Conflict and the State of the State in the Caucasus and Central Asia: an Empirical Research Challenge

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Initial remarks

This paper draws on the research design of the comparative, cross-societal research project „Accounting for State-building, Stability and Violent Conflict" and intends to present insights into work in progress.[1] The project is funded by the Volkswagen Foundation and hosted by the Institute of East European Studies in cooperation with the Institute of Social Anthropology at Freie Universität Berlin. The ongoing empirical research focuses on (1) the conditions for successful/failed defusion of potentially violent conflict in the Caucasian and Central Asian societies. The analysis is placed (2) within the context of state building processes.

Methodologically, we rely on a multidisciplinary approach, combining political science, social anthropology, and contemporary social history.

The interface between these disciplines and the key unit of analysis is the institutional framework of the successor states of the Soviet Union. Focusing on the institutional framework allows us to depict and understand the incentive structures of local actors engaged in organising or defusing violence. It allows us to understand the micropolitics of local conflicts and place it in the wider context of successful or failed state building. Regionally, the project focuses on the nineteen successor polities that have emerged in the Caucasus and in Central Asia after the collapse of the Soviet Union. From this sample, extensive fieldwork is being conducted in Tajikistan, Kyrgyzstan, Uzbekistan, Azerbaijan, Georgia, Kabardino-Balkaria and Karachaevo-Cherkessia. The fieldwork is carried out by six research fellows[2] in cooperation with local experts and research institutions.

Introduction

The imperial collapse of the Soviet Union posed a formidable challenge for the successor polities in the Caucasus and Central Asia: The centrally administered Soviet society has fragmented into multiple societies, which have to (re-) build state administrations, (re-)draw boundaries, (re-) invent loyalties. These societies have to establish new institutional arrangements for self-regulation in order to ensure security, political participation, economic development and inter-groups stability after the fall of the empire. These institutions have to be inscribed into a political space, the boundaries of which are often weakly defined and contested. Furthermore, ready-made historical templates are not available, since all of the Caucasian and Central Asian societies are latecomers and have not experienced significant periods of independent statehood.

All Caucasus and Central Asian societies of the collapsed empire faced this challenge. Not all societies, however, have managed to find a non-violent solution. Those administrative units of the collapsing empire, which have a multi-ethnical population, faced particular problems: here, the ambitions and fears of two or more ethnic groups have to be addressed, separatist tendencies have to be avoided, growing antagonism along ethnic (or else religious-ideological) lines need to be defused and attempts of ethnic entrepreneurs to conquer the state by using ethnicity as a resource of mobilisation have to be blocked.

Some of the post-socialist societies have successfully managed these tasks and have avoided violence. Others have succeeded in polity building, but only at the price of conflict and violence. And some of the new countries came close to complete failure – they lost a resemblance of statehood and internal violence became endemic.

The point of departure of the project is consequently to identify what conditions facilitate certain new orders. What actors, procedures and institutions are necessary to foster non-violent intra- and inter-group relations, particularly in dealing with conflicts? How does conflict interact with institutional change – both in terms of innovation, adaptation or breakdown of institutional arrangements? What combination of factors does it take to build or lose the state as the principle rule-setting agency? Are there alternative institutional arrangements for the provision of local governance as facilitator of non-violent and stable relations between and within groups?

The paper has four sections: The first section briefly introduces a methodology we have found useful for the task at hand; the second section discusses two of our key concepts, namely „conflict" and „institution". The third section sheds light on what we find to be a crucial unit of analysis, namely the hybrid institutional arrangements that form the often overlooked „backbones" of the social fabric in the Caucasus and in Central Asia. The last section then deals with local governance and statehood and presents some insights into the process of state building at the local level.

Methodology

Local perspective on conflict and state building processes

While most conflict monitoring and early warning systems target the international and national level and rely on macro-indicators for analysis and prognosis of conflict potentials, this research focuses on conflicts taking place at the community level or – if larger in scale – impacting on the local level. There are two reasons for this choice of perspective.

First, the presence of macro-risk factors does not inform us about how communities actually cope with those risks. Escalation of violence or non-violent conflict processing depends to a significant extent on the institutional capacities of society to deal with stress and risks on the ground.

Second, the capacities of local society to come to terms with conflict as daily routine or as extraordinary event is a *terra incognita* for national and international decision makers and service providers based in the centres of the Newly Independent States. This is why a systematic peace and conflict assessment that is of practical value to agencies interested in fostering state formation and non-violent, stable social relations has to take the local perspective in account, working bottom-up rather than top-down.

Preference to qualitative methods of data gathering

The methods applied for analysing conflict processing within the context of state building focus on qualitative data and require prolonged fieldwork. There are a number of reasons for choosing this methodological approach.

One reason resides with the fact that the way communities deal with and talk about conflict is usually a sensitive issue. It is often concealed behind normative façades that reflect how the interlocutor imagines things should be rather than how they really are. Trust-building with key informants, cross-checking information and participant observation of social practice help to differentiate norm from deed.

Not only normative (mis-)representation is a problem when trying to analyse the social practice of conflict. Also, the perception people have of conflict cannot be taken at face value for analytical purpose. This is not to say that the local perceptions are wrong and the outside perception is right or that perceptions of conflict are not important for conflict analysis. It is to say, however, that perception of a social process (like conflict) should not be confused with the process itself. Perceptions can be assessed in questionnaires; the politics of conflict – i.e. the unwritten rules, constraints and tricks according to which actors „do“ conflict – can only be grasped by qualitative in-depth research.

While qualitative and participatory methods are useful for accessing local knowledge the research team has to be aware of the problem of the local population being ignorant to the significance of daily routine they consider self-evident. Teaming up informed outsiders with methodologically trained local researchers significantly reduces this risk of *missing the obvious*.

Quantitative surveys are used to test hypothesis or gather additional information after measurable indicators for relevant social processes have been identified in the fieldwork.

Analytical grid

In order to empirically assess the conflict processing capacities of local institutional arrangements we use six pre-set cross-cutting categories within the identified units of analysis (e.g. local communities, bodies of self-government, regional identity groups, various levels of administration). They are (1) resources, (2) networks, (3) informal local institutions, (4) formal non-state institutions, (5) local state capacities, and (6) social control (see textbox below). The benefit of such an analytical grid is to have a shared research agenda focussing on resources and organisational capacities that are highly relevant for conflict processing but that are at the same time applicable to research in absence of overt conflict escalation. The problem we found with other methods that were designed for development aid organisations to assess conflict – like stake holder analysis, conflict profile, time-line, conflict mapping – was that they work well only when parties to the conflict, stated positions of actors to the conflict, and interests pursued in conflict are explicit. These tools are not designed to analyse latent conflict or subtle social tensions. For the time being, however, in the target region of the research project violent conflict is more the exception than the rule. At the same time tensions hidden from the public eye are high, constructive conflict processing is often blocked by the organisational weaknesses of local state structures, and informal social institutions are unable to fill this gap and reliably process conflicts. In addition to the identification of structural sources of such instability, the crucial question is how efficient local arrangements of governance – often hybrids of official and informal institutions that „work“ in the absence of effective statehood and civil society – are in terms of conflict control. Do they facilitate conflict transformation or just temporarily contain conflict by blocking mobilisation and development? In essence, the cross-cutting issues proved to be an analytical tool to account for conflict processing potentials within such local modes of governance.

Crosscutting research issues

Resources are material and immaterial means actors may acquire and use in order to progress their interests and secure their needs. Examples for material resources are money, weapons, land, water, and fertilizer. Examples for immaterial resources are information, education, and prestige.

Conflicts may take place over the control of certain key resources. The identification of what is a key resource in a given community/society can only be understood from within the community. Different societies assign different meaning to resources. The relevancy of certain resources depends on the economic, political and cultural system in place.

Not only are resources an important object of conflict. They are also an important means of conflict. The ability to mobilise resources is of particular important in sustained violent conflicts.

A **network** is the structure of regular interaction between a larger number of individual or collective actors. A network in itself is not an actor and not an institution. It is not the same as those participating in it and it is not the same as the rules governing the interaction between the participants. A network can be used by the participants/actors to organise collective action. It is like a telephone network that can be used just to chat, to organise support, exchange information or organise a demonstration.

To determine the significance of a network in conflicts it is important to identify the social basis of the network that supports its cohesion and sets the rules of interaction. A network based on kin-relations may be more persistent than a network based on shared interests or on patron-client relations based on work-history.

Institutions are the rules of the game in society. In other words they are the constraints shaping the interaction between collective or individual actors. Institutions are mechanisms in society that guide actors by setting the rules for interaction, exchange and relationships between individuals and groups.

Formal or official institutions are usually constituted in writing and protected/implemented by the state. Informal institutions are constituted by routine, tradition, upbringing, habit or custom and protected by social control, often exercised by informal authorities. Official institutions and informal institutions can be intimately linked: a court, a body of local self government, an election may all at the same time work according to official and unofficial rules. For the analysis of conflict it is important to examine whether informal and official institutions contradict each other, compete with each other or support each other. It is also important to determine which set of rules is dominant. In some cases an official body – like a local state administration – may only have an official façade and work mainly according to informal rules.

Communities usually have mechanisms in place that punish deviation and encourage conformity with existing rules. If these mechanisms are not enforced by official state bodies we call them **social control**. Social control can be used for mobilisation of collective action (e.g. *hashar*, demonstrations, or attack on a neighbouring community). It can also be used to check mobilisation (controlling the hot-heads in a conflict, controlling the access of young men to weapons…). Social control can be either social capital or a powerful infringement for development and adaptive change.

For the analysis of conflict the scale of social control is important, the sanction capacity of social control is important and last not least the rules of control are important.

State capacities are defined as the capacity of the state to provide **public goods** such as social security, physical security and rule of law. A public good is characterised by non-excludability (everybody within the constituency can consume the good, even if he has not contributed to the production/financing of the good) and by non-competition in consumption (the consumption of the common good by an individual does not reduce its worth for another individual). Social security, physical security, and rule of law are vital preconditions for stability. For the analysis of conflict it is important to see how much of these public goods are provided by the state. If the state does not provide these public goods it is important to know whether there are alternative providers.

Concepts

Conflict

„Conflict means the struggle over values and claims to scarce status, power and resources in which the aims of the opponents are to neutralise, injure or eliminate their rivals“.[3] This classic definition, though some 50 years old now, still holds as working definition. It grasps the full range of what social conflict is about and what forms it may take (from non-violent competition to violent destruction).

Seen from the perspective of state-building and stable relations between various groups within a given society conflict itself is not necessarily the problem. Socially embedded conflict (that is, conflicts that are dealt with according to accepted and practised rules in a predictable way) may even be a necessary asset, because it fosters adaptive institutional change.

Embedded conflict in this sense is institutionalised conflict.[4] Societies have specialised institutions with procedures to process conflict in a predictable and non-violent way. These institutions may be formal (e.g. courts, parliaments, elections) or informal (e.g. courts of mediators/ elders; markets/ bazaars; rules of co-optation, i.e. „buying“ contenders and competitors with privileges; institutionalised forms of corruption).

From the perspective of state-building, dis-embedded conflict is the problem. Conflict about the rules of conflict is always more tricky than conflict about power, prestige or material resources within accepted rules. Dis-embedded conflict comes in two varieties:

1. Conflict loses its social embedding when it spirals out of accepted levels of violent enactment. What level of violence is acceptable for the processing of conflict differs between societies and between sub-cultures within societies. Feud, for example, that follows honoured and mutually accepted rules, may be an acceptable level of violence in parts of Svanetia in Georgia or in upper Chechnya. It might be already highly disruptive when applied by migrating segments of those regions to settle disputes in Tbilisi or Grozny, the capitals of the respective republics. In the early 90s the sudden and widespread access to military means of destruction in the hands of young men in places like Georgia, Chechnya and Tajikistan disposed to history a whole range of traditional and informal institutions of social control over violence. Some of them re-emerged after common peace had been achieved (e.g. councils of mediators or elders), others had changed significantly (like the code of conduct of the criminal world) and others completely vanished (like the school of the street, initiating young men into urban adult society in Soviet Georgia).
2. Conflict also loses its embedding when it leads to a disruption of inter-group co-operation, thereby blocking development opportunities. Such disruptive conflicts

may not necessarily be violent, but they raise the risk of unrestrained destructive action since inter-group conflict is not processed, crosscutting ties between the groups are severed, information is not exchanged or validated and mutual interests cannot develop. Disruptive conflict infringes relations of reciprocity on which inter-group trust is based. If one or more conflict groups chooses to withdraw rather than to „fight it out" or seek a binding agreement by negotiation or procedure the established mechanisms of information gathering between the groups disintegrate. Disruptive conflict can set the environment of disinformation, prejudice and fear – a precondition to the most destructive forms of violent inter-group conflict.

Thus, it is not conflict per se that should be the primary concern of analysis in order to understand dynamics of emerging statehood but instead, whether conflict is prone to violent escalation, and whether conflict leads to (non-violent) disruption in inter-group co-ordination because groups involved choose to withdraw.

Example for dis-embedded conflict processing over both resource control and the normative order between representatives of different generations

Community of Navdi, Rasht Valley, Tajikistan

A dispute about prioritising development projects within a Village Organisation (VO; VO are organised by NGOs as a mean to mobilise communities) broke out of the realm of the procedures the organisation had at its disposal to arrive at binding decisions. The local *mullo* (religious teacher and representative of a significant part of the older male generation) questioned the legitimacy of the democratic and participatory procedure itself and kept insisting that a second mosque should be built prior to any other development investments. An informal youth leader „locked horns" with the *mullo* and insisted that the youth and sports centre, that the VO had prioritised in a secret ballot, must be first priority and represents the desire of young people who make up more than 60% of the community. The conflict brewed over some months and finally escalated in the local *chaikhana*, where young sportsmen physically assaulted the *mullo*. After this incident the *mullo* left the community of Navdi and went to Dushanbe. While communities usually entertain an ambivalent relationship to mostly informal and uneducated local *mullos* (they are certainly not unquestioned authorities but rather masters of ceremonies, at weddings and funerals) open conflict with, or even physical assault of a religious figure is taboo. It is widely considered that the community of Navdi is stained with shame. The community has suffered a certain degree of isolation since.

(This conflict was first encountered by the others during a field visit to the Garm valley at a meeting between VO representatives and the *mullo* in March 2003; it has since been monitored in a number of follow-up visits.)

Institutionalised conflict is not only necessary for a continuous readjustment of the balance of power within a group but is also essential for innovation and adaptation of structures and norms within society. Institutionalised conflict often is the driving force behind the order that keeps communities together. The acceptance and legitimacy of the local social order – from official forms of local governance or arrangements of water distribution to informal rules of marriage and religious practice – are significantly based on reliable and non-violent, non-disruptive processing of day-to-day conflicts. In other words, the accepted way in which society deals with conflict is a defining characteristic of a society.

Non-violent inter-group relations that are conducive to complex institutional arrangements, like governance via a central apparatus of coercion, are conditioned by three interdependent capacities of society. The first two conditions are of general importance, the third is of particular urgency in societies marked by unusual rapid change of the economic, political and cultural framework: (1) the capacity to process conflict in a non-violent and predictable way, (2) the capacity to secure the basic needs of relevant parts of the population, and (3) the ability to adapt existing institutions, norms, and habits to new realities.[6]

In changing political, economic and social environments stable inter-group relations can only be maintained if the institutions regulating these relationships are fit for adaptive change. Adaptive stability requires controlled breaks in the sameness of structures over time (identity); institutionalised conflict is the motor driving adaptive social processes between stagnant structural sameness and „anything goes" structural breakdown.

Military occupation, as in parts of Afghanistan, is an extreme example of change imposed from the outside; economic collapse, institutional breakdown, and Civil War in Tajikistan are other extreme examples of rapid change induced, to a greater extent, by internal dynamics. The attempt to take control over state building processes by replacing governing elites as seen in Azerbaijan and Georgia during the short reign of the leaders of national movements in the early 90s or in a new attempt after Georgia's „Rose Revolution" in 2003/4 is another, more topical case in point. All cases test society's capacity to adapt and reinvent itself to the limit. In this context conflict can be used as a heuristic tool to understand social change in general and development opportunities and blockades in particular. In other words, analysing the way society deals with conflict and crisis informs us about the strengths and weaknesses of target groups in producing adaptive change. Conflict analysis therefore not only informs us about the conflict itself; it also informs us about the capacity of the social units of analysis (be it local state institutions at district or regional level, rural village communities, or other defined target groups) to apply and, if necessary, adapt norms and rules under the stress of changing and competitive environments.

Institutions

Institutions are the rules of the game in a society or, more formally, are the humanely devised constraints that shape human interaction.[7] Institutions are trained patterns of human interaction, which are codified in contracts and rules or which are rooted in shared norms, values, and codes of behaviour. Because institutions are trained, repeated, and „sticky" patterns of interaction, they stabilise social expectations and help reduce transaction costs.

Institutions are accepted, trained, and sometimes enforced patterns of interaction, which can frame conflicts. Conflict potentials can thus be defused. The breakdown of such a framework may enable present risk factors to translate into violent conflict. The breakdown of an accepted and trained institutional framework that has hitherto kept risk-factors in check by providing reliable conflict regulation may be called the social dis-embedding of conflict.

The institutional framework provides the incentive structure for local actors and thus informs their strategic action. Institutions can thus not only diffuse violence, but they can also produce violence, if the incentive structure is encouraging certain forms of violent action.

Furthermore, institutions are linked to conflict in that they have distributional effects. They determine the access to resources crucial for organizing violence and determine the relative position of actors.

Institutional arrangements

The institutional arrangement of a society produces incentive structures for actors, defines the windows of opportunity for political entrepreneurs and establishes the constraints in which actors are locked.

We argue that the institutional framework of societies in the Caucasus and Central Asia of today consists of the still relevant legacy of official and informal Soviet institutions as well as new institutions or significantly adapted institutions that developed in response to conflict and challenges after the meltdown of the Soviet state.

Soviet legacy

The first institutional legacy to take into account are the „official" state institutions of the socialist systems. Amongst the most persistent and influential of these are the ethno-territorial administrative divisions, the soviet rubberstamp government institutions in the Union republics and autonomous entities, and the state administration of collective property rights on agricultural land and industrial plants.

Other residues of empire are not territorial, but functional. These include military organisations, economic networks of supply and production, networks of party or business nomenclature or parts of bureaucracies that have survived the collapse. Some of them have adapted to post-imperial circumstances. They have become the new locus of power and have formed the functional backbone of the newly assembled polities. To the surprise of many, the once paramount organisation of the communist party did not make it as a major institution into the post-soviet world.

Next are the „shadow" and parallel institutions that emerged as a response to the organisational deficits of socialism. The unwritten rules of the Soviet system proved to be much more resistant to system collapse and in fact had a crucial impact both on the break-up of the Soviet state and on the shaping of the new states and the way they are governed. Shadow institutions – like the second economy of state enterprises and *kolkhozes*, governance via patronage, cooptation and collection of compromising material to reinforce mutual obligations and trust within elite networks – were well suited for ambitious actors to compete for power and resources in the newly emerging states. This is due not least to the fact that the function of most shadow institutions in the Soviet state had been focused on exploiting the organisational deficits of the state for network or personal benefits. The know-how of exploiting voids in the official order proved highly competitive in post-Soviet attempts at privatising state resources.

The „traditional", locally rooted norms and conventions that have survived in niches not occupied by the socialist state are a third set of institutions to account for. Most Caucasian and Central Asian societies are structured around networks of various social fabrics. Exchange relations and trust within those networks may be based on the notion of kinship (like family, lineage, clan, tribe), local or regional identity, on a common professional history or simply on stable shared interests. When networks are functional in forming corporate groups capable of coordinated action, political power may be vested significantly in such structures. Other local institutions are different from the above-mentioned informal institutions in that they claim legitimacy and are accepted with reference to specific traditions. Among such institutions are councils of elders, councils of mediators in conflict, rules of feuding in some parts of the Caucasus, and various forms of *adat* (customary law) in the North Caucasus and parts of Central Asia. The normative representation of informal institutions as „traditional" may, however, conceal the fact that the Soviet state like some of its successors often engaged in manipulating or even incorporating such institutions as strategies of governance. The legacy of such „traditional" institutions has been significant in re-organising social life locally after the retreat of the central state. In particular the provision of social control within given communities can be a relevant function of such institutions – with „the eye of the village" monitoring conformity and gatherings of male elders producing moral verdicts that then are spread by gossip, thereby effectively sanctioning deviation by attributing shame to perpetrators and their family.

These three analytically distinct sets of institutions – official, informal and traditional – are in practice partly integrated and form together an eclectic, locally distinct institutional legacy, a legacy that coined the way statehood has been re-established and the way conflict is processed in the newly independent states.

Institutional change and innovation

In addition to the established institutions inherited from the Soviet system, societies were confronted with the development of new institutions.

The imperial breakdown of the Soviet Union put tremendous pressure on existing institutional arrangements. It was accompanied by both outside and internal pressure for reforms seeking to establish the rule of law, democratic procedures, a market economy and a legal framework that enables the organisation of a civil society. Where conflict escalated into civil war, the adaptive capacities of those arrangements were tested to the utmost, at times beyond breaking point. In Tajikistan, Georgia, Azerbaijan and to some extent in Armenia[8] the experimental democratization ushered in by perestroika and the more radical attempts at institutional reforms at the hands of the national movements was followed by periods of sustained violent conflict. The experience of civil war put into question the effectiveness and legitimacy of both established Soviet institutions and Western role-models for governance and conflict control. The institutional arrangements that emerged against the backdrop of those periods of collective violence organised by non-state or would-be-state actors are the basis of the relative regime stability achieved over the past couple of years. This stability is characterised by institutional arrangements that merge the functions of official (Western-modelled) state institutions with informal techniques of governance that were either inherited from the Soviet Union or were established during the time of violent entrepreneurship.

In consequence, state-society relations in Central Asia and the Caucasus of today are neither a complete innovation established from scratch, nor are they sufficiently explained by the Soviet (formal and informal) institutional legacy, even if they still resemble these in form and bear the same name-tags. The fragile stability achieved is a function of hybrid institutions that adapted in different ways to the opportunities and challenges encountered during the past fifteen years.

Hybrid institutions: in tandem or at loggerheads?

Hybrid institutions, i.e. institutions in which the difference is blurred between various sets of rules – formal and informal, traditional and new, public and private, state and societal – are characteristic of post Soviet institutional arrangements. In order to assess the functional stability and effectiveness of such arrangements, empirical work must establish whether such merged institutions reinforce each other in functional terms or whether their institutional logic in fact contradicts each other. In other words is the performance of these institutions marked by redundancy or is it marked by competition?

To illustrate this point, which is of crucial importance for our understanding of Central Asian and Caucasian state-society relations, we will give some examples from the ongoing fieldwork in the region.

The „old guard“ institutions[9]

Some of the show-case institutions of Soviet self-representation as a state with total socialist system penetration of society were Soviet only on the outside and hybrid on the inside. Among the usual suspects are the *sovkhoz* and *kolkhoz*, the kolkhoz-markets or *bazaars*, the state-run industrial *kombinats* and, last but not least, the local bodies of state administration on republic and sub-republican level. In local practice all these official organisational forms of the Soviet state-controlled system tended to merge official and informal institutions in order to make the organisation work on the ground. *Kolkhozes*, for example, incorporated and formalised arrangements of transhumance[10] that had been established between mountain and plain dwellers of different ethnic and socio-professional background.[11] The *kombinat* became a key resource and service provider for the sophisticated shadow economy and the economy of deficits that evolved after the 60s and significantly changed the incentive structure of local elites. Ethnic affiliation and social weight of certain influential corporate local groups (kin-based or other) became important principles informing the rules of co-optation and balancing in the game of distributing positions within the local state administration. Even local law enforcement bodies sometimes integrated traditional (e.g. mediation in feuds) or informal (professional mediators and enforcement-services of the criminal world) mechanisms into their daily practice.

In some parts of the Caucasus and Central Asia organisations like *kolkhozes* and *kombinats* are still officially in place. More often than not they exist on paper and have lost their complex economic and social functions. In other cases, like in Kabardino-Balkaria, they are still important resource and service providers to local communities.

In some post Soviet countries the formal system of local administration still resembles Soviet practice (Tajikistan and Uzbekistan, for instance). The informal rules of staffing and network service provision, while not completely new, have adapted notably to the disintegration of remote central control and resource provision via Moscow. The textbox „postism“ presents an overview of institutionalised forms of governance via informal distribution of posts in the state apparatus our research singled out thus far.

The significance of having the right people in the right positions becomes obvious if one takes into consideration that not only a semblance of official statehood needs to be maintained but also a parallel system of vertical control and bottom-up resource flows needs to be administered that in places like Azerbaijan, Georgia and Tajikistan well-exceed the official state budget. A minister of economic development or a minister of reconstruction and infrastructure development in Azerbaijan, for instance, may perform poorly from the perspective of official statehood. He may be highly sufficient and trustworthy, though, as fund-raiser or treasurer of grey coffers of the parallel state.

„Postism“ as strategy of governance

Informal rules regulating the distribution of positions in the state apparatus has been an important means of regime consolidation throughout the Soviet period. Like with other informal institutions relevant for state building processes we find both continuity, change of relevancy and innovation in the power techniques of today.

Informal **ethnic quotas** and ethnic ownership of certain key positions in the administration has been and still is an important mechanism particularly in republics with more than one titular nation (like, for instance, Kabardino-Balkaria). The balance of power and rules of staffing have, however, changed since the disintegration of the Soviet Union, apparently to the expense of non-titular minorities, like Russians, who used to be serious competitors for controlling positions.

In the North-Caucasus the most significant and far-reaching innovation with regard to staffing according to ethnic criteria was the formalisation of the traditional institute of *dzhamaat* as cornerstone of political organisation in Dagestan (see Kisriev 2003: 116ff). *Dzhamaat* as political form follows the principle of community clusters as political entities rather than a notion of universal ethnic belonging as principle of political organisation. Potential competition between ethno-parties for state positions has thus been avoided in the in ethnic terms most heterogeneous republics of the Russian Federation.

Informal **recommendations** are a powerful and highly institutionalised form of accessing influential or just lucrative posts. The rules of who may recommend whom to who from which pressure group are elaborate and not incidental. Particularly in the case of Azerbaijan trust in the loyalty and (if a relevant criteria at all) competency of the recommended careerist is reinforced by an accepted sanction mechanisms with dire implications to all clients, friends and relatives relying for their future carriers on the recommending patron. The patron is responsible for the performance of who he recommended and he loses his function as post-elevator if the latter ill-performs. It appears likely that similar systems of backing up trust in recommendations also exist on the state-society frontier in other Caucasian and Central Asian countries.

Belonging to the appropriate corporate identity group for a certain post and offering loyalty guaranteed by a valid and sanction protected recommendation may be sufficient to occupy a certain post. In places like Azerbaijan and Kyrgyzstan, where **venality** of posts on all levels is highly institutionalised, it is but a precondition to participate in competing for posts in fiscal terms. Posts still have to be bought at more or less fixed rates. Less important posts may also be sold at a free market but for influential or power-sensitive posts loyalty, recommendation and belonging to the right group set the mark for market participation.

The most sophisticated system of governance via informal rules of post-distribution encountered during the research may be called presidential **balance sheets**. The balance sheet appears to be a collection of relevant information on potential contenders for the some one hundred most important positions in the central and regional state apparatus. The information contains both official dossiers and informal collections of compromising material – a pool of knowledge that enhances trust in the loyalty of subordinates.

What corporate groups require balancing in the act of staffing the state varies between the post Soviet republics. Influence and power of those groups may be organised around kinship (extended family, clan, and tribe), patronage, regional or local affiliation, ethnic belonging, or socio-professional background (including criminal brotherhoods). What is balanced at this level of governance is always groups capable of strategic action (corporate groups) rather than groups with a loose reference to common identity (like the whole ethnic group or everyone from a region with strong local identity).

Safeguard institutions[12]

There appears to be a pattern of hybrid institutional arrangements that may be called safeguards. Typically, the function of an official institution is doubled by an informal institution that may be considered more reliable than the official set of rules. For instance, a tax police officer in Batken oblast, Kyrgyzstan, has official command over his subordinates. Since he is, by virtue of his position, involved in various illegal and corrupt activities he is aware that his position and personal safety depends on his ability to monitor and control his subordinates. The official mechanisms available are not sufficient for him, however. He therefore prefers to employ relatives and close associates from his home community into the more delicate subordinate positions since he can rely on a parallel, informal mechanism of monitoring and influencing their behaviour via their families, the respected elders of the community (*aksakals*) and a common code of honour (*urp-adat*).

Institutions of dual use[13]

A different pattern of hybrid institutional arrangements is characterised by dual or multifunctional use. A somewhat complex example is the (soviet and traditional) institution of *subotnik* in parts of Central Asia. While the *subotnik* had been institutionalised as socialist obligatory collective community work all over the Soviet Union, in Central Asia it drew on the traditional institution of mutual assistance and collective action called *hashar*. In some communities studied in the context of the research project the organisational structure to date combines socialist and traditional legacies. In parts of Tajikistan, for example, soviet-era *brigadirs* of only formally privatised *kolkhozes* mobilise for collective community work (*hashar*) drawing on traditional obligations in order to build a community centre on the initiative of a local big man who can then claim credit for organising the common good.

An example of dual use of hybrid institutions relates to a concrete case studied in Aksy, Kyrgyzstan, when in 2002 the organisational potential of the *subotnik/hashar* institution was functional in organising civil disobedience and mass-mobilisation following the arrest of a popular local opposition politician. The ordinary function – mobilisation for collective work or, more generally, provision of unspecific reciprocity on community level – was successfully „borrowed" by the organisers of political protest and civil uprising.

GoNGOs and NonGOs: co-opting society and occupying the state

GoNGOs are Non-Governmental Organisations set up by Governmental Organisations in order to access resources made available to the non-governmental sector. Officially, they are directed by a person without office, usually a relative or client of a representative of the state bureaucracy. GoNGOs are used for fund-raising purposes and for keeping the independent NGO scene in check by legal means.

If one includes, however, informal non-governmental organisations, like corporate groups based on notions of collective identity, socio-professional background or shared interest into a broader understanding of civil society, the institutional relationship between government and society develops additional shades. In most parts of Uzbekistan, for example, the sophisticated traditional neighbourhood organisation of *mahalla* has been in practice incorporated into the state, and via vertical command is charged with tasks of local governance (ranging from mediation in disputes and distributive functions to surveillance and control). Local businesses are, as another example, exploited by the state to provide public goods as in unpaid communal work, like garbage collection (*goshash* or state-imposed *hashar*).

In Kyrgyzstan[14] traditional institutions on various levels have been formalised and officially incorporated into state governance. Councils of elders at local level and gatherings of family heads of regional and national level (*kurultai*) have been formally charged by law with decision making power and consultative functions.

In Uzbekistan and Azerbaijan[15] strategic groups emerged around state resources that were made available to them as a presidential strategy of consolidating power. From loose reference groups with a common notion of regional origin (*zemlyachestvo/*regional fellowship), sometimes bleached with ethnic belonging (e.g. Kurds from Nakhichevan), corporate groups emerged in competition over state resources that were distributed by the top patron of the central state, the president. These groups – deriving their emic and etic labels from toponyms like Nakhichevan, Armenistan, Samarkand, Bukhara – were misrepresented by internal and external observers as (traditional) clans. Instead, they are corporate groups organised around strategic interests. These interests lie in the exploitation of a resource that is made available by an external institution, namely the state under presidential control. It is this mode of governing that is creating locally embedded strategic groups the president deems appropriate to balance power. In other words, distributive strategies of state leaders, applied to consolidate personal power in an environment were the state was weakly institutionalised and still contested, brought into being the „clans" of today. In contrast to corporate groups based on real or imagined kinship with clearly defined boundaries – proper clans – these strategic regional groups do not exist autonomously of the state; their capability of acting collectively depends on the resources made available to them by the state.

NonGOs, on the other hand, are Governmental Organisations controlled by Non-Governmental organisations. Such arrangements can be found on all levels of state organisation. If the engineering and balancing of strategic groups indicated above gets out of control the state-invented strategic regional groups might detach from their local basis and fully engage in competing for state capture in the capital. This situation appears to be taking place in Azerbaijan at the time being. There is a strong indication that at least with regard to some crucial ministries the state has lost the initiative and the ministries are run by the interests of regional strategic groups rather than defining the rules of engagement for the „clans" competition over state resources.

At lower levels state organisations such as regional branches of the law enforcement agencies, other extensions of the central administration or local bodies of self-government have been taken over by powerful local strategic groups. This appears to be particularly the case in countries like Georgia or Tajikistan where central authority (official state or parallel network) has not been effectively re-established after the state collapse of the early 90s.[16] In places like Rasht in Tajikistan or until recently Samegrelo in Georgia the influence of central state institutions was confined to strategies of co-opting important private power-holders into state positions in an attempt to exercise some control over these regions.

Summing up the admittedly so far somehow eclectic argument, we may say that at the core of today's (relative) systemic stability of post- Soviet societies in the Caucasus and even more so in Central Asia lie hybrid institutional arrangements. These arrangements make for redundancy, that is, informal institutions back up the often weak formal institutions. In other words, the organisational weaknesses of some official institutions are backed up by informal institutions, facilitating parallel forms of governance that are in functional terms redundant with what the official institutions are supposed to produce. It is precisely this merger between formal and informal institutions that compensates for what seems to be at first glance weakness of distributive functions, inefficient control of violence, or the lack of setting transparent and reliable rules for competition and conflict. This dual organisational mode is the reason for the surprising system stability achieved in all post Soviet republics researched thus far.

This quite successful institutionalisation of some elements of statehood – though a sort of „shadow“ or „parallel“ statehood – benefits in the first place the few strategic groups in the centre that were capable of securing access to key resources, the most important of which is still the manipulation of lucrative state positions.

All post-Soviet polities in the Caucasus and in Central Asia score extremely low in one discipline of statehood, namely in the provision of public goods. Here, we find not even redundant informal institutions in place.

There is hardly any meaningful provision of public material goods by the state. Goods and services are provided only within ruling networks and within co-opted or incorporated groups. We even find ample qualitative evidence that the higher the degree of informalisation, the lower is also, as a rule of thumb, the provision of basic public goods. There is also evidence of a tendency of these states to outsource the provision of material public goods to internationally backed NGOs. An example of such a strategic outsourcing of costly provision of basic material goods to NGO is Tajikistan, where the poorest mountainous regions almost exclusively live and survive on the help provided by international donors.

Statehood and (local) governance

State building is one of the big buzz words of the literature concerned with the grand transformation of post-Soviet space. Yet there are surprisingly few qualitative and empirically rich accounts of what really happens on the ground when states are built. A rather trivial explanation for this is simply the fact that social scientists only seldom actually travel to Caucasian or Central Asian communities in order to observe how the state in practise reaches its localities. A less trivial consequence of this is a serious lack of understanding of how local governance really woks on the ground. This, however, is in turn a critical precondition for designing effective programmes to foster economic development and state building in the region – an endeavour which figures quite prominently on the to-do list of the international community in the aftermath of the terrorist attacks on US targets of 9/11 2001.

Far from providing a comprehensive model of state building in the Caucasus and Central Asia we will limit ourselves here to point to four issues of relevance.

The first is the amazing variety and selectivity in which sate building comes: A key aspect of statehood, namely centralised control via an apparatus of coercion, is in place in Azerbaijan and Uzbekistan but is provided according to an institutional logic not reflected in the formal constitution of the state. A system of effective parallel governance has been established within the state apparatus that provides a comparatively high degree of top-down control while pumping resources bottom-up into the grey coffers from which the parallel system is financed. The state in Tajikistan has consolidated an internal monopoly of military force, but has outsourced external military protection and border guarding to Russia.[17] Central control in Tajikistan is established in resource rich regions via vertical networks of presidential patronage, utilising the official state apparatus to govern according to the needs of the network (distribution of administrative posts for the provision of goods and services within the network). In resource poor regions that appear of no interest to the patrons of the network state local governance is provided not by a state administration but by substitute institutions like internationally financed and organised NGOs. The Georgian state, at least until of late, has completely surrendered to networks of patronage, but it is still the state apparatus that is used for manipulating the clients. External military protection is quasi inexistent, whereas the internal apparatus of coercion, the police, is extremely large – but mainly operates as NGO. Compared to the problems facing Georgia or Tajikistan, Kyrgyzstan can be described as a functioning state with significant organisational deficits. Until recently it was widely considered a show case democracy among more or less authoritarian regimes in the rest of Central Asia. While endemic corruption and a worsening human rights record, particularly with regard to the treatment of sections of the political opposition, have tarnished this image of late, the state is stable and unchallenged. Different from Uzbekistan or Azerbaijan the parliament is the principle institution of political conflict though not between political parties but between politicised regional strategic groups („clans“ in local popular discourse) dressed up as parties. Recent reforms in the law on elections and first empirical evidence on modes of governance in rural provinces suggest that „clan“ democracy is further on the rise.

Secondly, despite the fact that the state capacities are in all polities weak, the state still matters more than we had assumed initially. Even where core functions are outsourced it is the state that enables or blocks alternative modes of governance. The state, far from being a unitary actor or a consolidated institution, has re-emerged as the dominant theatre for competition over power, access to resources and prestige. This observation appears to hold even for places diagnosed by some analysts as suffering from near complete state-failure, like Tajikistan and until recently Georgia.

Thirdly, we find that in the process of state building the borders between the state and society, between the formal and the informal and between the public and the private are constantly contested, blurred and generally in flux. A Weberian style ideal type conception of the modern state (i.e. centralised coercion authority on a defined state territory monitoring and enforcing a monopoly of violence, a monopoly of setting the law, and a monopoly of collecting taxes in return for the provision of public goods) appears to be not flexible enough to capture the various extents to which statehood may be institutionalised.

The official representation of the state, as envisaged in constitutions, books of law, images, myths, uniforms,

procedures, name tags and other artefacts of state self representation follows generally the ideal type model of the modern (European) state. It may be even safe to say that the pressure for homogenisation of the state's self representation has never in history been stronger than in today's globalizing world. However, seeing the „state" (that is, its self-representation) does not mean that we see statehood at work. In order to gain insight into the institutional strength or weakness of the 'state in practice' one has to turn analytical scrutiny to the blurred state-society divide. In other words one has to empirically assess the social fields in which governance – by state or alternative institutions – actually takes place. In such a perspective, it is no longer „state building" that is really the issue, but rather „making statehood work, somehow".

In general terms statehood may be identified by four crucial organisational capacities: the capacity of exercising central authority of some kind; the capacity to provide immaterial public goods (of which security is the most important one); the capacity to provide material goods (such as public infrastructure or health care) and the capacity to regulate conflict by providing access to conflict processing institutions. But who provides these output functions of statehood? The Weberian inspired scholar would surely not hesitate to expect these to be the core function of state, brought to citizens by acting or enabling government via a bureaucratic state apparatus. However, the scholar that is located somewhere on the ground in the Caucasus or in Central Asia waiting for the state to drive by – a state spotter, so to say – may find that statehood happens, but it happens by no means only as an output of the states bureaucracy. What really happens is that these outputs are provided by a locally specific cocktail of state and non-state actors via formal and informal institutions. When these output functions are not provided or facilitated exclusively or predominantly by a state apparatus but by alternative institutions, competing, bypassing or cooperating with official state institutions, we speak of modes of governance rather than of government.

Fourthly, we found that the modes of local governance have a decisive impact on the conflict processing capacities of society.

With regard to conflict processing, „ideal" governance would provide or facilitate provision of:

- **negotiated agreements** between conflicting parties or **binding decisions** of conflicts by specialised institutions, according to accepted **procedures;**
- **formalisation** of the agreements and decisions into binding contracts;
- **implementation** of the agreements and decisions;
- **monitoring** so that parties stick to the contract and 'play by the rules';
- a credible **sanction** mechanism against foul play and parties breaking the rules.

Local governance refers to the way political and economic power is organised at the local level and how this organisation of power affects society. Hybrid arrangements between official local government, official state and non-state bodies of self-government and informal power holders are found to have a strong impact on the occurrence and processing of conflicts in most regions covered by the project. Particularly in the regions marked by a weak central state control those modes of local governance are paramount in determining the prospects for conflict transformation.

Local governance – good or bad – is always exercised by a multitude of actors such as local government, local self-government, informal power holders, civil society and international organisations. Therefore, not all of the above mentioned tasks have to or, indeed, should be provided by local government (official state bodies).

Provision of negotiations, procedures and monitoring of agreements can often be effectively done by civil society

Successful conflict processing by local governance with regard to irrigation water distribution

Competition over scarce irrigation water in Gorno-Badakhshan Autonomous Oblast (Tajikistan) was reported to be most dramatic in the district of Porshnev. The conflict over distribution was characterised in rather a dramatic way by local respondents, who claimed „to wish to die" each time during the irrigation season, or cited a popular poem according to which brothers turn into sworn enemies during irrigation seasons.

The research confirmed that irrigation water was, indeed, insufficient to irrigate the fields of all communities and that the (technical) distribution system was far from optimal. At the same time the research also revealed that this serious seasonal conflict is reliably processed by a functional arrangement of local governance. Annual negotiations between accepted representatives of the interested parties (heads of communities and local government) are institutionalised and the dispute is carried out via a widely accepted, though informal, procedure for setting the rules of how to arrive at a binding decision in the dispute. This decision is called a „*grafik*" or water distribution schedule. It is formalised in writing and receives contractual status by the formal approval of the representative of the local government (the document is stamped). Monitoring of the contract is carried out by the communities themselves and sanctions, if need be, are applied by more or less functional social control. Conflict is fierce every year and conflict is reliably processed every year. Rather than negotiation, procedure, agreement and control based exclusively on informal institutions confined in their impact to the village alone, in the given case the formal involvement of an official district body appears to facilitate binding inter-communal agreements.

(Case study done by the authors in October 2003)

itself (see for an example textbox „Successful conflict processing “). On the other hand, formalisation of agreements and sanctioning of rule breaking is often done more efficiently by the state. Of crucial importance is that, whatever the case, this division of labour between state agencies, civil society or international organisations is done according to rules. From the perspective of functional Weberian statehood it must remain the prerogative of the state to set these rules.

Local informal or formal institutions are capable of keeping peace within the community when they are protected by social control and self-policing. This is the case with the majority of village communities in Central Asia and the Caucasus. The problem with this kind of conflict processing is that its effective scope is confined to the village, the neighbourhood or the extended family. The capacity for the implementation of decisions, monitoring compliance, and sanctioning defiance is limited to the scope of the „eye of the village“ and sanctions of reputation; i.e. are limited to the community. Such institutions are not equally suitable for stable inter-communal conflict transformation. The results of research conducted by the authors in Afghan Badakhshan and rural areas of Tajikistan show that decisions reached on inter-communal conflicts often reflect the power relations between conflicting parties rather than legal principles. Conflict is left in limbo or (temporally) decided by power. Without a supra-communal institution, the formalisation of binding decisions does not take place. Ideally, this supra-communal institution regulating conflict is the state (rather than commanders or local strong men). In this respect, the lack of the state at the local level is a critical deficit in all countries under scrutiny.

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References

Coser, Lewis A. (1956), The Functions of Social Conflict, London: Routledge & Kegan Paul.

Dikaev, Turko (2004), ‚Russia to cede control over historic border‘, IWPR’s Reporting Central Asia 15.03.2004: 284, online distribution.

Elwert, Georg (2002), ‚Conflict: Anthropological Aspects‘, in N. J. Smelser and P. B. Baltes (ed.), International Encyclopedia of the Social and Behavioral Science, Amsterdam: Elsevier, pp. 2542-2547.

Kisriev, Enver (2003), ‚Why is Dagestan Stable and Chechnia Not?‘, in J. Koehler and C. Zürcher (ed.), Potentials of Dis/Order. Explaining Violence in the Caucasus and in the Balkan, Manchester: Manchester UP.

Koehler, Jan and Zürcher, Christoph (2003), ‚The art of losing the state: weak empire to weak nation-state around Nagorno-Karabakh‘, in J. Koehler and C. Zürcher (ed.), Potentials of Dis/Order, Manchester, New York: Manchester UP.

North, Douglas (1990), Institutions, Institutional Change and Economic Performance, Cambridge UP.

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[1] For further information on the research project see http://www.oei.fu-berlin.de/cscca.

[2] Cf. the contributions of Alexey Gunya, Scott Radnitz, Bahodir Sidikov, Azamat Temirkoulov, Jonathan Wheatley and Gunda Wiegmann in this volume.

[3] Coser 1956: 8.

[4] Cf. Elwert 2002: 2543f, on conflict as embedded social action.

[6] We should be aware, though, that these capacities are never fully available. In real life no society provides for guaranteed non-violence and guaranteed security of basic needs for all members at all times. Strong states functioning according to the rule of law appear to be more successful than other political institutional frameworks in setting these conditions on a wider, inter-communal range. But even under the most favourable conditions, violence and insecurity remain part of the human condition. What forms and levels of violence are acceptable to society varies between and within societies and their subcultures. The same holds for what needs are seen as „basic“ aside from the most obvious preconditions to biological and social reproduction.

[7] North 1990: 3.

[8] Despite the fact that Armenia was spared civil war on its own territory its heavy involvement in the organisation of eventually victorious violence in the neighbouring war about control over Nagorno-Karabakh had a defining impact on post-Soviet state-building and institutional change in Armenia (see Koehler, Zürcher 2003).

[9] Cf. Alexei Gunya in this volume.

[10] Transhumance is an institutionalised form of vertical seasonal migration of livestock between summer and winter pastures. It entails complex legal agreements on rights of passage and on various forms of exploitation of shared natural resources between affected communities in the mountains and in the plains.

[11] Examples are found in the North Caucasus, in Kyrgyzstan, and in Tajikistan in the area covered by the project.

[12] Cf. the article by Azamat Temirkoulov in this volume.

[13] Cf. Scott Radnitz in this volume.

[14] Cf. the article by Azamat Temirkoulov in this volume.

[15] Cf. Bahodir Sidikov in this volume.

[16] Cf. Jonathan Wheatley and Gunda Wiegmann in this volume.

[17] According to new reports just in, President Rakhmonov declared that Tajik border troops will soon take over from their Russian colleagues. If equipment and training of Tajik border guards resemble the situation as witnessed by the author on the Tajik-Chinese border, where the Russians left in 2002, the question of whether the Tajik government is up to the task is justified. See Dikaev 2004.