSDSP Co-Opting Local Strongmen

MSDSP also has influence with certain local strongmen in the Rasht Valley. One such example is Sherali Mirsoev in Tajikobod. Mirsoev is currently head of the MSDSP district office in Tajikobod and was previously a commander in the *United Tajik Opposition* (UTO)

⁴⁶ Panjara is said to have been hit by five bullets during a shoot-out in the civil war and nevertheless he survived.

⁴⁷ I took an interview from his nephew Odiljon Nijozov on 4 March 2004 in the regional office of Mountain Societies Development Support Program in Gharm, where Mr. Nijozov was responsible for computers.

during the civil war. Judging from his appearance, Mr. Mirsoev still displays the image of a *muğohid* (commander). He is said to be doing a good job for MSDSP and has successfully managed the transition back to a civil profession. His relationship with the district *hukumat* (administration) is not optimal, but as a “special guest” Mr Mirsoev accompanied the author to the *hukumat* for an interview and there was a normal conversation between the two sides. In Mountain-Badakhshon and parts of Kulob it is representatives of INGOs, local NGOs and local big men, often in alliance with the MSDSP, that dominate the “local cocktail”. As a strategy MSDSP –because it cannot get around these local strongmen and implement its projects at local level - has even been “co-opting” them as its regional managers.⁴⁸

Former Muğohid or Turns NPOshnik

In the district of Shurabod (in southern Kulob on the border with Afghanistan) the “local cocktail” is made up of a coalition of former war commanders, many of whom in the course of the civil war turned into big landowners and became part of the presidential network or turned into *NPOshniki*⁴⁹ (e.g. got a job with MSDSP).

Former Commander Bahromsho, Now NPO-shnik

One specific example of a commander turned is *NPOshnik*, is the head of the MSDSP regional office in Kulob, Bahromsho Rahmatoloev, who had previously fought as a “kommandir” on the government side during the civil war. At one point after the civil war he even had ambitions to receive a minister’s post in Rakhmonov’s cabinet, but for some reason this attempt failed. Instead he took an important and well-paid position with MSDSP in Kulob. Despite the fact that Mr. Rahmatoloev is still seen as a Gharmi (even though his family had already been living in Kulob for several generations), he is highly integrated into the Kulobi network.

It was only recently that MSDSP expanded to Kulob – a part of Khatlon region that during the war was mainly dominated by government forces in the shape of the *Popular Front*. The importance of NGO positions like this one becomes even clearer when we consider that while Rahmatoloev, who had held a leading position in the Tajik army, became a *NPOshnik*, his subordinate and close ally *Zhalol* became head of the department of security (Tajik: shubai amnijat; former KGB) in the district of Shurobod. On one occasion Mr. Rahmatoloev boasted that he lived in the “street of the winners” in Kulob together with other former *muğohidon*. Last, but not least, Bahromsho Rahmatoloev is friends with the head of the “pogran post” (border post) shortly before one reaches Shurobod.

Summary

Tajikistan has substantially recovered from its civil war and local governance is being re-established in the rural areas. Humanitarian aid from the outside is gradually being reduced and long-term projects for development cooperation are being introduced. Nevertheless, local, informal and “traditional” power structures and institutions –the rules of the game- remain extremely localised, i.e. they have a narrow scope, which in most cases does not reach beyond the village because social control, which is tied to sanctioning capacities, is limited to the (“eye” of the) village.

⁴⁸ The heads of the MSDSP offices in Zhirgatol and Gharm are big landowners, the head of MSDSP Tojikobod, is a former *muğohid* from the opposition side, the head of MSDSP Kulob is a former commander of the Tajik army and Popular Front.

⁴⁸ Panjara is said to have been hit by five bullets during a shoot-out in the civil war and nevertheless he survived.

⁴⁹ NOP is the Russian abbreviation for NGO and the shnik-suffix indicates that one is dealing with a profession or some other kind of affiliation. An NPO-shnik is simply somebody who works for an NGO.

The mechanisms that do function are mainly financed and maintained by alliances of local leaders, international organizations, international NGOs and internationally financed local NGOs. These mechanisms are short-term solutions, which most often lack the capability to be turned into sustainable modes of local governance in the future. New strategies have to be developed in order to incorporate local power structures into the central state, otherwise these diverse constellations will lead to other outcomes which may involve the further fragmentation of social control, legitimacy and even the state itself.

The performance of the state in terms of providing security (including welfare) , institutions and procedures for conflict resolution is generally poor. It merely acts as a coordinator or enabler for the outsourcing of state core functions. In the near future it will most likely not be able to re-capture those functions that have been outsourced to alternative providers (such as NGOs/IOs, foreign states, and local strongmen).

The Tajik state seems to neglect resource-poor regions and only invests in these regions in order to gain access to important resources (in areas where cotton is grown, aluminium is produced – as in the south in western Khatlon – or industrial products are produced as in the Sogd region in the north). Fragmentation of modes of governance is higher in those regions the state has given up on than it is in those regions where the state is still providing services.

Local governance is never only exercised by the state alone. It is increasingly being exercised by alliances of local strongmen ('local cocktails') that act mostly outside of local state institutions. In a few cases, local governance functions in cooperation with the local state administration. In terms of modes of local governance, the Tajik state plays only a marginalized role. Modes of local governance are highly localized and therefore vary significantly from region to region, if not from district to district.

Statehood and governance barely function at grass-roots level. Nevertheless, the re-emergence of violent conflict for now seems to be unlikely. State institutions at local level are highly undermined by informal practices, while informal mechanisms are in place that are *de facto* recognized by the state.

After the recent upheaval in the region, the revolution in Kyrgyzstan and the recent events of Andijan (Uzbekistan), it will be even more interesting to see what impact the developments in the neighboring countries will have on the further stabilization process on the ground in Tajikistan.

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