

The Role of Local Institutions in the Statehood-Building Process in Tajikistan

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Introduction to the Research Project¹: Institutional Arrangements

The breakdown of the Soviet Union has had a significant impact on the institutional arrangements regulating the relations between the center and periphery. The main unit of analysis are institutional arrangements –those that are legacies from Soviet times, “traditional” institutions, formal and informal, official and unofficial and new institutions that emerged since the states’ independence. A very important phenomenon are **hybrid institutional arrangements** consisting of formal and informal sets of rules which we have identified during the field research.

Only in some parts of our research region the output of these transitional processes has been violent, in others it has been peaceful. Even though in most regions the state is found to be weak in terms of providing public goods, nevertheless in most regions the political and social life functions according to somehow agreed and accepted patterns and conflicts are being processed in a constructive and non-violent way. Statehood and local modes of governance to some extent exist and function.

Methodology

The data for the analysis has mainly been gathered with the help of qualitative interviews and participant observation. Prolonged research stays were carried out in the target regions from September 2003 to July 2004.

The research was carried out predominantly in rural areas of Tajikistan, namely in three regions: the Shurabad district of Khatlon, in seven districts of the Rasht

¹ My research on the role of local institutions in the statehood-building process in Tajikistan is part of a research project at the East-European Institute of the Free University Berlin which started in April 2003 and runs until October 2005. The title of this research project is “**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 institutions that process conflict in a non-violent way in the newly independent states of the Caucasus and Central Asia. The six participants have been doing field research in Kabardino-Balkaria, in Karachevo-Cherkessia, in Georgia, Azerbaijan, Uzbekistan, Kyrgyzstan and Tajikistan (soon another researcher will join the team and do research on Afghanistan). The approach is interdisciplinary combining approaches from political science, social anthropology, social geography and contemporary history.

valley and in five districts of Mountain-Badakhshan. The main level of analysis is the local level (district and sub-district level).



Defining Institutions and Statehood

Before going into more detail concerning the preliminary results of the fieldwork, I would like to clarify how **institutions** and **statehood** will be defined in the following.

Institutions are the rules of the game in society –the constraints shaping the interaction between collective and individual actors. Institutions are mechanisms in society that guide actors by setting the rules of interaction, exchange and relationships between individuals and groups.

It has to be differentiated between formal or official rules on the one hand and informal or unofficial rules on the other hand. Official rules are usually constituted in writing and implemented by the state. Informal rules are constituted by routine and tradition, protected by social control and often exercised by informal authorities.

This categorization is somehow artificial. Institutions are in flux all the time. Informal institutions can become formalized, if these rules are fixed in a written form and once certain procedures are established with them. If the state even starts to incorporate these rules and take care of their enforcement and sanctioning in case of violations, then these rules become official institutions. Further institutions can be formal, but unofficial as for example village

organization which were established in some parts of Tajikistan, they have certain procedures like elections and they have a written statute, but they are not registered by the state.

Previously, I called the process which I am analysing state-building or stabilization process. Lately, I have started to rather call it **statehood-building** process, named after its output and not by the agency which is initiating it. The field research has shown that those function which have previously been provided exclusively by the state, are more and more being outsourced to alternative providers, e.g. local and international NGOs or left to local big men. Therefore I take statehood and governance as the output of a process which can be steered by the state itself, but can also be initiated and steered by alternative agents.

The Research Aim

My main aim is to explain the **bottom-up statehood-building process** and the **role of various local institutions** in this process: Do local institutions hinder this process? How does it work, if the state does not sufficiently provide public goods, such as security, but nevertheless there is still statehood and some kind of governance in the local communities and not total chaos?

Preliminary Results

Different Regions, Different Modes of Governance

The results from the those three regions of Tajikistan have turned out to be extremely diverse. Political and social life on the ground functions according to particular “**local cocktails**”. Due to these specific local cocktails the quality of governance and statehood highly varies from region to region.

How Statehood and Governance² Functions in Rural Tajikistan Today

The ruling network (Rakhmonov and his people from Kulyab) in Tajikistan effectively enforces its bureaucratic and coercive mechanisms only in those

² When I use the term modes of governance it implies the official state structures as well as grass-root (informal) structures.

regions where the aim is to control important streams of **resources**: cotton from the major cotton-producing areas in Khatlon (south-east and south-west of the capital Dushanbe), the drugs coming over the border from Afghanistan in the South (not including the border with Afghanistan in Mountain-Badakhshan) and finally the aluminium factory in the north of Dushanbe.

In Tajikistan the center-periphery relations are formed by formal and informal (patron-client) networks connecting these different levels of state and society. In the formal sphere center-periphery relations function according to the principal-agent model: "...local authorities implement national policies under the supervision of central departments."³ It is exclusively the national level of state administration that develops policies and the representations of the state administration on the local levels implement those policies under extremely scarce financial conditions.

The Official Side

The local branches of state administration in Tajikistan can be termed 'field administration' –established on subordinated levels they are simply direct representations of the executive central power.⁴

The potential scope of action for the *rayon* (district) and *jamoat* (sub-district branches) of state administration is quite limited due to financial shortages and the fact that policies are developed on the national level. There is no subsidiarity and sharing of responsibilities.

Until summer 2004 all representatives of local government in Tajikistan have been appointed from above, the higher levels are the ones the representatives are accountable to. Directives come from above and are implemented on the local level.

³ Sidel, John T.: Capital, Coercion, and Crime. Bossism in the Philippines, Stanford University Press, Stanford (California) 1999, p. 13

⁴ Fandrych, Sabine: Kommunalreform und Lokalpolitik in Mosambik. Demokratisierung und Konflikttransformation jenseits des zentralistischen Staates, Institut für Afrikakunde (Verbund Deutsches Übersee-Institut), Hamburg 2001, p.39

Dual Subordination

A major problem of the local administration is that in several cases dual subordination of function between central ministries and local administrations exists and the organs themselves do not know what level they are responsible to or they are in some cases simply subordinated to two levels of state administration. Concerning the land reform the *jamoats* were not only responsible to the *rayons* (districts), but also to the *nohijaho* (regions). Furthermore sectoral laws create confusion with the overlapping of tasks between the central and local levels.⁵

The New *Jamoat* Law a Step Towards Democracy?

The Tajik government has recently passed a new *jamoat*(sub-district)-law. The new law foresees that the heads of the *jamoats* will be indirectly elected by the *jamoat* council and no longer be appointed from above. The *jamoat* council consists out of delegates from the *mahallas* (living quarters in towns and village communities in rural areas). The new law also grants the *jamoats* more responsibilities. If it was actually implemented, this change in legislation would increase the scope of action for state representatives on the *jamoat*-level, in case the budget is also increased. Until now the problem is that the *jamoat* council usually elects the person who is proposed by the state representative on the *rayon* level.

Cooperation Between Structures of State Administration

The different levels of state administration are quite detached from each other, horizontally even more than vertically. The connection is predominantly top-down.⁶ Policies, directives and finances come from above. Some taxes that are extracted on the district level are passed on to higher levels and are

⁵ Concerning this issue see the "Assessment of Intergovernmental Relations and Local Governance in the Republic of Tajikistan", prepared by Marilynne Davis, Jonathan Dunn and Khursheda Nazirova from the Urban Institute, prepared for USAID, Dushanbe March 2003

⁶ There are only orders coming from above (higher levels of state administration), but there are no initiatives going up from below.

redistributed afterwards. Below the district level e.g. on *jamoat* and village level the state is basically not present. Even though the lowest level of state administration according to the law is the *jamoat* (sub-district), *de facto* state administration ends on the district level due to the fact that the budget of the *jamoats* are extremely low and therefore it is practically unable to act.

Rarely, there is horizontal cooperation between the regions. Cooperation between districts does almost not occur (the only exceptions are in the cultural sphere). The only connections which exist go from the periphery to the center. This is also expressed by the fact that there is very little social mobility within Tajikistan. People from rural areas usually do not go to other regions of Tajikistan; they only go to regional centers, the capital or abroad.

The De Facto Situation

The Situation in the Rasht Valley and Mountain-Badakhshan

On the local level (district level and below) of those regions where there are only few resources and those (former) opposition regions (such as the Rasht valley and Mountain-Badakhshan) the **provision of public goods** (such as education, the provision of jobs, sustenance of schools and hospitals, sustenance of infrastructure like roads, bridges, water pumps, wells and electricity, relief from emergency situations) has been basically **outsourced to international NGOs or internationally financed local NGOs**.

In the Rasht valley the local ruling cocktails mainly consist of a coalition of former warlords and local religious authorities. In Mountain-Badakhshan instead the local cocktail is dominated by representatives of INGOS, local NGOs and local big men.

The Example of AKDN/MSDSP

The most striking example in this context is the *Aga Khan Development Network* (AKDN) and its local partner the *Mountain Societies Development Support Programme* (MSDSP). MSDSP enforced the distribution of land from state farms, before the law on land reform had actually been passed. In

many other cases MSDSP is increasingly overtaking functions which previously were carried out by the state.

In general there is a tendency that more and more state functions are being outsourced to local and international NGOs like renovating schools, hospitals and building pumps, roads and bridges).

Unfortunately, this is a short-term solution, it creates the impression that statehood and governance exist and function in a proper way. But actually this constellation is instable, it takes the responsibilities away from the state and does not resolve the “weakness” of the state in a sustainable way.

The Local Cocktail in the Shurabad District

In the district Shurabad (in southern Khatlon on the border with Afghanistan) the “**local cocktail**” is made up by a coalition of former war commanders and big landowners who are part of the presidential network.

My hunch is that in the future these diverse constellations will even more lead to different outputs and further fragmentation of the Tajik state.

Open Questions

In the time being what I mainly have to focus on are these hybrid institutional arrangements consisting of formal and informal sets of rules. I have to analyse particular examples and figure out whether these two components are redundant and actually lead to a positive outcome, creating statehood and governance or whether they are competitive and create additional conflict potentials.

Other open questions are:

- 🚧 What combination of factors does it take to build or lose the state as the main rule-setting agency?
- 🚧 Are there state functions which can or should not be outsourced to alternative agents?