

# Vorwort

Liebe Leserinnen, lieber Leser,

liebe Kolleginnen und Kollegen,

die vorliegende 21. Ausgabe des Berliner Osteuropa Info (BOI) widmet sich schwerpunktmäßig dem Thema Konfliktforschung und Konfliktbearbeitung. Damit soll nicht etwa impliziert werden, dass Osteuropa zur Zeit eine besonders konfliktträchtige Region sei: Tatsächlich sind wir am 1. Mai, beim Beitritt Polens, der Tschechischen Republik, Estlands, Lettlands, Litauens, der Slowakei, Ungarns und Sloweniens zur Europäischen Union, Zeugen eines Ereignisses geworden, welches seine historische Tragweite nicht zuletzt daraus zieht, dass der friedliche und demokratische Staatsaufbau im Osten Europas nun durch das institutionelle Rahmenwerk der EU abgesichert wird. Was die EU den neuen Mitgliedstaaten wirtschaftlich und kulturell bringen mag, wird sich zeigen. Schon jetzt aber steht fest, dass die EU – oder präziser: die historische einmalige Chance, den Transformationsprozess in Osteuropa durch die Option auf eine Einbindung in europäische Institutionen zu kanalisieren –, ungemein viel dazu beigebracht hat, dass die schwierige und konfliktträchtige große Transformation in weiten Teilen des Ostens Europas gewaltfrei abgelaufen ist.

Der Prozess des Zusammenwachsens in Europa führt zu neuen Nachbarschaften: So sind etwa die Ukraine, Weißrussland oder der Kaukasus in unmittelbare Nachbarschaft der EU gerückt. Ähnliches gilt für den südlichen Balkan und auch für die Türkei.

Das ehemalige Jugoslawien, der Kaukasus und Mittelasien sind diejenigen ehemals sozialistischen Räume, in welchen gewaltförmige Konflikte nach dem Zusammenbruch des Ostblocks gehäuft auftraten. Organisierte Gewalt zerstört Leben und materielle Güter. Organisierte Gewalt bindet auch in einem sehr beträchtlichen Ausmaß Ressourcen von Nicht-Konfliktparteien: Präventive Politik, Krisenmanagement, friedenserhaltende oder friedensstiftende Maßnahmen, zivile Konfliktbearbeitung, humanitäre Hilfe, Wiederaufbau und technische Zusammenarbeit in kriegsversehrten Gesellschaften verlangen signifikante Investitionen von staatlichen Akteuren, internationalen Organisationen und NGO. Dementsprechend hoch ist der Bedarf nach einer grundlagenbezogenen Forschung und nach praxisorientierter Expertise in Bezug auf Konfliktursachen, Konfliktbearbeitung und Stabilitätsexport.

Die Beiträge zum Schwerpunktthema dieses Heftes sind von Studierenden, Forschenden und Praktikern verfasst, welche sich mit der Frage nach Ursachen von Konflikten, aber auch mit der Frage, wie in der Praxis Konfliktbearbeitung aussehen kann oder soll, beschäftigen.

Konfliktforschung und mehr noch (zivile) Konfliktbearbeitung ist in den letzten Jahren zu einem Schwerpunktthema geworden – das macht sich in den Programmen von zahlreichen NGO ebenso bemerkbar wie in den Lehrplänen von Hochschulen und in den Strategien von Nationalstaaten.

In ihrem am 12.5.2004 veröffentlichten Aktionsplan „Zivile Krisenprävention, Konfliktlösung und Friedenskonsolidierung“ schreibt die Bundesregierung:

„Frieden und Stabilität sind Voraussetzungen für Entwicklung und Wohlstand. (...) Konflikte sind Wesensbestandteile jeglichen Wandlungsprozesses und mithin allen Fortschritts. Freiheit, zumal individuelle Freiheit, fordert den Konflikt geradezu heraus. Produktiv ist Konflikt aber nur, wenn er in einer friedlichen, solidarischen gesellschaftlichen Auseinandersetzung um den besten Weg ausgetragen wird. Dem Staat obliegt es, Mechanismen zur friedlichen Konfliktaustragung bereitzustellen oder entsprechende nichtstaatliche und informelle Instrumentarien zu fördern. Fehlen diese, können Konflikte mittelbar oder unmittelbar gewaltsame Formen annehmen.“

Hier kann und muss praxisbezogene Konfliktforschung ansetzen und sich um eine präzise Analyse von vorhandenen Mechanismen bemühen, welche eine Gesellschaft zur Verfügung hat, um ihre Konflikte zu bearbeiten. Ebenso muss sie sich um eine präzise Analyse von fehlenden oder defekten Mechanismen bemühen, welche erst die gewaltförmige Austragung von Konflikten hervorbringen.

Solche Analysen sind nachgefragt – von Politikern, und mehr noch von den staatlichen und nichtstaatlichen Organisationen, welche sich um Konfliktprävention oder Konfliktbearbeitung kümmern. Konfliktforschung ist auch ein Arbeitsmarkt. Dafür gilt es, Qualifikationen mitzubringen. Dabei ist sozialwissenschaftliche Analysefähigkeit genauso unabdingbar wie fundierte Regionalkenntnis. Beides sind Fähigkeiten, welche das Osteuropa-Institut in seinen Studiengängen vermitteln will und kann.

*Seit Februar 2003 ist die Forschung und Lehre an unserem Institut um die Komponente „Konfliktforschung“ (mit besonderem Bezug auf den Balkan, den Kaukasus und Mittelasien) erweitert worden.*

*Der Stifterverband für die deutsche Wissenschaft schrieb Ende 2000 das Programm „Forschungs-Dozenturen“ aus. Insgesamt 80 Universitäten bewarben sich in der ersten Ausschreibung um eine Forschungs-Dozentur. Von einer hochrangigen Jury wurden am 31. August 2001 schließlich 14 Anträge bewilligt, darunter auch der Antrag der Freien Universität Berlin, am Osteuropa-Institut eine Forschungsdozentur „Konfliktforschung“ einzurichten. Im Februar 2003 wurde ich auf diese Stelle berufen. Dieses Heft will auch einen Einblick geben in die bisher geleistete und in die geplante Arbeit der Forschungsdozentur. Daneben gibt es natürlich auch wie immer die gewohnten BOI-Rubriken, welche über Forschung, Lehre und Weiteres aus dem Umfeld des Osteuropa-Instituts berichten.*

*Ich wünsche Ihnen eine anregende und spannende Lektüre!*

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<sup>1</sup> [http://www.auswaertiges-amt.de/www/de/aussenpolitik/friedenspolitik/ziv\\_km/aktionsplan.pdf](http://www.auswaertiges-amt.de/www/de/aussenpolitik/friedenspolitik/ziv_km/aktionsplan.pdf)

# Ethnicity and Politics in South Eastern Europe

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## 1. Introduction

During the nineties some societies in South Eastern Europe manifested a return to tribalism and primordial hostilities, which seemed to belong to a rather outdated chapter of continental history. The interethnic war in Bosnia and Herzegovina is the most telling example of this type of de-modernisation. Other societies in the sub-region were also marked by ethnicisation of politics and politicisation of ethnicity. These domestic developments were at least partly facilitated by the international setting and had far-reaching international implications. Logistics of supranational crisis management were tested in the sub-region. Now is the time to draw conclusions from this experience and consider options for handling situations which still remain full of potential and manifest risks.

Whatever the amalgamation of domestic and international causes and reasons of crisis situations in South Eastern Europe may be, there is one strategically most relevant common denominator of the processes. It is the perennial and continuing instability of economy, politics and culture in this European sub-region. One may try to explain this instability mainly by referring to the *multiethnic composition* of South East European societies. In fact, this is not a specific feature of the societies in the sub-region alone. The multiethnic type of cultural life and political organisation is getting more and more predominant in the development of countries and regions worldwide (Bös 2002). Nevertheless, the point is well taken since the issue of interethnic relations is undoubtedly an important source of tension and conflict in South Eastern Europe. But it is questionable if it is basically the multiethnic composition of societies that provokes tensions and conflicts. One broader hypothesis might read that they are primarily caused by the context of *belated nation-building and state-building*. Its latent problems always become manifest in times of *economic, political and cultural crisis* as was the case in South Eastern Europe during the nineties. Now the open question concerns specific combinations of these factors in determining the success or failure in the management of interethnic relations under specific circumstances.

One guiding idea for answering the question seems quite obvious today. It concerns the capacity of the constitutional and institutional arrangements to secure human rights and thus to alleviate interethnic tensions and conflicts. This solution is simple and efficient only at first glance, however. Recent processes in South Eastern Europe show that there are differences in understanding and protecting *individual* and *collective* rights of ethnic minorities. This issue is closely connected to *civic* and *ethnic* trends in nation-building and state-building. Moreover, the recent history of the sub-region under scrutiny shows that there

are powerful economic, political and cultural factors counteracting the pattern of nation-building and state-building based on the recognition of universal rights of human individuals.

Therefore, we still have to learn lessons from the interplay of both constructive and destructive forces in developing multiethnic societies in South Eastern Europe. The learning process is painful since the peaceful interethnic co-existence and the clashes of ethnic groups show surprising variety, endurance and dramatic moves. These dynamics teach that the management of interethnic relations remains one of the most intriguing issues requiring interdisciplinary research.

## 2. The Ethnic Varieties

Both experts and lay people in South Eastern Europe are well aware of the complexity of ethnic groups and structures traditionally influenced in the sub-region by Catholicism, orthodox Christianity and Islam. Nevertheless, studies on the ethnic composition of the societies there face a present and perennial *informational problem*. The statistical data on the issue is often outdated or unreliable. One has to check and compare various national and international information sources in order to get a tentative overview of the ethnic composition of the societies under scrutiny.

The unreliability of information about the ethnic composition is often rooted in politically motivated approaches of governmental statistical offices. For instance, Turkish society is ethnically homogenous according to the official statistics. In reality, it is a public secret that approximately one fifth of the population of the country has a Kurdish ethnic identity. In the case of Greece, the official statistics do not record large numbers of immigrants settled in the country on permanent basis. They are roughly estimated at about one million. Among them there are probably 600,000 or even more Albanians described as a „huge portion of the Greek labour force and major contributors to the growing Greek economy“ (Danopoulos 2003: 4). The utmost relevance of the issue is underlined by estimations saying that in 2015 one fourth of the population inhabiting Greece will consist of immigrants, the largest part of them of Albanian origin.

In some cases like Montenegro there are widespread uncertainties in the population itself regarding the ethnic self-determination of individuals and groups. Due to war-caused migration, the actual ethnic composition of the Croatian and the Serbian societies very much deviates from the situation at the beginning of the nineties. The status of large groups of refugees or displaced persons in both countries is still unclear.

Table 1: Ethnic composition of South East European societies<sup>1</sup>

<b>Albania</b>	Albanian 95 %, Greek 3 %, other 2 % (Vlach, Gypsy, Serb, and Bulgarian) (1989 est.)
<b>Bosnia-Herzegovina</b>	Serb 37.1 %, Bosniak 48 %, Croat 14.3 %, other 0.6 % (2000)
<b>Bulgaria</b>	Bulgarian 83.6 %, Turk 9.5 %, Roma 4.6 %, other 2.3 % (2001)
<b>Croatia</b>	Croat 89.6 %, Serb 4.5 %, Bosniak 0.5 %, Hungarian 0.4 %, Slovene 0.3 %, Czech 0.2 %, Roma 0.2 %, Albanian 0.1 %, Montenegrin 0.1 %, other 4.1 % (2001)
<b>Cyprus</b>	Greek 85.2 %, Turkish 11.6 %, other 3.2 % (2000)
<b>Greece</b>	Greek 98 %, other 2 %
<b>Macedonia, FYR</b>	Macedonian 64.2 %, Albanian 25.2 %, Turkish 3.9 %, Roma 2.7 %, Serb 1.8 %, Bosnian 0.8 %, Vlach 0.5 %, and other 1.0 % (2003)
<b>Romania</b>	Romanian 89.5 %, Hungarian 6.6 %, Roma 2.5 %, Ukrainian 0.3 %, German 0.3 %, Russian 0.2 %, Turkish 0.2 %, other 0.4 % (2002)
<b>Serbia and Montenegro</b>	Serbia (without Kosovo): Serb 82.9 %, Hungarian 3.9 %, Bosniak/Muslim 2.1 %, Roma 1.4 %, Yugoslav 1.0 %, Croat 0.9 %, Montenegrin 0.9 %, Albanian 0.8 % (2002) Montenegro: Montenegrin 40.6 %, Serb 30.0 %, Bosniak/Muslim 13.7 %, Albanian 7.1 %, Croat 1.1 %, Roma 0.4 % (2003)
<b>Slovenia</b>	Slovene 88 %, Croat 3 %, Serb 2 %, Bosniak 1 %, Yugoslav 0.6 %, Hungarian 0.4 %, other 5 % (1991)
<b>Turkey</b>	Turkish 80 %, Kurdish 20 % (estimated)

Many current and future concerns about interethnic relations and policies are caused by or connected to demographic trends. There is a clear difference of the fertility rates in South East European societies along ethnic lines which partly coincide with religious differences. The Slavic population in the sub-region has low and declining birth rates leading to the demographic crisis in Bulgaria,

Croatia, Serbia, Slovenia and among the Slavic population of Macedonia. The ethnic majority in Romania follows the same demographic pattern. The demographic decline among the ethnic majorities is the background of a slow but substantial change in the ethnic composition in the whole South-East European region. Consequently, complicated problems tend to appear in countries with

Table 2: Population under 15 and over 65 years in a time perspective (in %)

Country	under 15 years		over 65 years	
	1975–2001	2001–2015	1975–2001	2001–2015
Germany	15.4	13.2	16.7	20.8
Hungary	16.7	13.3	14.7	17.4
Egypt	35.7	31.5	4.5	5.4
.....	.....	.....	.....	.....
Albania	29.0	22.9	6.0	8.1
Bosnia-Herzegovina	18.3	14.1	10.3	13.6
Bulgaria	15.3	12.6	16.3	18.0
Croatia	17.0	16.5	15.9	17.8
Greece	14.9	13.2	17.8	20.0
Macedonia, FYR	22.3	20.0	10.2	12.2
Romania	17.7	15.4	13.6	14.8
Slovenia	15.4	12.1	14.2	18.5
Turkey	31.2	25.0	5.6	6.7

strong ethnic minorities marked by a higher birth rate. The political implications of the uneven demographic development of ethnic groups might be well exemplified by the demographic and political processes in Kosovo. This experience throws a long shadow on the interethnic relations in Macedonia, in Southern Serbia and in parts of Montenegro. There are specific problems in this respect caused by the fast absolute and relative growth of the Roma population in all South East European societies. On average, the representatives of this ethnic group have an educational level and cultural specifics, which make them less competitive under the conditions of mass unemployment and the challenges of the emerging information-based society.

With the exception of the Roma population, all other politically relevant ethnic minority groups in South East European societies have an affiliation to ethnic majorities in neighbouring states. In this way, the interethnic and minority issues get immediate international dimensions. As seen from this angle, the developments in Kosovo and Macedonia are and will remain a strong warning to the international community. The issue becomes particularly relevant in view of demographic trends in particular countries. Albania and Turkey are close to the demographic pattern of typical developing countries like Egypt, while other South-East European societies follow the demographic pattern of the Western and the Central European countries exemplified below by Germany and Hungary (UNDP 2003a: 250–252).

There are international implications of the above indicated uneven demographic developments. Turkey will be the country with the largest population in the European Union or will be approaching this status when – most probably – becoming member of the Union. In formal terms, this demographic situation would imply a new constellation in the European Parliament. Taking into account the strengthening of the Turkish ethnic component in the

countries of the present-day and future European Union, the sub-regional demographic processes in South Eastern Europe receive a continental dimension as well (UNDP 2003a: 250–252).

It is this geopolitical context in which the analysis of ethnic minorities, minority rights and interethnic relations in the countries of South Eastern Europe receives its complex meaning and relevance.

### **3. Constitutional Arrangements Concerning Ethnic Minority Rights**

There are a wide variety of treatments of the issue of ethnic minorities and minorities' rights in the constitutions in South Eastern Europe. In most cases, they acknowledge the existence of ethnic minorities explicitly and introduce various degrees of regulations of their rights. However, there are also far-reaching differences in the accentuation in these constitutional arrangements due to specific traditions, situations and political considerations. For instance, the Greek Constitution dating back to 1975 is strikingly unspecific on the issue. According to its Art. 5, it guarantees freedom and integrity to all persons on the national territory disregarding their nationality, race, religion or political orientation. Art. 13 underlines the freedom of religious expression as long as it is in congruence with the public order and morale. The Turkish Constitution is also rather general concerning the issue under scrutiny. Its Art. 10 stipulates that all people should be equal by law without discrimination, but ethnic minorities are not mentioned explicitly. In contrast to that, until recently languages other than Turkish were put in a clearly disadvantaged position.<sup>2</sup>

In contrast, in the Yugoslav successor-states the rights of ethnic minorities are recognised as being important and treated in detail. For instance, Art. 48 and Art. 56 of the Macedonian Constitution of 1992 affirms the full cultural development of minority groups and the support of this development by the state. The corresponding Croatian text names all national minorities in the preamble and guarantees them a representation in parliament (Art. 15). Similar articles can be found in the Slovenian (Art. 64) Constitution. The Romanian Constitution exempts parties of national minorities from the duty to get at least five percent of the votes before being allowed to enter parliament. It guarantees the right to have an ethnic identity, to preserve, develop and express the cultural, linguistic and religious origin and the protection of them (Art. 6). There are also provisions for education in the mother tongue (Art. 32)<sup>3</sup> and for the right to use it in court (Art. 127). Some recent laws determine that public officials appointed in minority areas<sup>4</sup> should know the local language and that universities should have departments for minorities.<sup>5</sup>

Against the background of the broad range of issues and attempted solutions, two examples might be indicative

Table 3: Change of population numbers 1975–2015 (Mill.)

Country	1975	2001	2015
Germany	78.7	82.3	82.5
Hungary	10.5	10.0	9.3
Egypt	39.3	69.1	90.0
Albania	2.4	3.1	3.4
Bosnia-Herzegovina	3.7	4.1	4.3
Bulgaria	8.7	8.0	7.2
Croatia	4.3	4.4	4.3
Macedonia	1.7	2.0	2.2
Romania	21.2	22.4	21.6
Slovenia	1.7	2.0	1.9
Turkey	41.0	69.3	82.1

both in terms of issues connected with ethnic minority rights in South Eastern Europe as well as with a view to trends in dealing with them. The examples under scrutiny are the Bulgarian Constitution of July 12, 1991, and the Constitutional Charter of the State Union of Serbia and Montenegro passed by the Federal Parliament on February 4, 2003. At first glance, the reason for this choice is formal, but it is quite essential in reality. The Bulgarian Constitution in question was among the first post-socialist constitutions in Eastern Europe while the Constitutional Charter of Serbia and Montenegro is the most recent one. There was a period of intensive institutional learning between the two events. The Constitutional Charter of Serbia and Montenegro includes the results of this learning process concerning interethnic relationships and ethnic minority rights in South Eastern Europe. But it refers also to the conceptual and practical experience in broader terms since some substantial innovations occurred also in international law on ethnic minorities' rights during the nineties.

**A.** The Great National Assembly which adopted the **Bulgarian Constitution of July 12, 1991** (amended in September, 2003) had to deal with the then recent heritage of interethnic tensions due to the forceful change of names of the Turkish population in the country in the mid-eighties. It was followed by the mass exodus of Bulgarian Turks in the summer of 1989. Handling the still burning issues, the Constitution incorporated key ideas of modern law concerning ethnic minorities and minority rights.<sup>6</sup>

#### *Article 6 [Human Dignity, Freedom, Equality]*

(2) *All citizens shall be equal before the law. There shall be no privileges or restriction of rights on the grounds of race, nationality, ethnic self-identity, sex, origin, religion, education, opinion, political affiliation, personal or social status or property status.*

#### *Article 11 [Political Parties]*

(4) *There shall be no political parties on ethnic, racial, or religious lines, nor parties, which seek the violent usurpation of state power.*

#### *Article 36 [Language]*

(1) *The study and use of the Bulgarian language is a right and obligation of every Bulgarian citizen.*

(2) *Citizens whose mother tongue is not Bulgarian shall have the right to study and use their own language alongside the compulsory study of the Bulgarian language.*

#### *Article 44 [Association]*

(1) *No organisation shall act to the detriment of the country's sovereignty and national integrity, or the unity of the nation, nor shall it incite racial, national, ethnic, or religious enmity or an encroachment on the rights and freedoms of citizens;*

#### *Article 54 [Culture, Creativity]*

(1) *Everyone shall have the right to avail himself of the national and universal human cultural values and to develop his own culture in accordance with his ethnic self-identification, which shall be recognised and guaranteed by the law.*

The generalised form of the above arrangements notwithstanding, the new Bulgarian Constitution facilitated very much the democratisation of the interethnic relations in the country. However, the precision and practical relevance of these constitutional arrangements should not be overestimated. Against the background of the experience during the eighties, the Constitution clearly prohibits, for instance, the establishment of political parties on an ethnic basis. Ironically enough, it was exactly the Movement of Rights and Liberties – namely, the ethnic party of the Bulgarian Turks – which very much contributed to the stabilization of the democratic political order in the country after 1989. The result is the decline of interethnic tensions and conflicts and the substantially reduced intensity of the perception of interethnic relations as a major risk facing Bulgarian society.

The institutional achievements and their implications in everyday life should not be overestimated either. In Bulgaria, it took a long time to get education and broadcasting in the Turkish language well established. The improvements notwithstanding, the social distance between representatives of the major ethnic groups in the country remains significant – especially concerning the Roma ethnic group.

Table 4: Would you accept a Turk/Roma for: (National polls, only answer „No“, in %)<sup>7</sup>

	1998		2001	
	Turk	Roma	Turk	Roma
– Neighbour	24.8	66.4	14.6	58.9
– Colleague at the workplace	21.7	60.2	11.2	49.5
– Close friend	44.8	79.6	31.0	75.0
– Member of your family	72.2	88.8	63.2	87.0

**B. Constitutional Charter of the State Union of Serbia and Montenegro of February 4, 2003** (Constitutional Charter 2003). The major innovation in this most recent Eastern European Constitution is formulated in its Art. 8. It declares that a special Charter of Human and Minority Rights and Civil Freedoms shall form an integral part of the Constitutional Charter and shall be adopted under the procedure and in the manner stipulated for the adoption of the Constitutional Charter itself. However, there are clear formulations concerning ethnic minority rights in the Constitutional Charter itself. More specifically, Art. 45 stipulates the establishment of a Ministry of Human and Minority Rights. The Minister „shall monitor the exercise of human and minority rights and, together with the competent bodies of the member states, shall coordinate activities for the implementation and compliance with international conventions for the protection of human and minority rights“.

The constitutional arrangements concerning minorities are dealt with in an exceptionally detailed way in the Charter on Human and Minority Rights and Civil Freedoms. Compared to the Bulgarian Constitution, which deals with ethnic minority rights only in terms of individual rights, the above Charter introduces the explicit formulation of collective minority rights:

*Article 47 [Rights of Persons Belonging to National Minorities]*

*Persons belonging to national minorities shall have individual and collective rights, rights that are exercised individually or in community with others, in accordance with the law and international standards.*

*Collective rights imply that persons belonging to national minorities shall, directly or through their elected representatives, take part in decision-making process or decide on issues related to their culture, education, information and the use of language and script, in accordance with the law.*

*In addition to the term „national minorities“, other terms established by the constitutions and laws of the member states may be equally used.*

The Charter also avoids the explicit prohibition of the establishment of political parties on the basis of ethnicity as it is the case in the Bulgarian Constitution. But the permissiveness of the Charter remains in this respect more implicit than explicit:

*Article 53 [Right to Assembly]*

*Persons belonging to national minorities shall have the right to establish educational and cultural organisations and associations, which are financed voluntarily.*

Nevertheless, due to the specific circumstances of the dissolution of the multiethnic former Yugoslav state, the experience from the bloody interethnic wars on its territory and especially due to the painful experience of the conflict in Kosovo, the above Charter on Human and Minority Rights and Civil Freedoms is a major breakthrough in the constitutional arrangement concerning ethnic minority

issues in South Eastern Europe. Given some recent debates in Western Europe (the issue of wearing religious symbols in public places, for example), the arrangements incorporated in the Charter might even be seen as a breakthrough in a broader cultural context.

Being relevant as they indeed are, constitutional arrangements might only be the safe basis for resolving social and political issues. The real institutional practice of approaching these issues might very much deviate from the constitutional arrangements because of specifics of the economic, political and cultural situations. Since these are usually complicated and rather dynamic in South Eastern Europe, reality often deviates from the constitutional arrangements. There are usually economic causes and reasons lurking behind these deviations.

#### **4. The Challenge of Economic Underdevelopment**

The efforts to democratically manage complicated interethnic relations in the former socialist societies in South Eastern Europe face the harsh reality of economic underdevelopment and related phenomena or consequences. It is only against this background that one can properly understand the specifics of ethnic divisions in the sub-region and particularly the extremes of political use and abuse of ethnic divisions.

The economic situation in most former socialist societies in South Eastern Europe deteriorated during the nineties. The drop of GDP in the Federation of Serbia and Montenegro is particularly sharp. However, the decline of the number of employed and the rate of registered unemployed in Bosnia and Herzegovina lead to the conclusion that in the nineties the drop in production has been even deeper there (UNECE 2003: 224f.).

The above data indicate widespread unemployment and poverty in most countries in the sub-region. Mass poverty reproduces shortened aspirations for education and employment, restricted horizons for time planning and social marginalisation. Without determined national and international efforts, the various manifestations of persistent poverty will continue to lead to discontent and consequently to social tensions and political instability. Given the ethnic mixture in the sub-region, there are and there will be groups ready to interpret the difficult economic situation and the general underdevelopment in ethnic terms and to draw political conclusions and orientations for action accordingly. The readiness to move in the direction of interethnic confrontation is especially facilitated by mass unemployment, which is the major cause of mass poverty in the sub-region. Typically, unemployment is structural since it is mainly caused by the decline of the industrial production developed during the state socialist modernisation (UNECE 2003:226)

Only foreign investment, mostly from the European Union, may slowly alleviate the problems of unemployment and

Table 5: Socio-economic development in South Eastern Europe 1989–2002

Country	GDP 2002 (1989 = 100)	Employed 2001 (1989 = 100)	Registered Unemployed 2002 (%)
Hungary	111.7	73.8	8.4
Albania	113.9	74.3	14.5
Bosnia/Herzegovina	—	64.6	39.9
Bulgaria	82.9	67.4	16.3
Croatia	86.4	82.4	21.5
Macedonia, FYR	78.5	57.7	42.0
Romania	87.4	97.7	8.1
Serbia/Montenegro	49.5*	80.4	27.9
Slovenia	117.3	82.3	11.8

\* Without Kosovo

poverty. The quality of the new job opportunities is also very important since there is a strong tendency in the sub-region to keep intact or to create low quality jobs.

National and international statistics register negative tendencies also in the main spheres of reproduction of human capital in most countries of South Eastern Europe. Typically, the share of GDP invested in education declined there during the nineties. The same applies to the expenditures in public health care. One has to take the decline of GDP and its generally low level in South Eastern Europe into account in order to obtain a realistic picture of the situation (UNDP 2003a: 295-297).

## 5. Macedonia as a Testing Ground

The impact of the above social and economic problems on interethnic relations in South Eastern Europe can be best exemplified by the developments in Macedonia. The decline of industrial production by more than a half is the

most important direct factor for the very high rate of unemployment in the country. The problem is just apparently only economic. The Macedonian industry employed predominantly Macedonians of Slavic origin. The Albanian population is concentrated in the rural areas and was less affected by the collapse of the industry. In this sense, the structural unemployment of the previous industrial labour force has a clear ethnic dimension. But the open and hidden unemployment is also high in the villages due to different reasons. The rural Albanian households have a high birth rate and a substantial surplus of a young labour force. Practically, their major source of revenue is the shadow economy. Under these precarious conditions it is easy to manipulate the opinion of ethnic groups by blaming either the ethnic minority or the ethnic majority for the sufferings that actually affect both ethnic groups although in different ways.

Thus, all references to Macedonian society as a success-story in managing interethnic relations (Troebst 2002) or the interpretation of the armed interethnic clashes in 2001 as an unexpected sudden break in the smooth development of a truly multiethnic society before that year reveal lack of proper information or poor demagogic. The preconditions for ethnic interpretation of economic and political issues, and thus for violent interethnic conflicts, matured in Macedonia during the whole difficult period of the nineties. This destructive development has been facilitated by traditional cultural distances. In addition, the Kosovo crisis immediately triggered the explosion of armed interethnic clashes since the Macedonian Albanians were convinced by the Kosovo experience that the use of armed force for resolving interethnic issues can be rewarded by the international community.

The Ohrid Agreement reached under the pressure of the European Union brought about exactly this effect. More precisely, it is a political solution that puts the individual and collective rights of the Albanian ethnic minority into

Table 6: Industrial production in South Eastern Europe 1980–2002 (1989 = 100 %)

Country	1980	1989	2002
Hungary	92.9	100.0	142.3
Albania	77.0	100.0	26.2
Bosnia-Herzegovina	106.0	100.0	12.9
Bulgaria	71.3	100.0	44.5
Croatia	88.7	100.0	63.6
Macedonia	72.1	100.0	43.5
Romania	76.9	100.0	57.6
Serbia and Montenegro	80.0	100.0	39.9
Slovenia	90.3	100.0	84.6

Table 7: Changing public expenditures on education and health care as % of GDP

Country	Education		Health care	
	1990	2000	1990	2000
Hungary	5.8	5.0	—	5.1
Albania	5.8	—	3.3	2.1
Bosnia-Herzegovina	—	—	—	3.1
Bulgaria	5.2	3.4	4.	3.0
Croatia	—	4.2	9.5	8.0
Macedonia	—	—	9.2	5.1
Romania	2.8	3.5	2.8	1.9
Slovenia	—	—	—	6.8
Turkey	2.2	3.5	2.2	3.6

practice. The major mechanism for achieving this effect is the participation of the Albanian minority in political decision-making, implementation of decisions and political control. The administrative decentralisation agreed upon in Ohrid has to materialise this principle by bringing the quantitative participation of the Albanian population in state administration in correspondence with its relative weight in the population of the country.

Under the precarious economic circumstances in Macedonia, public services are the most reliable source of income in the country. Thus, for the Albanians, the participation in public services according to their share in the total population is of utmost importance since it opens the access to this source of income to them. However, the change has to be implemented in a situation where the number of civil servants in Macedonia has to be radically reduced according to recommendations of the World Bank. Thus, the large group of civil servants mostly of Slavic origin is under double pressure leading to accumulation of interethnic tensions. This detail must be accounted for together with many others in order to understand the completely diverging opinions of the two main ethnic groups on the Ohrid Agreement (UNDP 2003b: Annex 6.5).

Table 8: Do you agree or disagree with the Ohrid Agreement? (in %)

	Macedonians	Albanians
– Fully agree	5.7	68.1
– Somehow agree	32.3	23.5
– Somehow disagree	17.2	1.5
– Fully disagree	37.9	1.2
– No answer	0.4	—
– Do not know	6.5	5.6

In light of this radical disagreement it is not surprising that about one-fourth of the respondents supported a partition of Macedonia according to the data from the same representative public opinion poll. This perspective is not desirable for the international community for many reasons, the major one being the feared change of borders and the domino-effects thereafter. But the events in August–September 2003 clearly demonstrated that the much-feared intensification of interethnic tensions in Macedonia is quite possible in spite of the efforts of the peace-keeping forces.

## 6. Conclusions

The example of Macedonia includes all determinants and manifestations of interethnic tensions and conflicts in South Eastern Europe. The multiethnic composition of Macedonian society is the fertile soil for the intensive problems of belated nation-building and state-building. More precisely, we may notice the clash between the civic and ethnic trends in nation-building and state-building. While the first trend has the universal individual rights as its guiding idea, the second heavily relies on the idea of collective rights of ethnic groups. In the complicated and dynamic situation of Macedonian society, both domestic and international factors develop changing preferences in favour of these alternatives. It is easy to foresee future difficulties due to diverging interests or due to inconsistent policies according to changing preferences.

Indeed, all components of politics in South Eastern Europe are currently determined by the need to manage intensive risks (van Meurs 2003) since the policies of states and political entities in the sub-region have to cope with situations which are far away from the key parameters of sustainable economic, political and cultural development. Bosnia-Herzegovina, Macedonia and Kosovo still represent obvious instances of instability. In the case of Bosnia-Herzegovina, no expert can estimate the financial aid still needed for the country in order to transform it into a viable social system. The latent ethnic tensions there are still so strong that a withdrawal of international troops would be probably followed by new interethnic clashes and the very much feared change of state borders. The only effective counter-strategy is to focus on the economic stabilisation of the country. However, this promising perspective is questioned by the already well rooted rent-seeking mentality that developed under the conditions of an international protectorate.

As for the case of Kosovo, the continuing diplomatic debates about „standards“ and „status“ of this political entity only strengthen the assumption that the interethnic clashes in March 2004 could be repeated. The expectation that the issue would be automatically resolved by the integration of the Western Balkans into the European Union might be easily questioned by the different timing of both processes.

These and other examples show that there is a continuous and urgent demand for the transfer of institutional experience concerning the handling of risks in the sub-region. For instance, it will take decades before the health care systems there reach the level of correspondence with the criteria of a modern social policy. Therefore, the national and international efforts to improve social policy and thus to reduce the concomitant interethnic tensions in the sub-region will run under the header of „addressing emergency“ (Kausch 2001). In this context, there is a broad range of open questions concerning the interethnic relations in South Eastern Europe which will remain quite topical in the foreseeable future, although with modifications from country to country:

- How far is the ethnic representation in political decision-making legally and institutionally guaranteed?
- Is there a functioning arrangement for education of minorities in their mother tongue?
- Is the development and expression of ethnic culture institutionally well regulated?
- To which extent are there equal opportunities at the workplace for members of different ethnic groups, particularly for the new ethnic groups of migrants?

The above problems should be carefully discussed in the context of the gradual accession of the South East European countries into the European Union. A specific but nonetheless important problem in this context regards the situation of the Roma ethnic group. It can be addressed separately but it would be advisable to discuss it in a broader context of interethnic relations in particular countries and in the whole area of South Eastern Europe. Indeed, the major conclusion from the experience of dealing with interethnic relations in the sub-region is exactly this: they should be studied and practically dealt with in accordance with the multidimensional and quite dynamic local and international context.

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<sup>1</sup> Mostly according to information from the widely cited web page <http://www.cia.gov/cia/publications/factbook/fields/2075.html>

<sup>2</sup> In October 2001, significant changes were introduced. Among others, Art. 26 and Art. 28 were abolished in order to diminish the dominance of the Turkish language. Further steps will follow.

<sup>3</sup> While the 1992 legislation comprises many restrictions to mother tongue education for ethnic minorities.

<sup>4</sup> Those are regions in which 20 percent or more of the population belong to a national minority.

<sup>5</sup> Instead of creating universities exclusively for each minority.

<sup>6</sup> See <http://www.parliament.bg/?page=const&lng=en>.

<sup>7</sup> Data from the national surveys on Transformation Risks carried out by a team headed by the present author.

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# Conflict Arenas and Conflict Processing Institutions in Badakhshan Province (northeastern Afghanistan)

*Kristóf Gosztonyi, Berlin*

In the present paper I shall examine local and regional conflicts in the northeastern Afghan province of Badakhshan and ways how people try to manage and resolve these conflicts. The empirical material presented in this paper is based on research that was funded by the German Technical Cooperation (GTZ) and carried out by the Aga Khan Development Network (AKDN) in cooperation with the Berlin-based consultancy firm Analysis Research Consulting (ARC). The research was carried out from mid-September until the end of October 2003 and focused on six sub-districts of Badakhshan province, located in the North-East of Afghanistan. In accordance with the general strategic goals of the GTZ Food Security Programme, the aim of the research was to gain an understanding of ongoing project activities in relation to the local conflict context. By better understanding the local conflict setting, project implementation can: (a) ensure that it avoids creating new conflicts or fuelling old ones ('doing harm');<sup>1</sup> and (b) modify its activities to consciously support more effective conflict regulation at a local and even regional level and thus strengthen stability and contribute to peace building in Afghanistan.

The six-week GTZ/AKDN/ARC conflict research has uncovered a number of surprising results. Firstly, the state (which is the most powerful conflict management framework in most contemporary societies) appears to have emerged in Badakhshan as an important actor on the scene. It does not yet have a monopoly of power or force (and it is questionable whether such a stage will be reached in the near future) but it has become a player that significantly shapes events. Moreover, government structures can now definitely be considered an important partner for any project activities aiming at strengthening constructive, non-violent conflict management.

Secondly, among the identified and currently most salient and active conflict arenas, the gravest conflicts were observed in connection with state building and power struggles among the regionally strong. State building becomes conflictual when it begins to impinge upon the position of powerful non-state actors, such as commanders.<sup>2</sup> Further important conflict arenas relate to resource conflicts, discrimination, religious issues, drug trafficking, various conflicts around the border with Tajikistan, etc. As in most other conflict zones, there were also some conflicts created by NGO activities. Interestingly, all conflicts appear to be graver in those areas that are controlled by commanders and where the state has only little or no influence. In contrast, in areas firmly under state control, conflicts tend to be more manageable and less

violent. This is once again a strong sign of the positive conflict resolution impact of the state.

Third, a number of conflict arenas that were suspected of being significant were confirmed to be, at least currently, dormant or less prominent. E.g. even though the proliferation of small arms still retains a significant conflict escalation potential, the current trend in conflicts is that of decreasing violence with firearms being less frequently used in the course of local disputes. A further potential source of serious conflict, Islamic extremism, did not appear to be a significant problem in the research area. Contrary to expectations, the opium economy seems to have had a positive effect on local conflicts as it has eased pressure on local resources and thus reduced violent competition for them. In connection with state building, however, drug trafficking did emerge as a potentially grave conflict arena in one research area. This conflict is over the control of a narrow strip of borderland where, until recently, intense drug smuggling was taking place.

Fourth, turning to conflict processing institutions, we found a diversity of institutions dealing with conflicts. These range on the local level from various traditional and 'NGO-established' *shuras* (councils) to government officials, commanders and local notables on the district level. Decisions made at the local level by various *shuras* are usually negotiated compromise solutions without any real binding power. If binding decisions are needed, local parties to a conflict usually turn to a higher instance – commanders and increasingly also to government officials. While at this level binding decisions can be made, the compromise principle still frequently dominates the verdicts thus reinforcing the local balance of power. While in the short run such conflict management can resolve conflicts, in the longer term it tends to encourage the use and abuse of relative power in conflicts as decisions are not based on law, but instead sanction the status quo. Finally, there are hardly any viable institutional venues for local complaints against abuse by the hierarchically superior, i.e. commanders or government officials abusing the rights of the subordinate and weaker local population.

In the following I first will give an outline of the main and currently most relevant conflict arenas that the study identified in the research area. Subsequently, I will present a case study using the GTZ methodology of conflict analysis as defined in the GTZ manual 'Conflict Analysis for Project Planning and Management'.<sup>3</sup> In the final conclusions I will offer an analysis of the conflict management and conflict resolution systems that were identified by the research in Badakhshan.

## 1. The Main Conflict Arenas in the Research Area

The starting point for the further analysis of the empirical results is the concept of *conflict arenas*. We understand the term conflict arenas to mean clusters of conflict that share certain common and dominant features, e.g. resource conflicts, conflicts about discrimination, etc. These conflict clusters or arenas were developed in a participatory manner in the initial training workshop and adjusted empirically during fieldwork and in the final workshop.

The empirical research has identified nine main conflict arenas in the six research locations (see Table 1). Please note that the conflict arenas are not listed according to prominence:

- 1. Natural Resources:** The research identified conflicts about arable land and pastures, forest use and water (more precisely the use of the water for irrigation channels). Two factors play a role in these conflicts: the severely depleted natural resources and ecological degradation in the region on the one hand and the insufficient institutional control of resource distribution on the other. During more than twenty years of war, traditional institutions of conflict management and resource distribution have lost a lot of their power. Instead, brute force or ‘the logic of the gun’ have frequently overruled the decisions of these institutions.
- 2. Poppy/Opium:** This conflict arena actually refers to two different sets of conflicts: (a) about opium consumption – this mostly affects Ismaili villages and frequently has a generation and a religious conflict aspect; (b) about poppy/opium production and smuggling.
- 3. Border:** The conflict ‘border’ is comprised of two different types of conflicts: (a) One is related to all kinds of clashes between Russian border guards on the Tajik side of the border and the local Afghan population on the other. The Afghans perceive a creeping occupation of small pieces of land by the Tajik side through the redirection of the Panj River, which means it erodes more land on the Afghan side. Interestingly, research in Tajikistan has shown that the Tajik side perceives the Afghans to be the main aggressors in the border disputes. On the Afghan side again, informants reported occasional incidents in which people were shot, apparently without reason, by Russian border guards. (b) The second type of border conflict is related to drug trafficking.
- 4. NGO Activity:** Assets brought by NGO projects can represent the most significant economic resources in impoverished regions.<sup>4</sup> It is therefore no surprise that the distribution of NGO-project assets can trigger intense conflicts within communities. Naturally, the well-off and the powerful are best positioned to appropriate these assets. In addition, in the changing environment of post-war Badakhshan, commanders appear to be in greater need of legitimising their positions. Taking

undeserved credit for NGO activities is one such legitimising strategy that was observed. Additionally, commanders also tend to misuse NGO projects running in their area to reward their clients (e.g. soldiers or relatives) by manipulating the projects so as to give them jobs or additional benefits.

- 5. Youth and Generation conflicts:** Though by no means the most crucial conflict type, in a number of locations the research teams observed a generational aspect to ongoing conflicts. Most notably, these conflicts can be subdivided into conflicts (a) about opium consumption (usually affecting Ismaili villages) whereby the younger generation opposes the opium habit of their parents; (b) about accepting or rejecting the traditional Ismaili authorities (*shahs*). The younger generation tends to reject the authority of the *shahs*. Once again this conflict type affects Ismaili villages. (c) In Wardooj a conflict was observed between certain *mullahs* and the changing lifestyles of some of the young people.
- 6. State Building:** One of the key and most explosive conflict arenas; in the course of the peace process the Afghan Transitional Administration (ATA) slowly tries to extend its reach into the provinces and comes thereby into conflict with commanders and other local power holders who are not willing to cede power to the government or who attempt to take over or co-opt the state.
- 7. Key Positions:** This conflict arena summarises struggles that are fought for positions of power in a certain region. Locally it appears as the most prominent field of conflict. In principle it can designate conflicts that are fought for state positions, i.e. who will be the next governor, *wolliswol* etc., or outside of the framework of the state, for positions of traditional authority such as the khan, the local commander, etc. On occasion it can take place between a state position and a non-state authority – in such a case it might overlap with the conflict arena of ‘state building’.
- 8. Discrimination:** Three manifestations of conflict were observed in this arena: (a) between Ismailis and Sunnis whereby the respective majority tended to discriminate against the respective minority. Occasionally (b) these conflicts overlapped with ethnic discrimination (e.g. Wakhan). Lastly, (c) the discrimination of women is a pervasive fact of life in Afghanistan and of course in Badakhshan, too.
- 9. Religion:** Two subsets of conflicts were observed in this broader arena. (a) On the one hand, the *farman* of the Aga Khan that abolished the traditional authority of Ismaili *shahs* in the region and established new councils instead has led to significant local conflict between adherents of the new councils and the devoted followers of the traditional *shahs*. (b) On occasion, conflicts around religion could also be observed among Sunnis, e.g. between followers of Wahabi and Hanafi interpretations of Islam.

In addition to the identification of the relevant conflict arenas in the research locations, the research teams were also asked to rank the conflicts according to their local ‘importance’ and ‘disruptiveness’. In order not to confuse this ranking with the numbering of the conflict arenas, we used capital letters (A, B and C) to indicate the status of a certain conflict arena in a given research location. ‘A’ therefore designates the most prominent and ‘C’ the least prominent conflict identified. On occasion, teams found more than three relevant conflicts. We usually made a note of these conflicts, but due to time constraints during the evaluation and lacking capacities, we did not analyse them in detail.

A further aspect of the identified conflict arenas was their multi-dimensionality. Often conflicts do not just simply belong to one conflict arena or another, but have aspects of both. A case in point is ‘conflict A’ in the *mantaqa* (subdistrict) of Ghuaran in which the renegade commander Karil Abdul Kariwadud keeps the villages of this area outside the reach of the Ishkashim district administration (*wolliswoli*). He needs this border strip as a drugs smuggling route to Tajikistan. Accordingly, the conflict has been classified as belonging equally to the conflict arenas ‘border’, ‘poppy’ and ‘state building’. Such multidimensionality of a conflict has been marked in Table 1 by putting a reference in square brackets ‘[...]’. Other conflicts might not be fully multi-dimensional in the sense of referring equally to more than one conflict arena. They might nevertheless show aspects of other ongoing conflicts in the region or are in some way intertwined with them. Frequently higher level or more general conflicts in a *mantaqa* tended to manifest themselves also in lower level or more local conflicts. The conflict between the Shah of Painja and the commander of Wakhan also influenced a local resource conflict by these two men taking different positions with regard to the conflict and by the local factions seeking the support of either the *shah* or the commander. If conflicts showed such an interconnection, this was indicated in the table using braces ‘{...}’.

Given these initial remarks about conflict ranking and about the multi-dimensionality and multifaceted nature of conflicts a first few observations with regard to the empirically observed conflict structures are due. First, regionally the most severe (in terms of local importance and disruptiveness) conflict we found to be in the arena of ‘key positions’. Three out of the six ‘A’-rated conflicts (Wakhan, Yakh Duroo and Khoustak) and one ‘B’-rated conflict (Ishkashim) are power struggles of this category. With two ‘A’-ratings the second most prominent type of conflict centred around ‘state building’ – one in dual combination with a struggle about ‘key positions’ (Khoustak) and the other also a multi-dimensional conflict of ‘border’/‘poppy’/‘state building’ (Ghuaran). The other two ‘A’-type conflicts relate to a ‘resource conflict’ (Wardooj), and a conflict about ‘discrimination’ (Ishkashim).

Secondly, examining the level of violence and the potential for conflict escalation help estimate the objective severity

of conflicts as opposed to their local relevance as discussed in the previous paragraph. Conflicts with a history of violence or with a significant potential for escalation have been marked with a double frame in Table 1. The results are fascinating. From this perspective two clusters of conflicts emerge as most serious: ‘resource conflicts’ and conflicts about ‘key positions’ and ‘state building’ with the latter two arenas having the greatest escalation potential. A further and crucially important observation refers to the location of this more severe set of conflicts. They are located in areas that are controlled by uncooperative and self-seeking commanders (see Table 2).

The reasons why conflicts about ‘key positions’ and ‘state building’ appear to be locally the most prominent conflict arena and why in areas dominated by self-seeking commanders conflicts tend to be generally more severe are twofold. First, conflicts about ‘key positions’ and ‘state building’ tend to affect wider areas – an entire *mantaqa* or even a district – than the frequently localised ‘resource conflicts’. Moreover, competitors locked in power struggles for ‘key positions’ have resources at hand and draw on a wide array of clientelist networks that have the potential to affect the lives of most people in their region. Secondly, in areas dominated by powerful self-seeking commanders, the control of these men over the use of violence exacerbates existing conflicts. In addition, in order to legitimise their positions as the main conflict brokers in their area and to gain economic or power benefits, commanders tend to get involved in a number of conflicts that are only indirectly related to their power position.<sup>5</sup> This way, ordinary conflicts can acquire an additional feature of power struggle, spin out of control and escalate far beyond the original weight and importance they had.

Nevertheless, in general, conflicts tend to become less violent in terms of weapons used and subsequent casualties. The last significant factional fight in Badakhshan, i.e. a battle between militant factions armed with firearms, took place in the summer of 2003 in Argo and was quelled by a police contingent from Faisabad.<sup>6</sup> Within the narrower research area the last such battle occurred some two years ago as the Khoustak commander Qudbuddin and the Farghamiru commander Aslam escalated a localised dispute into a battle. The weapons used in local conflicts, e.g. about natural resources, are now more typically sticks and stones and not the Kalashnikov. Though the scale of the research (six case studies) does not allow us to draw definite conclusions, the escalation of conflicts to the level of violence is probably becoming less common nowadays. Instead more peaceful ways of conflict management are gaining in importance. It seems ‘the logic of the gun’ is in decline.

Lastly, several of the current conflicts are in many respects still a legacy of the past period of civil war and lawlessness, in which institutionalised forms of resource allocation and conflict management were frequently put out force by the ‘logic of the gun’.

*Table 1*

## 2. Case Study: Resource Conflict (Wardooj-e Bala)

The first case study is about a resource conflict that illustrates changing conflict resolution patterns and the interwoven nature of traditional-informal and governmental modes of conflict decision-making. The dispute in question broke out between two villages in the *mantaqa* of Wardooj-e Bala over the use of a forest. This conflict was identified by the research team in Wardooj as the gravest conflict in their area (i.e. ‘Conflict A’-classification). Due to the somewhat complex nature of the conflict and its embeddedness in a number of other ongoing conflicts as well as the general political context of the wider region, an overview of recent historical events in the *mantaqa* is given first.

### 2.1 Historical Context

#### *The Mantaqa*

The villages in question, Dehqalot and Sarask, are located in the *mantaqa* of Wardooj-e Bala – a narrow valley at around 1500–2000m altitude, through the middle of which runs the Wardooj River (see). According to an AKDN survey conducted in 1998 and 2002 the *mantaqa* consists of 521 households living in 12 villages. Its population was 3,918 in 1998. This number increased, mostly as a result of return migration, to 4,506 in 2002. The population is ethnic Tajik but is comprised of both Sunni and Ismaili branches of Islam. Previously, relations between the groups appeared to be good. However, even though Sunnis and Ismailis mostly still live in mixed villages, contacts between the

two groups appeared to have significantly cooled in recent years. Intermarriages, formerly common, do not take place anymore, and there are frequent allegations of unfair treatment and discrimination by one group against the other.

In spite of strong mujahedin activity in most parts of Badakhshan Province, a Soviet garrison was allegedly stationed in nearby Zebak until 1992.<sup>7</sup> During the Taliban period, as Badakhshan became a key supply route for the beleaguered Northern Alliance forces, Zebak and Wardooj came to play a crucial role. The Taliban repeatedly attempted to take Zebak and Wardooj by advancing northwards along the Pakistani border, thus hoping to cut off one of the few remaining roads connecting Massoud’s landlocked territories in the Panjshir Valley with the outside world. It was again and again the Wardooji commander Ashur Beg who stopped these Taliban advances – the last time in 2000. Following the Taliban defeat and the establishment of Karzai’s Transitional Government and apparently on instructions from the Defence Ministry, in 2002 Ashur Beg conducted a disarmament and demobilisation campaign in his area of responsibility. As a result, the Wardooj-Zebak area is now mostly free of weapons. He is left with a standing force of 15 armed men, occasionally described as bodyguards, one of the main responsibilities of whom is to guard the weapons gathered during the disarmament process. As a result of the disarmament, the security situation has doubtless improved. As a 40 year old widow from Sarask village put it: „Thankfully now the commanders are disarmed and we can breath freely“.<sup>8</sup>

Table 2: Commanders and Violence

	<b>Characterisation of commander subjective assessment based on qualitative data</b>	<b>Level of Violence</b>
<b>Wakhan</b>	Self-seeking commander, local political ambitions, well-known for his brutality	Assassination attempts by commander against Shah of Panja; beatings as punishment by commander; occasional violence in local conflicts
<b>Yakh Duroo</b>	No commander	Little violence
<b>Wardooj</b>	Commander but apparently without political ambitions	Occasional violence in local conflicts; known to have beaten opium addicts
<b>Khoustak</b>	Ambitious commander seeking a new role for himself in the post-war context	Armed factional fights with fatalities (last battle two years ago); occasional beatings
<b>Ishkashim</b>	No commander	Little violence
<b>Ghuaran</b>	A renegade Hezb-e Islami commander who uses the area for drug-trafficking	Severe beatings by commander; no state authority established; serious possibility of armed escalation if state attempts to assert control

### *The Villages*

In the ‘forest-conflict’, the village of Sarask is mixed Ismaili-Sunni, Kazdeh is mainly Ismaili, while Dehqalat is mostly Sunni. Dehqalat is the largest village consisting of 65 households with a population of 523, followed by Kazdeh, 44 households and 390 inhabitants; the smallest village of the three is Sarask with 18 households and 194 inhabitants.<sup>9</sup> The villages are marred by a number of conflicts with each other, with other neighbouring villages and internally.

There is still an ongoing conflict between Sarask and Dehqalat about irrigation water and a pasture, and an ongoing one between Dehqalat and Kazdeh, also about an irrigation channel. Moreover, there also appears to be a conflict about the forest between Sarask and Tirgaran and probably also Alezhgerew. The latter two villages occasionally collect firewood and cut trees in a forest claimed by Sarask to be its territory. Village internal conflicts centre on the wheat and barley harvest of the former commander of Sarask, which was burnt, allegedly by people from his own village – possibly as an act of vengeance. Further internal conflicts are over alleged discrimination against Ismailis by Sunnis and a number of land disputes sometimes also including an aspect of discrimination between the religious groups. Turning to the conflict profile of the specific conflict around forest usage, it appears to be obvious that the ‘forest-conflict’ has to be viewed in the context of a number of other ongoing conflicts among the villages.

### **2.2 Conflict Profile**

The conflict under examination broke out between the villages of Sarask and Dehqalat about the use of a forest located between the two villages. The forest is mostly used to gather firewood. The conflict broke out during autumn 2002 as people from Dehqalat village went to collect wood from this forest. Upon receiving information about this incursion, people in Sarask gathered in their mosque to debate the issue. The elders decided to send out a group of young men to stop the Dehqalat people. The young men of Sarask succeeded and took the gathered firewood from the Dehqalat people. After this event a village council (*shura*) gathered at the Dehqalat mosque to discuss how to react to the attack. It was decided that people should still go to the same forest to gather wood, but that they should be accompanied by young men. The situation soon escalated and it came to a fight between the young men of two villages. Four or five people from both sides were injured in this fight.

It is not entirely clear to whom the forest actually belonged, but two facts seem to suggest that the village of Sarask was indeed its original owner/user: (1) Since Sarask is significantly smaller than Dehqalat (18–27 households vs. 65–75 households), it appears unlikely that they would have initiated violence to take over the forest. (2) Even after a government decision that gave equal access to the forest by both villages (see below), the villagers of Sarask maintained that it was actually their forest. Probably a similar

Map 1: Wardooj-e Bala with the conflict area between Sarask and Dehqalat indicated



expansion by the villagers of Dehqalat took place with regard to some pastures located close by to the forest. Following the fight at the forest, the relations between the two villages, even though they are in very close proximity, all but ceased. Insults were exchanged and no marriages took place.

First, Sarask turned to the commander of the region, Ashur Beg, who, however, refused to deal with the issue, stating that in peacetime he had no authority concerning such matters. Finally, the Sarask villagers went to the *wolliswol* of the district who decided that both villages, both Sarask and Dehqalat, should use the pasture and the forest jointly. Even though the people of Sarask were not happy, they abided by the decision. Technically the conflict stopped, but relations continued to be bad, with Sarask villagers still emphasising that the forest and the pasture were in fact theirs. In the end, elders of the village of Kazdeh invited the elders of Sarask and Dehqalat to their mosque for a meeting (a *shura*) to mediate in the still simmering conflict. The joint *shura* of elders came to the conclusion that it was better to solve the conflict conclusively. In the end, while the people of Sarask still maintained that they did not agree with the decision of the *wolliswol*, they nevertheless accepted that there was no more conflict between the two villages. With this, a certain degree of reconciliation has also taken place, probably providing a more lasting depth to the resolution of the conflict.<sup>10</sup>

#### *Geographical and Chronological Summary*

Geographically, the conflict centred on a forest and a pasture located on the mountains above the villages of Sarask and Dehqalat (see Map). The mosques of the two villages in conflict as well as the Kazdeh mosque, as important locations of decision-making, negotiations and mediation also play an important role in the conflict. The seat of the *wolliswol* (the district governor) is the last key location of the conflict in question.

The conflict broke out in the autumn of 2002. The two villages in dispute experienced a breakdown of relationships for most of 2003. The *wolliswol* decision was made in summer 2003 and the final reconciliation took place in autumn 2003 during the AKDN/GTZ field research. Currently the conflict is in a phase of resolution and reconciliation.

#### **2.3 Stakeholder/Strategic Group Analysis**

A number of strategic groups/main actors of the ‘forest-pasture’ conflict can be identified. On the level of primary stakeholders one can identify the two directly involved villages, Dehqalat and Sarask. Within these villages a further differentiation according to age groups appears to be necessary. On the one hand, it was the young men of both villages that carried out the fighting. In fact, the unemployed and frustrated young men of the two villages might have even played a significant role in the escalation of the conflict.<sup>11</sup> On the other hand, it was the elders who

gave the initial orders to fight and it was in the end also the elders who negotiated a resolution to the conflict.

On the level of secondary stakeholders the most notable was the village of Kazdeh. The village is connected to the two other villages through their geographic proximity and through a conflict over an irrigation channel. The village of Kazdeh is the first in line along an irrigation channel and in the critical agricultural seasons frequently refuses to let water pass through to Dehqalat and subsequently to Sarask. These conflicts are currently being managed through negotiations by *shuras*.

As the main external stakeholder the *wolliswol* of the region also needs to be mentioned, as it successfully arbitrated the conflict. In a wider sense of course also AKDN and GTZ belong to this category as the villages in dispute belong to their programme areas. None of these organisations are involved directly in the conflict. However, by way of their engagement in the area, they have clear interests in the peaceful and constructive management of conflicts.<sup>12</sup> The mere existence of the present report is an obvious indication of the strong commitment of GTZ and AKDN to conflict transformation.

#### **Textbox 1: Stakeholder Analysis**

For the purposes of conflict analysis, the term stakeholders is taken to mean all those groups which share a common interest in the conflict or which are affected by the conflict in a similar way. These groups are also the most important actors in a peace process – even if at the time in question they are not interested in a peaceful resolution to the conflict. Stakeholder analysis is intended to help understand conflict-ridden relationships and alliances between the stakeholders, as well as the central conflict issues. The aim is to find starting points and partners for peace-building measures. Stakeholders can be divided into three categories in conflicts:

**a) Primary stakeholders** are the parties engaged in the conflict and their active (political or armed, for example) associations or units. Also, the groups that are particularly significant from the development-policy standpoint are those whose lives are directly affected by the conflict.

**b) Secondary stakeholders** play the part of intermediaries and have various means of influencing the course of the conflict.

**c) External stakeholders** are not involved directly in the conflict but do have certain interests (for example the central government, donor governments, multinational companies, neighbouring states).

*Source: GTZ, August 2001. Conflict Analysis for Project Planning and Management. P. 18–19.*

#### 2.4 Conflict Processing Institutions

There are significant changes taking place recently in Wardooj and in the entire research area in general concerning conflict processing institutions. The probably most important conflict processing institution of the anarchic war period were local and regional commanders with various forms of local *shuras* or councils also playing an important role (see also Textbox 1). Now there appears to be a shift away from these commanders towards state institutions, most prominently to the *wolliswol* (district governor). It is not entirely clear, but nevertheless quite probable, that local *shuras* now also play a greater role in resolving local disputes. The reason might be that local commanders had an interest in monopolising conflict resolution, since they regularly took a fee for their judgements from the parties to a conflict that turned to them. Now with the gradually weakening grip of commanders in most areas on the local population, people are freer to chose those conflict resolution mechanisms that they deem most efficient in dealing with their conflicts.

##### *Formal State Institutions*

Of the institutions that have processed the conflict, the most important formal institution and the one that finally resolved the ‘forest-pasture’ conflict is the government

institution of the *wolliswol*. Although we do not have information on the precise decision making process of the *wolliswol*, it appears to have been a simple rule of thumb (both villages should use the pasture and the forest) without serious investigation of past ownership and usage patterns. Probably, the decision even took into consideration the local power constellations, i.e. that in numerical terms Dehqalat was approximately three times stronger than Sarask. In spite of the success of the *wolliswol* with his conclusive ruling, people in Wardooj (and elsewhere in the research area) generally expressed strong reservations about turning to either commanders or to government institutions in cases of conflict, because these authorities were said to impose heavy fines on all parties and only then make a decision about the issue of dispute.

##### *Formal Non-State Institutions*

The most important formal non-state institution in the conflict, the ‘NGO-*shuras*’, have played no significant role in either escalating or managing the conflict. Formal institution is understood in the sense of having a written constitution respectively rules of procedures and being less grounded in tradition or habit. NGO *shuras*, often also called agricultural *shuras*, have been established by NGOs and IOs to serve as points of contact when dealing with

#### Textbox 2: Shuras

Until recently, a confusing array of *shuras* existed in the research area: traditional *shuras*, *shuras* established by NGOs and most recently, secretly elected *shuras* established in the course of the National Solidarity Program (NSP).

Traditional *shuras*, as characterised by an ICG report (Peacebuilding in Afghanistan, September 2003) appear to be ad hoc in their composition and strongly dominated by the locally powerful. As part of the their community mobilisation efforts several NGOs, including AKDN, have also motivated the establishment of new *shuras*. These were somewhat more independent of local power structures and thus more in the service of the people than the previous ad hoc *shuras*.

Finally, with the inception of the National Solidarity Program, a new set of *shuras* is now being established. The NSP is a programme of the World Bank in co-operation with the ATA, in which the GTZ is also a partner. It is being implemented by NGOs, in Badakhshan by AKDN. Secretly elected village *shuras* (Village Development Councils) will have the responsibility to plan and allocate village development funds provided by the World Bank. Recently AKDN has made these *shuras* the main focal point when approaching villages thus absorbing all other ‘NGO *shuras*’ in it.

In general, as instruments of conflict management, *shuras* have to be evaluated positively. The more democratic and transparent they are, the more independent they also seem to be from local power structures and the influence of commanders and thus the more efficiently can they represent their community’s interests. They are of course not free from attempts at external influence. However, even in Khoustak, a *mantaqa* that is still quite firmly under the control of a relatively independent commander, the research teams suggested that while the commander might be able to misuse some of the funds allocated to *shuras*, he can not misuse it all. With the stricter procedures of the recently elected NSP *shuras* such misappropriation might become even more difficult. Previously, the Khoustak commander has suspended several of AKDN’s ‘NGO *shuras*’ if their membership did not seem to be sufficiently loyal to him. It is questionable, however, whether he will also be able to thwart the NSP elections. Thus in the long term, the new NSP *shuras* could prove to be a powerful tool against commanders and against the abuse of other non-legal power structures or claims against communities in all but the most lawless areas.

local communities (e.g. as help for beneficiary selection, etc.). In addition to their function as contact points they were usually also entrusted with conflict resolutionary tasks. It is thus stunning that the local NGO *shura* did not play any meaningful role in resolving the ‘forest conflict’. There might be several reasons for this. Firstly, the NGO *shura*, composed of some five semi-democratically elected members<sup>13</sup> might simply not have the authority to decide on a case of ‘war’ or peace against a neighbouring village. This was done by a ‘general assembly’ of the male members of the villages. Secondly, since once the conflict had turned violent, relatively deprived young men of the villages became major stakeholders in it and thus had to be reigned in. Once again, it seems that the authority of the NGO did not suffice to control young the young men. Instead it was the elders, the ‘white beards’ (*oqsaqol*), who could achieve this. Partly because social control as generational control is still mostly functioning in the Badakhshan research area;<sup>14</sup> the prominent role of the elders in attaining reconciliation, however, also appears to be connected to role expectations: It is simply more appropriate for elders to forgive and support reconciliation than for young men.

Lastly, there appears to be a large variance throughout the AKDN project area, with regard to the effectiveness of the NGO established agricultural *shuras* depending on the motivation, legitimacy and the capabilities of their members.

#### *Informal Institutions*

Two informal institutions, in the sense of traditional non-state institutions, exist on the local level with the capacity to manage and resolve conflicts: traditional *shuras* (councils) and the institution of the local commander. The informal institution of the traditional *shura*, once as a general assembly, once as a meeting of the elders, played a prominent role both in escalating and resolving the conflict. Interestingly, it was not the ‘NGO *shuras*’ who decided about the initial violence in the conflict, but a general gathering at the mosque. It is equally interesting that in the end once again it was not the NGO *shuras*, but the elders that participated in the final reconciliation. As has been mentioned, the reason might be that they were the only source of authority that could definitely reign in the group of young men who seemed to have developed their own stake in the conflict. The fact that the government officials, most notably the *wolliswol*, tend to impose fines on or at least demand heavy fees from those seeking their decisions in conflicts, has had an unintended effect: It seems to strengthen local, semi-formal institutions in negotiating solutions to local conflicts. The ongoing irrigation-water debate between Sarask, Dehqalat and Kazdeh is now being negotiated by such institutions: „Thankfully now this conflict [i.e. the water conflict] is being managed by negotiations between Arbobs, the commanders<sup>15</sup> and *Shuras* and there is no record of violence in recent years.“<sup>16</sup> While this is very positive, these local institutions do not seem to have the capacity to bring about *binding* decisions, partly because their authority is

limited to one village (with the new NSP *shuras* this might partially change) and partly because they simply lack the authority and the enforcement capacity to make such decisions binding.

While traditional *shuras* did play an important role in the development of the conflict, the other informal local institution, the local commander, did not play any significant role. The wartime local commanders have been disarmed and lost most of their power, while the still powerful regional commander, Ashur Beg, refused to deal with the problem and referred it instead to the *wolliswol*.

#### *Networks*

Three networks seem to have played a role in this conflict: the network of young men that escalated the conflict, the network of elders who, from the the village of Kazdeh, brought together the elders of the other villages in conflict, Sarask and Dehqalat. In a wider sense, of course, also the three villages themselves can be considered as networks.<sup>17</sup> Beginning with the villages, they can be considered as dense and highly cohesive network clusters (many connections within the network of the village), but with only relatively fewer and weaker linkages (bridges) between the networks of the different villages. The density of network links within the villages can be explained through the proximity of habitation, frequenting the same mosque on Fridays and festivities, kinship ties, common ownership and usage titles (e.g. to forests or pastures) and strong common identity. The weaker linkages (bridges) between the villages are constructed through kinship (marriages)<sup>18</sup>, occasionally friendships, religious ties or common belonging to a social or socio-economic group, etc.

The high density of the network within the villages can partly explain the functioning of social control and why the villages frequently appear as collective social actors within Badakhshan. Even though various different levels of regional identities could be observed in the programme area, i.e. household, village, *mantaqa*, district (*wolliswoli*) and province, the household and the village were those most frequently encountered as still discernible collective actors. Collective action on the *mantaqa* or even district level seems to be very rare.

This is the setting, within which the two other networks, those of young men and those of the elders, were functioning. The high density within the networks of young men – with probably low connectedness beyond their respective villages – helps partially explain the escalation of violence: within dense social networks social sanctions are particularly effective. Members that deviate from network internal norms can be swiftly and comprehensively punished – through shaming and exclusion from reciprocal exchange. In fact, dense social networks with the capability of delivering severe social sanctions are one of the key preconditions of collective violence.

Contrary to the dense network of the young, the network of ‘conciliation’ of the elders had to rely on weaker ties.

These were, however, ones that bridged the gaps between the internally dense, but externally not communicating networks between the two hostile villages. They contacted those prominent elders of the two villages in conflict whom they knew. Lastly, the dense networks within the villages enabled the elders to control and reign in the violent young men. This leads to the last aspect of conflict processing institutions: social control.

### *Social Control*

Functioning social control, especially in connection with dense network structures, appears to have played an important role first in the escalation of the conflict to violence (in fact informally organised violence must frequently rely on social control to mobilise fighters) and later in its control through the elders. As has been mentioned in the section on youth, the social control of elders over the younger is still mostly intact in Badakhshan. However, this control seems to be mostly restricted to within the village. It is also a sign of functioning social control that for violence to be initiated (in the case of Sarask in defense of their forest, in the case of Dehqalat in defense of those collecting wood in the forest) this was decided on the general assembly of the villages at the mosque.

It has to be emphasised that strong and functioning social control is mostly related to the village. One can speculate that there might be some forms of social control functioning within networks bridging the dense networks between the villages, e.g. among the elders who know each other or between networks of kin not belonging to the same village. This social control, however, does not seem to be particularly strong. Though strictly speaking not relevant to the current topic commanders appear to have been acting rather independent of the traditional social control of their villages. The loss of power of several of the commanders

in the Wardooj area (through the disarmament conducted by Ashur Beg) and the apparently voluntary partial withdrawal of Ashur Beg from everyday politics makes this group of actors currently less relevant.

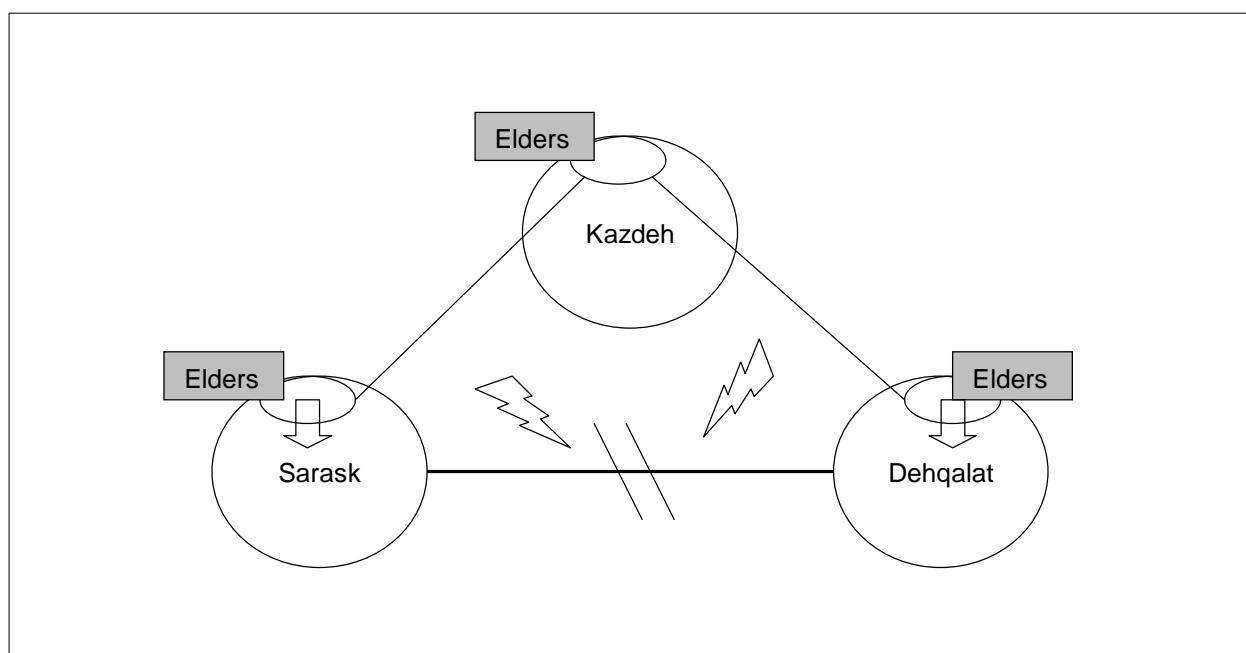
## 2.5 Analysis of the Sources of Conflict

### *Economic and Ecological Factors*

A number of separate causes have to be distinguished with regard to the conflict. One set relates to the resource side of the conflict. The Wardooj Valley, as several other parts of the country, is characterised by severe environmental degradation. Quoting a 2001 Strategic Monitoring Unit (SMU)<sup>19</sup> report on Badakhshan: „The reduction in tree cover has resulted in the search for fuelwood becoming a major undertaking and villagers reported spending an extraordinary amount of time in this activity.“<sup>20</sup> The drought and general environmental degradation have also put additional pressure on pastures, which now tend to be overgrazed and so more reduced in quality. In addition to the increasing environmental problems, the return of refugees has put further strain on local resources. Obviously, survival is therefore difficult in the region. For example, an interviewee from Kazdeh reported a large number of men having agricultural or some other occupation for only 3–4 months a year.<sup>21</sup>

### *Security Factors*

The second set of conflict causes explains (1) why the dispute turned violent, and (2) also sheds light on the only (limited) violent course that the conflict took. This set of causes relates first and foremost to the lack of a physically and legally secure environment. There is no firm monopoly of violence of the state. In such a vacuum, Dehqalat, the numerically strongest of the cluster of villages in the dispute, appears to be slowly encroaching on the resources



of its weaker neighbours. Kazdeh, only about 25 % smaller than Dehqalat, seems to be in a better position to resist these encroachments than the much weaker Sarask (about 60 % fewer inhabitants than in Dehqalat). There are, however, also positive aspects to be emphasised. The disarmament of the local commanders must have contributed significantly to the relatively controlled degree of violence experienced in the conflict (only sticks and stones were used in the fighting, and no firearms). In conclusion, the picture that offers itself for the Wardooj Valley is that of an area where self-help through violence is still possible and feasible. Due to the disarmament of the area by its supreme commander Ashur Beg, limits have been set to the violent escalation of such conflicts. The fact that with disarmament the commanders of the villages have lost most of their power, contributes probably also to the only reduced level of violence.

#### *Legal and Institutional Factors*

The general lack of a firm legal institutional structure can be considered to be a major cause of the Wardooj forest conflict in particular and of several other conflicts in the region in general. The lack of a firm monopoly of force by the state motivates non-state actors to use violence to achieve their aims. Similarly the lack of adequate legal institutional remedies might force people or groups (families, villages, etc.) to seek solutions to their disputes through violent self-help and not through institutional avenues. Finally, the lack of a clear institutional structure to deal with disputes that arise and the related lack of clear and coherent legal regulations might also encourage a predatory manipulation by individuals or groups: if there are no clear rules „anything goes“.

The regulatory vacuum and/or incoherent set of regulations in Afghanistan is particularly pronounced with regard to land rights. As the very thoroughly researched paper of AREU on land rights rightly points out:

„At this point in time, multiple claims, each with its own historical legitimacy, may exist over the same land. The law, and the documents or testimony it generates, is plural, complex, uncertain, incomplete and currently unenforceable.“<sup>22</sup>

Given the wide-ranging lack of regulation with regard to land tenure, rural areas that are currently still managing their issues in the relative absence of the state, frequently revert back to customary law. This is considered by the AREU report to be a practical intermediate solution:

„With instability and coercion by warlords over the last decade, land rights management and dispute resolution has lost credibility in many areas. Most rural Afghans regulate their land ownership relations customarily, without using officials or courts. Customary sector management offers a strong foundation, but is rife with practices that favour wealthier elites, men and dominant ethnic groups.“<sup>23</sup>

A further major problem in connection with customary law is that it seems open to challenge by force. Thus while it

appears to be rather clear that under customary conditions a common, village based ownership of pasture or forest does exist,<sup>24</sup> this is frequently being challenged by force by stronger neighbouring villages or coalitions of villages. In other words, even customary rules of ownership require enforcement – preferably from the state. Non-state formal or informal institutions could partly fill this gap, providing judicial and executive services for land disputes. There are, however, few such institutions available in the research and programme area: the *shah* in Ismaili areas, the local commander or the *arbob* or *khan* – all these institutions have lost a lot of their traditional power. Moreover, from a perspective of development and respect for human rights and democratic values it does not seem recommendable to revive these institutions. In conclusion, for most practical purposes there is no other viable institution to adjudicate above the village level than the state.

Thus, the existence of a higher legal instance in the person of the *wolliswol*, who has the capacity to make binding decisions above the village level, has to be evaluated positively from the perspective of conflict management. This capacity offers parties to a dispute an alternative to the escalation of violence. The impression that the decision was not based on a thorough investigation of the legal claims together with the fact that regularly high fines or fees by *wolliswols* were imposed does, however, make villagers less likely to turn to the government for help in conflict situations. The crucial conclusions of this section have to be emphasised once again: It appears that within the villages customary law based decisions can be made by some formal, but mostly by informal, traditional institutions (*shura* of the elders, general assembly of the village). In disputes between the villages such law based decisions are much less likely. Instead disputes are negotiated with the aim of reaching compromise solutions. Compromise solutions, however, can have a tendency to encourage the predatory use of violence or other irregular means of acquiring wealth and thus to promote conflict. In this sense lack of firm and efficient law based regulation of disputes between villages has to be understood as a main facilitating cause of conflict cause of conflicts.

#### *Factors that Perpetuated the Conflict*

A significant factor contributing to the escalation and later to the perpetuation of the conflict were the groups of relatively disadvantaged young men in the two villages who discovered a stake for themselves in the conflict. This is no peculiarity to Afghanistan or Badakhshan; the engagement particularly of young men in organised violence has been repeatedly observed in conflict areas.

#### **2.6 Dynamics/Scenarios**

A possible positive scenario is conditioned on two factors: Firstly, on further increasing state capacities in the region that can provide physical and legal security and effectively bring existing disputes to a close. The second factor relates

to finding a solution to the environmental and livelihood problems the people in the area face. NGOs can play a significant role here. In cases where the two preconditions of a positive scenario are fulfilled, more regulated conduct of conflicts as well as fewer resource conflicts in general are likely to occur in the area.

Negative scenarios are subject to the two conditions of increasing state capacities and solutions to environmental and livelihood problems not being fulfilled. In this case, a further increasing reliance upon the poppy as the main commercial crop as well as continuing, probably increasing, violence in the acting out of resource conflicts can be expected.

### **3. Conflict Management/ Conflict Resolution Systems**

For identifying ways of how GTZ/AKDN project activity could contribute to stabilisation and strengthening peace potentials, this must build on existing conflict management techniques and institutions. Dealing with conflicts in the region is on the one hand characterised by unilateral action in carrying out a conflict and by avoidance and acquiescence, but also by various forms of conflict management including negotiations, mediation, reference to a third party for arbitration or a binding ruling. In general, traditional conflict management and conflict resolution patterns appear to be remarkably sophisticated and, given the quasi-stateless context of the area, very efficient.

#### *Social Values and Conflict Culture*

As a general remark with regard to social values surrounding conflict culture, the high value of forgiveness, e.g. in cases of murder, has to be positively emphasised. Moreover, there is no strongly developed weapons culture.<sup>25</sup> Both these features contrast sharply with cultural traits from other parts of Afghanistan like the Pashtun tribal belt. On the more negative side, honour values do frequently call for violent retribution, e.g. where the integrity of the women of a family is perceived to have been violated. Even within the province and the narrower research area, differences can identify social structural characteristics that nurture violence, apart from cultural dispositions towards violence. In this vein, the Ismaili areas of Yakh Duroo and Wakhan appear more peaceful than Jurm or other central Badakhshani areas. In fact, during the research we frequently noted the following self-description of Ismailis: „We don't wash blood with blood like others in Afghanistan [presumably Sunnis or Shiites].“<sup>26</sup> While there might be some truth in the saying, the teams nevertheless also noted fights and killings among Ismailis.<sup>27</sup> Therefore, this saying might partly express the lower, discriminated against and thus relatively powerless position of Ismailis in disputes with non-Ismaili neighbours.

#### *Institutions of Conflict Resolution*

Given this cultural embedding of violence and conflict, the main conflict resolution institutions appear to be *shuras* and commanders on the local level with the emphasis currently shifting towards the *shuras* – more precisely those recently established by NGOs or, even more recently, by the National Solidarity Programme (NSP). Other local institutions might be the elders of a community<sup>28</sup>, a more traditional form of *shura* that is open to all men of a community (frequently meeting in the local mosque, etc.). In principle, local notables, such as the *arbob* or *khan*, might also serve as a local conflict resolution institution. Moreover, in Ismaili areas the traditional religious leader, the *shah*, also served as an institution of conflict resolution, though usually of a higher order than the local *shura*. Currently, as in many other aspects of life, they seem to be losing influence. Local *shuras* are routinely dealing with a number of distribution issues connected with agricultural and other economic and social activities and can on occasion mediate and negotiate in more complex and more consequential problems, such as land disputes between families or villages, etc.

Basically there appears to be a strong preference for disputes within a village and between villages to be solved by *shuras*. The reason for this is the fees or bribes government officials or commanders impose upon the disputants:

65-year old man, Sarask village, Wardooj-e Bala:

„The people are less [frequently] referring to the district government to solve their conflicts because the governor mostly imposes big fines on both sides.“<sup>29</sup>

55-year old man, Fitoor village, Wakhan:

„If a conflict happens in our village, at first we try to solve it by our selves, if we could not do it we go to the government or the commander. We bribe the commander with two to three livestock and then he solves our problem.“<sup>30</sup>

It seems that these fees can become an important source of income for commanders or district government officials, like *wolliswols*. In addition, to whom people turn to for legal rulings might also be understood by commanders and government officials as a symbol of authority and sovereignty over a certain territory. For these two reasons, i.e. fees as income and sovereignty, some commanders invest significant energies in forcing or compelling people to turn to them with their disputes:

E.g. a man of unspecified age from Ughan village, Khoustak:

„If we refer [our conflicts] to the Jurm government, the commander here [i.e. Qudbuddin] imposes big fines on us.“<sup>31</sup>

In some cases our teams even suspected a vested interest of commanders in keeping conflicts alive or even in escalating them.

Local *shuras* appear to be the first option for solving conflicts that have reached a level where fighting the conflict out or avoiding it altogether no longer seem

appropriate to the communities involved. If the *shuras* fail to find a solution, as already mentioned, they refer the issue higher – unilaterally or in agreement with the other party to the conflict. As mentioned above, this higher level is increasingly often no longer the commander but a government official and it usually only takes place if the costs of keeping the conflict local become unacceptable for the communities, i.e. this is something like a „state on demand“.<sup>32</sup>

The system of local level *shuras* and its higher instance, the arbitration of commanders or *wolliswols*, function with a degree of efficiency in local level disputes where the given higher authority is not a priori involved. In cases such as the Khoustak ‘discrimination’ conflict or the ‘Khandud clinic construction dispute’, there is no real institutional avenue and solution open to the wronged local parties as the main authorities of the *mantaqa*, the commanders and/or the *wolliswol* were involved in the alleged incident. Rarely, people or villages are known to complain to higher levels of a hierarchy, i.e. to a superior commander, such as Sardar Khan, or to the Provincial Governor. However, we are only aware of one case in which a trader, whom Wakhan commander Jan Mohammad intended to tax, directly threatened the commander that he would complain to the provincial Governor. As a result of the threat, Jan Mohammad allegedly dropped his request.<sup>33</sup> With regard to NGO projects, complaining to the NGOs themselves should, in principle, be an available institutional venue to process grievances. With state building, new institutional mechanisms are also slowly becoming available to people to state their cases. One such institution is the Independent Human Rights Commission that also has an office in Faisabad.<sup>34</sup> Though no complaints are known of in our narrow research area, some communities are known to have complained to the commission about human rights abuses by commanders or alleged unfair treatment by authorities or international organisations and NGOs.<sup>35</sup> Unfortunately, so far only very few cases have been solved by the commission.

#### *Principles of Conflict Resolution Decision-Making*

On the local level, conflict resolution between *shuras* appears to be based on compromise, rather than on any firm legal<sup>36</sup> principle. Apart from negotiation based compromise, *shuras* only seem to have binding decision-making power within their own villages. Possibly such an instance is recounted in the Wardooj-e Bala case study (see Section 2) when the elders of the affected villages decided to settle the conflict and to reconcile the villages in conflict. Their authority might have been necessary to keep the young people of the villages from continuing the fight. A similar case of binding decision-making power of shuras was noted in Valij, Yakh Duroo *mantaqa*, when, due to the large number of addicts in the village, the village *shura* decided to ban the sale of opium.<sup>37</sup> It is social control that enables decisions to be binding on the local level. In conclusion,

the observed conflict resolution systems in Badakhshan are quite efficient in dealing with conflicts **within** villages, but suffer of a deficiency when dealing with conflicts **between** villages. Here they can only negotiate solutions usually leading to compromises. Rule and (traditional/customary law) based decisions are thus very unlikely in conflicts between villages. Unfortunately, however, compromise based systems tend to encourage the breaking of rules (e.g. by violent means) because rules are not the basis of solutions but power and connections. Thus above this village-internal level, the available formalised (NGO and NSP *shuras*) and traditional institutions relying on social control to function are insufficient to effectively manage conflict. Effective conflict management would require enforcement. This service at the moment can only be provided by the state or by commanders.

Above the level of local conflict management institutions, commanders and government officials are in principle capable of delivering binding verdicts. Usually, they claim to follow sharia laws or customary local law respectively. In practical terms, several of their decisions seem to amount to nothing more than compromise solutions based on the balance of power of the parties to the conflict. An example is the Wardooj-e Bala case study in which the forest in question was simply allocated to both villages. Another mixed case, in which a higher level authority, in this case the local *khan*, made a decision together with the *shura* is briefly recounted by an interview:

55-year-old man, Dogor Gunt village, Wakhan:

„Two people fought with each other for a garden, the community *Shura* could not solve this problem, they referred it to Hakim Bik. Together with Hakim Bik the *Shura* solved the conflict by giving the trees to one person and the land of the garden to another.“<sup>38</sup>

It was probably the more binding authoritative word of Hakim Bik that made his participation necessary for the ruling to stick. Moreover, as has been hinted at already, these higher authorities, i.e. *wolliswols*, commanders and traditional notables, are often corrupt:

25-year old women, Ilue village, Khoustak:

„Sometimes conflicts happen around the paying back of the debts. We usually refer such cases to the commander for a solution. [But then it also happens that] the money lender bribes the commander with some money and the money borrower will lose some of his assets and has to pay back his debts [because he is forced by the commander].“<sup>39</sup>

In conclusion, despite the fact that the decisions made at the superior instance of conflict management are often flawed and are based on mere compromises, and that these decisions are often influenced by bribes, their binding character can, at least temporarily, halt conflicts and thus fulfil an important social regulatory function. Though government decision-making currently also appears to be only a suboptimal solution to local conflicts, it seems to be nevertheless superior to the ‘justice’ of commanders.

One last comment is necessary with regard to the pervasive use of ‘compromise’ as a principle of conflict management. While frequently compromises can offer positive solutions to conflicts, in some types of disputes this principle of conflict management also seems to include a serious downside. This downside becomes relevant in conflicts that break out not because of some ambiguity of rules, e.g. of property or usage rights of land or water, but because one party breaks the existing rules and encroaches on the rights of the other. In the case studies two such examples were recounted. Neither the ‘Khoustak discrimination’ nor the ‘Wardooj resource conflict’ appear to be ‘mere misunderstandings’ about property and usage rights. Instead, stronger villages<sup>40</sup> and coalitions were systematically impinging upon the rights of weaker villages. The aggressors in Wardooj enjoyed a roughly 3:1, in Khoustak even a 5:1 numerical superiority over the people whose property and usage rights they were violating. To illustrate the intricate link between disputes and the real balance of power:

42-year old man, Urgund village, Wakhan:

„We had a conflict with Dogor Gunt village over a forest. Before the forest used to be ours but we became weak and the Dogor Gunt villagers captured the forest.“<sup>41</sup>

Compromise solutions to such conflicts, i.e. acquiescing in the takeover of land by one side or giving equal rights to forest usage where previously none existed, simply confirm the aggression and reward the aggressor instead of reinstating the *status quo ante*. In the long run it thus encourages the use of violence in achieving economic, political, etc. goals rather than its elimination. The opposite is, however, also possible: the full adherence to legal procedures and the delivery of a more impartial justice. As an example the *wolliswol* of Jurm recounted, how he followed a full legal sharia procedure through in a murder case Khoustak.<sup>42</sup>

In summary, the prospects for Badakhshan province are not discouraging. After more than twenty years of civil war, the province is still far away from a situation that could be characterised as ‘rule of law’ or any higher degree of legal or physical security. Nevertheless, conflict intensity and the level of violence in conflicts appears to be decreasing. Parallel to these developments modes of conflict management and resolution are also changing. Even though the conflict resolution and management systems are still characterised by significant legal pluralism, peaceful, local conflict management systems (traditional *shuras*, ‘NGO-shuras’) appear to be gaining in importance. Similarly, legal conflict management systems offered by the state also seem to gain in significance. Both developments correspond to a decrease in power and political authority of the war-time custodians of political and legal rule: the local commanders. This is a very positive development, as, despite their significant shortcomings, both the local, informal conflict management institutions (*shuras*) as well as the rudimentary legal services offered

by the state appear to be more impartial and more in the service of long-term stability than the justice offered by commanders and warlords.

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<sup>1</sup> The Do No Harm principle as developed by Mary B. Anderson has become part of the current development dogma (See Anderson, Mary B. (1999) Do No Harm. How Aid Can Support Peace – or War. Boulder/London.

<sup>2</sup> ‘Commander’ (in Dari: *khomandon*) is the generic term in Afghanistan for self-styled military leaders. The meaning is occasionally used in the sense the Western Press uses the term ‘Warlord’, referring to major politico-military leaders like Abdurrashid Dostum from the northern Afghan provinces around Mazar-i Sharif or Ismail Khan from Herat. At the same time, the term ‘commander’ also refers to small, sometimes subordinate, frequently semi-independent militia leaders of the Afghan provinces.

<sup>3</sup> Manuela Leonhardt (2001). Conflict Analysis for Project Planning and Management. GTZ: Eschborn, <http://www.gtz.de/crisisprevention/download/conflictanalysis.pdf>.

<sup>4</sup> See also Anderson, Mary B. (1999), ibid.

<sup>5</sup> Commanders tend to take fees for mediating or arbitrating in conflicts. Being the responsible judge for conflicts in an area also symbolically confirms the power of a certain commander and is accordingly expected by them. E.g. the commander of Khoustak reportedly dissuaded people from going to the district capital Jurm. Moreover, commanders frequently use local conflicts as opportunities to attack rivals. In a recent report, ICG has also emphasised the manipulation of local conflicts by commanders (The International Crisis Group (ICG) 2003. Peacebuilding in Afghanistan).

<sup>6</sup> In fact, according to a recent news item, a very similar battle broke out again in Argo claiming some 20 lives (RFE/RL News Summary Southwestern Asia & The Middle East, 9 February 2004. 20 Die in Clashes Between Warlords in Northern Afghanistan).

<sup>7</sup> SMU Area Reports. Badakhshan. May 2001, p. 3.

<sup>8</sup> Fahima, Sarask village, 7 October 2003.

<sup>9</sup> During the research in September/October 2003 the Wardooj Team counted 27 households for Sarask and 85 households for Dehqalat. Since they did not conduct a formal household survey, these figures are not listed in the main body of the text.

<sup>10</sup> Recent research increasingly suggests that reconciliation and forgiveness (not necessarily in the religious sense of the word) are integral parts of lasting conflict resolution (e.g. Lederach, John Paul (1997) Building peace. Sustainable reconciliation in divided societies. Washington D.C.; Long, William J. and Brecke, Peter (2002) War and Reconciliation: Reason and Emotion in Conflict Resolution. Cambridge.

<sup>11</sup> Marc Theuss, MER Unit: Field Report, 19 October 2003.

<sup>12</sup> See definition of 'stakeholdership' (textbox).

<sup>13</sup> Usually a Head of the *Shura* and his deputy (*Rais-e Shura*), a treasurer and two additional members.

<sup>14</sup> This is in stark contrast to some parts of Kyrgyzstan as the conflict research there showed.

<sup>15</sup> Both commanders are now disarmed and have lost most of their power.

<sup>16</sup> Kazim, Sarask village, 14 October 2003.

<sup>17</sup> Under the term network we understand a structure of regular interaction between a larger number of individuals or collective actors.

<sup>18</sup> In fact, arranging marriages between formerly hostile families is a frequent tool of conflict resolution throughout Afghanistan (e.g. ICG September 2003, Peacebuilding in Afghanistan).

<sup>19</sup> The SMU is the predecessor of the Afghanistan Research and Evaluation Unit (AREU), an independent research organisation that conducts and facilitates action-oriented research and learning that informs and influences policy and practice.

<sup>20</sup> SMU, Badakhshan, SMU Area Reports, May 2001, p. ii.

<sup>21</sup> „Most of the men have work only for 3 to 4 months a year; after that they don't have anything to do“, Fahima, Kazdeh village, Wardooj-e Bala, 6 October 2003.

<sup>22</sup> Wily, Liz Alden (2003) Land Rights in Crisis: Restoring Tenure Security in Afghanistan. Issue Paper Series. Afghanistan Research and Evaluation Unit: Kabul and Islamabad, p.1.

<sup>23</sup> Ibid. p.3.

<sup>24</sup> To quote another example, a the village of Pular in Khoustak entered an agreement with a nearby village in Wardooj valley to use the forest in Wardooj for collecting wood. In exchange the Wardoojis can use the pasture of Pular (Romin Fararoon, 28 March 2004).

<sup>25</sup> At least nothing compared to what is reported from the Pashtun tribal belt (e.g. Bernt Glatzer, 'Schwert und Verantwortung: Paschtunische Männlichkeitsideale' and Erwin Orywal, 'Die Ehre der Gewalt: Recht und Rache in Belutschistan.' In: Erwin Orywal, Arpana Rao and Michael Bollig, eds. (1996) Krieg und Kampf – Die Gewalt in unseren Köpfen. Berlin. Also most of our interview partners commented very positively on a possible future disarmament conducted by the government: *Question:* What do you think about disarmament, is there any one in the village who has a gun? *Answer:* It will be very good if the government collects the weapons. (Interview by Mahboob Shah, rich man of unknown age, Shafchan Village, Khoustak, 8 October 2003.)

<sup>26</sup> E.g. Khandud, Wakhan, 27 September 2003.

<sup>27</sup> E.g. interview by Nawroz, Eshmorgh village, Wakhan, 14 October 2003.

<sup>28</sup> See e.g. the Wardooj-e Bala case study.

<sup>29</sup> Interview by Alim Bik, 14 October 2003.

<sup>30</sup> Interview by Kako, 21 October 2003.

<sup>31</sup> Interview by Mahbub, 8 October 2003.

<sup>32</sup> Quoting Jan Koehler.

<sup>33</sup> Debriefing with Wakhan research team, close to Qazideh village, Wakhan, 21 October 2003.

<sup>34</sup> Unfortunately, and in spite of repeated requests, they were unavailable for a meeting with the conflict research team.

<sup>35</sup> Interview with Independent Human Rights Commission, Kabul, 8 December 2003.

<sup>36</sup> The term 'legal' should not exclusively be understood in the sense of state law, but also of customary law.

<sup>37</sup> Valij, 8 October 2003.

<sup>38</sup> Interview by Nawroz, 19 October 2003.

<sup>39</sup> Interview by Shakila, 12 October 2003.

<sup>40</sup> It must be emphasised that it is the village that appears to be the principle unit of collective action – not networks, family, clan, tribe and the like.

<sup>41</sup> Interview by Nawroz, 17 October 2003.

<sup>42</sup> This case is also remarkable because it was the first such case from Khoustak that was forwarded to the Jurm *wolliswol* and not to the local commander (interview, Baharak, 24 October 2003).

## SABINE FISCHER

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# Macedonia: Some Considerations on Identities and Conflicts

*Philipp Casula, Berlin*

The strengthening of ethnic identities throughout Eastern Europe after the collapse of communism has been widely perceived as a nationalist „regression“ in terms of modernisation. Sometimes nationalism has had positive effects like in Slovenia, Estonia or Poland. However, often it turned into ethnic politics with destructive consequences like in Armenia, Georgia or Moldova. One commonly given reason is that collectivist nationalism replaced collectivist communist ideology. This is of course very simplistic. Recent publications clearly distinguish between „objective“ reasons for nationalism and „subjective“.<sup>1</sup> The former comprises for instance socio-economic features.<sup>2</sup> The latter is about national identity. Research often stresses only one face of nationalism. It would be more appropriate to see the interplay of both factors. Nevertheless, the subjective reasons are often disregarded and dismissed as „primordial“. It is exactly by drawing on these subjective reasons, on identity, that nationalism strongly and effectively mobilises people after the change of political regime. This is astonishing since ethnic identity is commonly seen as a highly artificial characteristic. The issue can be very well exemplified by the case of Macedonian identity. In the following considerations I will show how Macedonian identity has been constructed in a brief period of time with a very fragile ethnic foundation. After a short introduction into the developments since Macedonia gained its independence I will explore the roots of Macedonian national identity, the efforts to consolidate them in the 19<sup>th</sup> and 20<sup>th</sup> centuries and the problems which arose after independence and persist until now. In the light of these reflections I will conclude with some remarks on the Ohrid Agreement.

Macedonian independence in 1991 has been the big exception in the dissolution process of Yugoslavia: It was the only republic that managed to secede peacefully. There were not even minor clashes between the National Yugoslav Army and the Territorial Defence Forces like in Slovenia. The major reason for this phenomenon is the minor importance Milošević gave to the Republic due to the small Serbian minority. Moreover, there was a certain kind of alliance between the Macedonian and the Serbian elites since the former developed under Serbian dominance after World War II. After ten years of seemingly peaceful independence, the armed conflict between Albanian rebels and Macedonian security forces in 2001 surprised many political observers. Some even described the Macedonian case of interethnic relations as a success story.<sup>3</sup> In fact, the worsening relationship between Slavic Macedonians (64.2 % of the population according to the census of 2002) and Albanians (25.1 %) in the country has been anticipated by a long record of hidden interethnic economic, political and cultural tensions<sup>4</sup>. In view of the experiences of Bosnia and Kosovo, the international community tried not to

repeat the errors of the past and quickly intervened.<sup>5</sup> With the direct involvement of the EU, the Framework Agreement of Ohrid was signed and the conflict – at least for the time being – settled. However, the recent clashes between Macedonian security forces and Albanian rebels underline that the Agreement has not been able to solve the underlying problems in Macedonian society and state.

The fragility of the Macedonian state and its lack of legitimacy have several reasons comprising internal and external factors. The latter are relatively easy to identify. They included disputes with Greece about the name and the state symbols; the economic decline in Serbia<sup>6</sup> together with the tensions between the two national churches; issues concerning the common history with Bulgaria, and the Albanian issue in Kosovo as well as in Macedonia itself. The armed conflict in Kosovo definitely contributed to the escalation of interethnic clashes in Macedonia. The internal factors are more difficult to spot. At a first glance, two characteristics of the domestic situation are especially relevant. On the one hand, this is the rapid and severe deterioration of the economy during the 90s, with the GDP at 78,5 % of the 1989 level and an unemployment rate of 42,0 %.<sup>7</sup> On the other hand, a specific factor adding to the instability of Macedonian society is the complexity of interethnic relations in the country, especially between Slav Macedonians and Albanians. Both factors are linked, since ethnic segregation is usually interwoven with economic segregation.<sup>8</sup> Due to cultural traditions and political constellations, ethnic identities and interethnic relations have a special relevance in Macedonia.

The linguistic curiosity of the Italian word *macedonia* and the French *macédonie* denoting not only the country and geographical area but also a mixed fruit-salad underlines that the region is known for its very heterogeneous ethnic composition.<sup>9</sup> Of course, ethnic diversity makes it hard for a young state to develop a sense of nationality: *ethnos* and *demos* fall apart and a so-called stateness problem arises.<sup>10</sup> This is the reason why an ethnic definition of „Macedonian“ is somehow tricky. In a stricter ethnic sense, the Macedonians are a South-Slavic people living in a region comprising the southern part of former Yugoslavia, Northern Greece, Western Bulgaria and even parts of Albania. The transition from Macedonian *ethnicity* to Macedonian *nationality*, i.e. the politicisation, mobilisation, and territorialisation<sup>11</sup> of the Macedonian community, first took place at the end of the XIX<sup>th</sup> century and was revitalised with the establishment of the Macedonian People's Republic and of course with the foundation of an independent state in 1991.

It can be said that the Macedonian nationality, its symbols and myths, its origins and, in short: its legitimacy, have always been heavily contested. By the Serbs who

considered the Macedonians as „South-Serbs“, by the Bulgarians who considered them Bulgarians, and by the Greeks who claim the „copyright“ on the term „Macedonia“ and on its cultural heritage. It has therefore always been a major task of Macedonian elites and of all Macedonian governments to create or invent something like a national tradition and mythology in order to underpin their claim for a place among other nations.<sup>12</sup> Actually, there has been no independent Macedonian State since Philip II. and Alexander the Great, and to which extent this state really was a „Macedonian“ state is highly disputed. Certainly, it was not the beginning of the present-day Macedonian national identity, since the Slavs settled in the region in the sixth century AD. Later most of them considered themselves Bulgarians and continued to do so for a long time.<sup>13</sup>

The first manifestation of Macedonian identity – if it is possible to mention a clear date at all – took place in 1893 when the „Internal Macedonian Revolutionary Organisation“ (VMRO) was founded in Thessalonica.<sup>14</sup> Among their goals was the establishment of an independent Macedonian state.<sup>15</sup> In 1903, VMRO led an uprising against the Turkish troops in Macedonia – with Russian consent as well as under Bulgarian pressure and with its support. This „Ilinden Uprising“ – in which also some Albanians took part – became very important in Macedonian national history, notwithstanding the fact that the Turks rapidly suppressed it.

This historical episode became so important that the establishment of the People’s Republic within the Yugoslav Federation in 1944 was considered as the „Second Ilinden“. Nevertheless, the creation of a Macedonian nationality had also political reasons: the Communist party of Yugoslavia could justify its control over Vardar Macedonia in this way<sup>16</sup>, especially in opposition to Bulgaria<sup>17</sup>. Hence, any sense of adherence to the Bulgarian nation had to be eliminated, and since Serbianisation had failed before, the strengthening of a separate Macedonian identity was the only alternative option. Strong efforts were undertaken to achieve this goal. Among these was the first establishment (or at least: official recognition) of a standard Macedonian literary language based on the dialect of the Bitola-Veles region. Around the same period, civil war broke out in Greece with many Slavic speaking Greeks, i.e. Macedonians, supporting the communists and experiencing Greek suppression, thus strengthening their Macedonian and Slavic identity.<sup>18</sup>

The Macedonian Independence in 1991, the „Third Ilinden“, requested again a strengthening of national identity because of several reasons. Obviously, the death of Yugoslavia left a gap in terms of identity since the Macedonian national identity was closely linked to that of the socialist federal state. Frustration about dire economic conditions deepened by the international embargo imposed on Serbia was widespread. Both could be ideologically alleviated by nationalism. More important, however, were

the internal and external pressures. Externally, Greece in particular questioned the existence of the young state, blocking EU-decisions in favour of Macedonia, placing an embargo on the country and especially denying it the right to call itself „Macedonia“<sup>19</sup>, to use its flag and to refer to Alexander the Great. Indeed, Macedonia adopted the same name as the northern Greek region (*Macedonia-Thrace*) and Greece seemed to fear territorial claims. Also, Macedonia used the sixteen-ray „Sun“ or „Star of Vergina“. It is said to originate from the grave of Philip II. found in Thessalonica – whether this symbol is royal or national or ethnic, even whether the tomb was that of Philip, is again disputed. Nevertheless, Greece fiercely objected the Star when it became the official Macedonian state symbol in 1992: being found on Greek soil it was supposed to underscore Macedonian territorial claims. However, also Albanians in Macedonia did not feel represented by the flag, since they regarded it more as an ethnic than a national symbol. Only in 1995 Macedonia adopted a new flag stylising the old one.

Similarly, Greece did not accept that Macedonia claimed continuity with ancient Macedonians and especially with Alexander the Great or „Alexander the Macedonian“. For Greece, ancient Macedonians were Greeks and serious Macedonian historians will not doubt that they were not Slavs, because – as mentioned above – the first Slavic settlements are much younger. But they would say that they were not Greeks either. Indeed, some sources suggest that ancient Greeks considered the Macedonians a distinct people.<sup>20</sup>

Internally, Macedonian identity came under pressure mostly from the Albanian minority which has a stronger ethnic identity. The Albanian claim for more rights and for an equivalent role in the state threatened Macedonian identity on the one hand, insofar as Macedonian feared that Albanians might take away the state from them: not only legally but also demographically, since Albanian fertility was and is much higher. This fear was additionally fostered by the idea of a „Greater Albania“, comprising Macedonia, Albania, and Kosovo.<sup>21</sup> On the other hand, it is exactly this perceived threat that fosters Macedonian solidarity and identity. After the international intervention there in 1999, also Albanians in Macedonia started an armed struggle since it seemed that violence might – as in Kosovo – „pay off“. This was the strongest challenge for the Macedonian state so far. The Ohrid Agreement in 2001 apparently pacified the country but did not solve the underlying problems.

The resulting picture is somewhat bleak. A very young Macedonian national identity may exist. As the Macedonian state itself, it seems very fragile. Obviously the processes of nation and state building are both extremely under pressure in Macedonia. The establishment of a Macedonian civic identity based on citizenship rather than on ethnicity therefore seems very difficult to achieve. The Albanian ethnic identity is strong, contributing to an ethnic

polarisation. Power-sharing as the political strategy behind the Framework Agreement perpetuates this polarisation and thus the division of politics along ethnic lines, undermining the legitimacy of the state.<sup>22</sup> Also, the Agreement receives completely different assessments according to the ethnic affiliation of the respondent.<sup>23</sup> So, even if properly implemented, it does not seem to offer a viable solution, especially as long as the economic and social problems persist.

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<sup>1</sup> Krastev, Ivan and Mungiu-Pippidi, Alina (2004) Nationalism after Communism: Lessons Learned. New York, Budapest: CPS Books, CEU Press.

<sup>2</sup> See for instance Hensell, Stephan (2003) „Typisch Balkan? Patronagenetzwerke, ethnische Zugehörigkeit und Gewalt-dynamik in Mazedonien“, in Internationale Politik und Ge-sellschaft 4: 131–145.

<sup>3</sup> Troebst, Stefan (2002) „Die Republik Makedonien – Eine balkanische Erfolgsstory“, 341–359 in Schorkowitz, Dittmar (ed.): Transition – Erosion – Reaktion. Zehn Jahre Transfor-mation in Osteuropa. Frankfurt am Main: Peter Lang.

<sup>4</sup> Petkovska-Hristova, Lidija (2004) „Multiculturalism as Political Model: The Case of Macedonia“, 97–116 in Genov, Nikolai (Ed.): Ethnic Relations in Southeastern Europe. Berlin and Sofia: Friedrich Ebert Foundation.

<sup>5</sup> Vankovska, Biljana (2002) International Mediation of the Macedonian Conflict: Capabilities and Limitations. Berlin: Heinrich Böll Foundation.

<sup>6</sup> Reinforced by the trade-embargo.

<sup>7</sup> Figures for 2002 according to United Nations Economic Commission for Europe (2003) Economic Survey for Europe. Geneva: UNECE.

<sup>8</sup> See also European Stability Initiative (2002) The Other Macedonian Conflict. Berlin: ESI.

<sup>9</sup> Besides Macedonian Slavs and Albanians also Greeks, Turks, Bulgarians, Vlachs and Roma live in the region.

<sup>10</sup> Linz, Juan and Stepan, Alfred (1996) Problems of Democratic Transition and Consolidation: Southern Europe, South America, and Post-Communist Europe. Baltimore, London: Johns Hopkins University Press.

<sup>11</sup> See also Smith, Anthony (1986) The Ethnic Origin of Nations. Oxford, New York: Basil Blackwell.

<sup>12</sup> Compare Pettifer, James (1999) The New Macedonian Question. Hounds-mill: MacMillan. The efforts to establish a national language, literature, and history are to be seen in this light.

<sup>13</sup> In the tenth century Tsar Simeon's Bulgaria controlled almost all of Macedonia except the Aegean Coast.

<sup>14</sup> Though commonly the „Macedonian Question“ arose in 1870 when Russia pressed Ottoman Turkey to allow a separate Bulgarian Church or Exarchate (contested by the Greek and Serbian Church) which subsequently increased its influence across Macedonia, albeit Bulgaria quickly lost its territories gained according to the treaty of San Stefano in 1878.

<sup>15</sup> Another wing was much closer connected to Bulgaria just aiming at autonomy within an enlarged Bulgarian state.

<sup>16</sup> See also Palmer, Stephen and King, Robert (1971) Yugoslav Communism and the Macedonian Question. Hamden: Ar-chon Books.

<sup>17</sup> Between 1946 and 1958 Bulgaria recognized the Macedonian nation, while afterwards returning to a more nationalist stance. See Danforth, Loring (1995)

The Macedonian Conflict: Ethnic Nationalism in a Trans-actional World. Princeton: Princeton University Press.

<sup>18</sup> Certainly the suppression of Slavic manifestations in Northern Greece or Southern Macedonia is much older and Greeks tried a hellenisation of the region long before.

<sup>19</sup> Later Macedonia had to change its official name to „Former Yugoslav Republic of Macedonia“.

<sup>20</sup> As exemplified by Demosthenes who spoke about the „barbaric“ Macedonian people. Only later they were accepted as „Northern Greeks“. Compare Borza, Eugene (1990) In the Shadow of Olympus: The Emergence of Macedon. Princeton: Princeton University Press.

<sup>21</sup> According to a recent ICG study, this idea lacks any practi-cability and interest among most Albanians; see International Crisis Group (2004) Pan-Albanianism: How Big a Threat to Balkan Stability? Tirana, Brussels: ICG.

<sup>22</sup> See also Riedel, Sabine (2003) „Politisierung von Ethnizität in Transformationsgesellschaften. Das Beispiel Südosteuropa“, in WeltTrends 38: 61–73.

<sup>23</sup> Only 38% of the Macedonians support the Ohrid agreement in contrast to 91.6 % of the Albanians. See UNDP (2003) Macedonia – Early Warning Report. Skopje: UNDP.

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# Jugendförderung als Potential und Herausforderung für den Friedensprozess in Bosnien-Herzegowina

*Martina Fischer, Berlin*

## Einleitung

Bosnien-Herzegowina ist noch immer von einem stabilen Frieden entfernt. Die öffentlichen Institutionen in den jeweiligen Gebietseinheiten wie auch auf der Ebene des Gesamtstaats funktionieren bislang nur unzureichend. Zudem stehen in der bosniakisch-kroatischen Föderation die Kompetenzen der Kantonsregierungen vielfach in Konkurrenz zu denen der übergeordneten Entscheidungs- und Verwaltungsebenen. Das Land befindet sich in einer komplizierten, doppelten Transformation. Der Übergang vom Krieg zum Frieden erweist sich als äußerst schwierig und findet zudem vor dem Hintergrund der Umgestaltung des alten kommunistischen Gesellschafts- und Wirtschaftssystems zu Demokratie und Marktwirtschaft statt. Wolfgang Petritsch, der bis 2002 als hoher Repräsentant mit der internationalen Verwaltung des Landes beauftragt war, stellte dazu fest, der durch den Krieg verzögerte Prozess des umfassenden Wandels werde in der bosnischen Realität durch die „ethnische“ Frage, die sich als eine „Machtfrage“ darstellt, noch weiter kompliziert: „Themen von politischer, wirtschaftlicher, sozialer und kultureller Relevanz werden vom Primat des Ethnischen bestimmt. Die Betonung sprachlicher, kultureller und religiöser Unterschiede, ihre Überhöhung zum exklusiven politischen Paradigma bildet den eigentlichen ‚bosnischen‘ Knoten.“<sup>1</sup> In der Bevölkerung existieren auch weiterhin zahlreiche Ängste, die sich in der Unterstützung für radikale Nationalisten niederschlagen. Zu den gravierendsten und bislang vielfach nicht hinreichend gelösten Problemen gehören die Themen Flüchtlingsrückkehr, Klärung von Eigentumsansprüchen und wirtschaftliche Konsolidierung.

Die bosnische Gesellschaft ist auch neun Jahre nach Kriegsende von zahlreichen Konfliktlinien durchzogen, die sich gegenseitig überlagern. Dazu gehören neben den Spannungen zwischen bosniischen Serben, Kroaten, Bosniaken oder zwischen religiösen Gruppen (Katholiken, Orthodoxen und Muslimen, örtlich auch weiteren religiösen Minderheiten) vor allem Konflikte zwischen Flüchtlingen oder intern Vertriebenen und der ortsansässigen Bevölkerung, zwischen Menschen, die aus dem Ausland zurückkehren und Ortsansässigen (bzw. intern Vertriebenen)<sup>2</sup>, zwischen Stadt- und Landbevölkerung, Arbeitsplatzinhabern und Arbeitslosen.

Eines der größten Konfliktpotentiale besteht darin, dass Rückkehrer, Teile der lokal ansässigen Bevölkerung sowie Flüchtlinge, die (sei es aus Angst vor erneuter Bedrohung oder vor Benachteiligung) nicht an die Orte der Vertreibung zurückkehren wollen oder können, weiterhin um Wohnraum und spärliche Einkommensmöglichkeiten konkurrieren müssen. Zusätzlich wird die Situation durch den

kriegsbedingten Austausch von Stadt- und Landbevölkerung verschärft. Durch eine Fülle von Migrations- und Remigrationsprozessen hat der historisch in der Gesellschaft des ehemaligen Jugoslawien bedeutsame „Stadt-Land“-Konflikt eine neue Dimension erhalten und sich mancherorts zu einem kulturellen Konflikt zugespitzt.

Die desolate wirtschaftliche Situation trägt nicht unwesentlich zur Verschärfung von Konfliktpotentialen bei. Das Bruttonsozialprodukt Bosnien-Herzegowinas (BiH) liegt bei ca. 40 % des Werts aus der Zeit vor dem Krieg. Der Index für ökonomische, politische und soziale Sicherheit fällt hinter den meisten anderen südosteuropäischen Ländern zurück, wenngleich das United Nations Development Program (UNDP) in den vergangenen Jahren einen leichten Anstieg im „Human Development Index“ verzeichnete (von 0.718 im Jahr 2000 auf 0.744 in 2001 und 0.777 in 2003).<sup>3</sup> Durch den Krieg wurden industrielle Anlagen und große Teile der Infrastruktur zerstört. Wichtige Absatzmärkte gingen verloren. Zahlreiche Produkte, die früher im Land selbst produziert wurden, müssen nun importiert werden. Die Gründung und Existenz kleiner und mittlerer Unternehmen wurden in den vergangenen Jahren durch eine Reihe von Strukturproblemen erschwert: willkürliche und undurchsichtige Zollbestimmungen behinderten den Vertrieb und Absatz, der hohe Steuersatz für Unternehmen verhinderte Betriebsgründungen. Kurzum: Es fehlt an Investoren, Kapital und Arbeit. Die Arbeitslosigkeit liegt bei über 40 % in der Föderation Bosnien-Herzegovina (FBuH), in der Republika Srpska (RS) sogar bei über 50 %. Die „inoffizielle“ Arbeitslosenquote liegt höher, die Schätzungen bewegen sich von 56 % bis zu 75 %.<sup>4</sup> Untersuchungen des Independent Bureau for Humanitarian Issues (IBHI) und von UNDP, die zu Beginn des Jahrzehnts durchgeführt wurden, zeigten, dass etwa ein Drittel der Arbeitslosen jünger als 27 Jahre und zwei Drittel jünger als 35 Jahre ist.<sup>5</sup> Jugendliche bilden ein Potential für gesellschaftliche Innovation und gerade in Nachkriegssituationen ein Potential für Prozesse der Versöhnung. Die nachwachsende Generation ist verglichen mit derjenigen der Opfer und Täter oft leichter für den Dialog und die Überwindung von Lagerdenken zu gewinnen. Gleichzeitig können Jugendliche jedoch, wenn sie von der Gesellschaft vernachlässigt werden, auch sehr zerstörerische Potentiale entfalten. Ein Mangel an Ausbildungs- und Beschäftigungschancen kann dazu führen, dass sie kriminell werden. Bleiben Initiativen zur gesellschaftlichen Integration aus, so zeigt die Erfahrung in zahlreichen Nachkriegsgesellschaften, dass insbesondere männliche Jugendliche ein williges Rekrutierungspotential für jene politischen Führer bieten, die an einer Fortsetzung der gewaltsamen Konfliktaustragung interessiert sind. Eine weitere Folge ist die Abwanderung

qualifizierter Jugendlicher in Länder, in denen sie bessere Ausgangsbedingungen vermuten; es kommt zu einem *brain drain* und zum Verlust der wichtigsten Ressourcen für gesellschaftliche Entwicklung. Diese Tendenz ist auch in Bosnien-Herzegowina seit Jahren zu beobachten. Der von UNDP 2002 veröffentlichte „Human Development Report“ belegte einen alarmierenden Trend: mindestens 92.000 junge Leute verließen demnach zwischen Januar 1996 und März 2001 Bosnien-Herzegowina, während weitere Zigtausende auf Ausreisevisa warteten. Der Hohe Repräsentant Paddy Ashdown warnte angesichts dieser Fakten: „Dieser Verlust an jungen und talentierten Menschen bildet möglicherweise auf lange Sicht die größte Bedrohung für dieses Land.“<sup>6</sup>

### Ausbildungs- und Arbeitssituation von jungen Menschen

Allgemein wird wenig für die Integration der Jugend in den Arbeitsmarkt unternommen. Hinzu kommt, dass das Bildungssystem nicht den Erfordernissen des neuen marktwirtschaftlichen Systems entspricht. Arbeitsmöglichkeiten für Jugendliche bieten sich im formellen Arbeitssektor, der in Bosnien-Herzegowina infolge des Krieges noch gering entwickelt und meist auf kleinere Dienstleistungen bzw. den Einzelhandel beschränkt ist, nur in sehr begrenztem Maße. Hauptsächlich bieten sich Möglichkeiten im informellen Beschäftigungssektor (etwa im Straßenverkauf oder im Sprachunterricht). 44 % der im Rahmen der IBHI/UNDP-Erhebung befragten jungen Menschen, die über Arbeit verfügten, gaben an, nicht in dem Bereich tätig zu sein, in dem sie qualifiziert wurden. Angesichts dieser Situation ist es nicht überraschend, wenn ein relevanter Teil der jungen Menschen dazu übergeht, den Lebensunterhalt (oder das Studium) durch illegale Geschäfte, etwa auf dem Schwarzmarkt oder gar durch den Handel mit Drogen, zu verdienen.<sup>7</sup>

Angesichts drohender Arbeitslosigkeit beginnen viele Jugendliche nach Abschluß der Schule ein Studium<sup>8</sup>, wodurch die Universitäten überlastet sind (was wiederum die Qualität der Lehre verschlechtert). Zudem führt die hohe Zahl von UniversitätsabsolventInnen zu scharfer Konkurrenz auf dem Arbeitsmarkt und das Studium verhilft den meisten eben nicht zu den erwünschten verbesserten Berufsaussichten. Die Berufsaussichten von Jugendlichen sind in den Bereichen groß, wo Qualifikationen gefordert sind, über die Ältere nur in geringerem Maße verfügen (z.B. Sprach- oder Computerkenntnisse). Bislang lockte viele die Möglichkeit einer Anstellung bei einer internationalen Organisation, die ein Vielfaches der sonst üblichen Gehälter versprach. Viele derjenigen, die bei einer internationalen Organisation angestellt sind, versuchen, über diese den Sprung ins Ausland zu schaffen.

Die Abwanderungsbewegung wird durch folgende Faktoren begünstigt<sup>9</sup>: Es gibt nach wie vor so gut wie keine Ausbildungsangebote im Bereich des Handels und technischer Berufe für junge Menschen, die keine Universitäts-

karriere anstreben oder erreichen können. An den bosnischen Universitäten wiederum existiert keine berufspraktische Vorbereitung. Junge Menschen mit Universitätsabschluß in Bosnien-Herzegowina haben kaum eine Möglichkeit, Stellen zu finden, weil sie keine praktischen Kenntnisse mitbringen. Desillusionierung und das Gefühl, nicht gebraucht zu werden, greifen um sich und führen zu Antriebslosigkeit und weit verbreiteter Lethargie. Politik(er)-verdrossenheit und verbreitete Einstellungen, dass es keinen Sinn habe, sich an Wahlen zu beteiligen, sind eine weitere Folge.

In diesem Zusammenhang erweist sich auch ein durch Maßnahmen der humanitären Hilfe mit verstärktes „Abhängigkeitssyndrom“<sup>10</sup>, das Teile der bosnischen Politik und Gesellschaft erfasst hat, als fatal: Weite Teile der Bevölkerung haben sich auf die Unterstützung durch das Ausland eingestellt und hegen die Erwartung, die internationale Gemeinschaft sei für eine Verbesserung der Lebensumstände in Bosnien zuständig. Diese Erwartung prägt auch Teile der Jugend. Einige junge Menschen wie auch eine Reihe von in der Jugendarbeit engagierte Erwachsene haben jedoch erkannt, dass eine große Gefahr darin liegt, sich auf externe Unterstützung zu verlassen. Sie weisen darauf hin, dass die Menschen im Land selbst aktiv werden und nachhaltige Strukturen entwickeln müssen, um gesellschaftliche Veränderung zu bewirken. Diese lokalen Initiativen gilt es zu stärken und auszubauen.

### Jugendförderung als zentrale Herausforderung: Kombination entwicklungs- und friedenspolitischer Instrumente

In beiden Teilgebieten Bosnien-Herzegowinas sind in den vergangenen Jahren zahlreiche Aktivitäten von Jugendlichen und jungen Erwachsenen und für sie entwickelt worden, die zur gesellschaftlichen Entwicklung und zur Friedensförderung beitragen können: Initiativen mit dem Ziel der Verbesserung von Lebenschancen und der Entwicklung von Eigeninitiative oder auch Gemeinschaftssinn (zivilgesellschaftliches Engagement) von jungen Menschen sowie entsprechende Jugendnetzwerke.<sup>11</sup> Nahezu alle Jugendprojekte arbeiten unter außerordentlich schwierigen Bedingungen. Aktivitäten, die von unabhängigen Gruppen durchgeführt werden, erfahren durch die staatliche Jugend-, Kultur- und Bildungspolitik bisher kaum nennenswerte Unterstützung. Externe Unterstützung erweist sich daher weiterhin als wichtig, birgt aber in sich die Gefahr langfristiger Abhängigkeiten, wenn sie nicht auf die Schaffung nachhaltiger Strukturen gerichtet ist.

Die Arbeitsschwerpunkte und Strategien lokaler Durchführungsorganisationen verfolgen unterschiedliche Ansätze.

Einige bieten den Jugendlichen Möglichkeiten der grenzüberschreitenden oder interethnischen Begegnung, andere legen den Schwerpunkt auf *empowerment* und Qualifizierung im Sinne der Förderung individueller Friedensfähigkeit. Einige verfolgen Ansätze der gemeinwesenorientierten

Jugendarbeit und etablieren Angebote für berufspraktische Ausbildung. Nur wenige haben bisher auch einkommensschaffende bzw. beschäftigungswirksame Elemente integriert.

Der Ansatz, Jugendliche in ihrem Selbstwertgefühl zu verstärken, sie zu ermutigen, ihre Vorstellungen und Bedürfnisse zu artikulieren, ist wichtig. Aber es ist ebenso dringend erforderlich, ihnen auch ökonomische und berufliche Perspektiven zu vermitteln. Eine besondere Herausforderung besteht darin, Ansätze, die traditionell der Entwicklungszusammenarbeit zuzuordnen sind, mit friedensfördernden Maßnahmen zu verbinden. Die Kombination von Ansätzen der Friedens- und Menschenrechtsarbeit mit Initiativen zur Ausbildungs- und Einkommensförderung ist aus mehreren Gründen geboten: Wenn Jugendliche selbst Einkommen erwirtschaften, so dient das zum einen der Verbesserung der materiellen Situation ihrer Familien und zum anderen der Ausbildung von Selbstbewusstsein, weil Jugendliche damit einen Platz in der Gemeinschaft und auch einen gewissen Grad der Anerkennung erhalten. Zudem kann dadurch aber auch die Möglichkeit für jugendliche Selbstorganisation und Eigeninitiative verbessert werden, indem etwa der Unterhalt eines Jugendzentrums oder Begegnungsaktivitäten von Jugendlichen für Jugendliche mit selbst erwirtschafteten Mitteln kofinanziert werden und die Abhängigkeit von ausländischen Geldgebern verringert wird. Überdies können ausbildungs- und einkommenschaffende Maßnahmen Anreize dafür bilden, dass Menschen in ethnisch stark segregierten Gemeinden die Bereitschaft entwickeln, gemeinsam zu arbeiten, weil sie einen konkreten Vorteil davon haben.

Von diesen Überlegungen motiviert entstand ein Projekt, das als Pilotprojekt mit dem Titel „Die Jugend baut die Zukunft auf“ im Jahr 2002 von der deutsch-bosnischen Nichtregierungsorganisation IPA (Tuzla) mit Unterstützung der deutschen Schülerorganisation „Schüler helfen leben“ und des „Berghof Forschungszentrums für konstruktive Konfliktbearbeitung“ auf den Weg gebracht wurde.

### **„Die Jugend baut die Zukunft auf“ Ein Pilotprojekt in Ostbosnien**

Die Organisation IPA hatte – unterstützt von einer Reihe schweizerischer und deutscher Sponsoren (darunter private Spenden und Mittel der GTZ bzw. des Auswärtigen Amtes) jahrelange Erfahrung in der Jugendarbeit in einem Vorort von Tuzla gesammelt und dort ein Jugendzentrum mit Freizeitangeboten, Bildungsaktivitäten und einer berufspraktischen Ausbildung für den Tischlerberuf etabliert, das vorrangig von bosniakischen Flüchtlingen genutzt wurde. In dieser Zeit entwickelte sich die Idee, die von ihnen länger betreuten jugendlichen Flüchtlinge (bosniakischer Herkunft) auch nach ihrer Wiederansiedlung in Dörfern Ost-Bosniens (auf dem Gebiet der Republika Srpska) weiter zu unterstützen und ein Projekt für die Reintegration von Rückkehrern zu entwickeln. Aus der langjährigen Zusammenarbeit in Tuzla waren die Ängs-

te und Probleme, die mit der Rückkehr von Flüchtlingen und intern Vertriebenen in die „alten“ Dörfer einhergehen, bekannt. Zum einen sind zahlreiche Kriegsverbrechen ungesühnt und die Verantwortlichen auf freiem Fuß; zum anderen hat die Erfahrung der letzten Jahre gezeigt, dass zahlreiche RückkehrerInnen in ländlichen Gebieten auf so perspektivlose Umstände treffen, dass sie nach kurzer Zeit wieder in urbane Zentren remigrieren. Eine Begleitung des Rückkehrprozesses in Ostbosnien schien von daher dringend geboten.

Die Projektidee wurde von Jugendlichen entwickelt, die sich bisher im Jugendzentrum von in Simin Han/Tuzla engagierten, und vom IPA-Team sowie dem Berghof Forschungszentrum detaillierter ausgearbeitet und in einem von der deutschen NRO „Schüler helfen Leben“ ausgeschriebenen Wettbewerb vorgestellt. IPA bekam den Zuschlag und die Zusage über eine Förderung für drei Jahre. Spendenmittel, die im Rahmen des „Sozialen Tags“ 2001 in Norddeutschland durch gemeinnützige Arbeit von Schülern eingenommen wurden, kommen dem Vorhaben zugute. Deutsche Freiwillige wirken an der Projektimplementierung mit. Das Berghof Forschungszentrum begleitet den Prozess durch eine Serie von Evaluierungen.

Ziel des Projekts ist die Unterstützung der Integration jugendlicher Rückkehrer durch eine Verbindung von Jugendgemeinwesenarbeit mit einkommens- und ausbildungsfördernden Maßnahmen. Dafür wurde ein Jugendzentrum mit angeschlossenen Kleinbetrieben für handwerkliche und agrarische Produktion und Schulungszwecke in Krizevici, einem Dorf der Gemeinde Zvornik im Drinatal, errichtet. In Kürze wird eine Jugendgenossenschaft entstehen. Im Rahmen von ausbildungs- und beschäftigungsorientierter Gemeinwesenarbeit soll so die Lebenssituation von Jugendlichen verbessert und ein Beitrag zur Entwicklung der örtlichen Gemeinschaft geleistet werden. Darüber hinaus soll das Projekt konfliktentschärfende bzw. -präventive Wirkung entfalten.

### **Projektziele und Strategien**

Von den Projektbeteiligten wurden folgende Hauptziele skizziert:

- die soziale Integration jugendlicher Rückkehrer und ortsansässiger Flüchtlinge in ländlichen Gemeinden Ostbosniens zu unterstützen;
- auf der Gemeindeebene struk-turbildend zu wirken und das friedliche Zusammenleben von Familien unterschiedlicher Volksgruppen (Bosniaken und bosnische Serben) zu fördern;
- die in Bosnien verbreitete Einstellung zu verändern, sich auf fremde Hilfe zu stützen, indem das Projekt einen Ansporn und die Möglichkeit für junge Leute bietet, in den Wiederaufbau des Landes mehr eigene Energie zu investieren;
- jungen Leuten, die in die Vorkriegswohnorte ihrer Familien zurückkommen, Anreize zu geben, dort zu bleiben

und selbst Verantwortung für den Wiederaufbau des wirtschaftlichen und gesellschaftlichen Lebens zu übernehmen;

- durch einkommensschaffende Maßnahmen jungen Menschen ökonomische Spielräume zu eröffnen;
- sicherzustellen, dass junge Menschen auch außerhalb der urbanen Zonen an gesellschaftlichen (politischen, kulturellen und Bildungs-) Aktivitäten teilhaben können;
- Jugendlichen einen Raum zu bieten, um kreative Potentiale zu entfalten, spezielle Kompetenzen zu entwickeln und gleichzeitig Möglichkeiten zu geben, sich mit der Vergangenheit auseinanderzusetzen (durch Traumaarbeit und psychosoziale Beratung).

Neben den RückkehrerInnen (bosniakischer Herkunft) kommt das Projekt auch Jugendlichen aus der ortsansässigen bosnisch-serbischen Bevölkerung bzw. in Ostbosnien lebenden Flüchtlingen zugute. Sie sollen auf diese Weise zu gemeinsamem Handeln im Rahmen von Wiederaufbau, Ausbildung und Produktion motiviert werden. Selbstredend darf dabei auch der „Spassfaktor“ im Sinne von Freizeitangeboten und Begegnung nicht vernachlässigt werden.

Im Dezember 2003 wurde das Zentrum eröffnet. Rund 1.000 Personen nahmen daran teil, darunter 600 Jugendliche und zahlreiche offizielle Gäste (Vertreter von UNHCR, OSZE, SFOR, lokal und regional tätigen NRO sowie Verantwortliche von Schulen und Ministerien). Die Eröffnungsfeier war als ein gemeinsames Projekt von den Jugendlichen geplant und initiiert worden. Auch beim Hausbau waren Jugendliche aus der Region beschäftigt, dies war bei der Vergabe des Auftrags an die Baufirma zur Auflage gemacht worden. Die nächsten von IPAk geplanten Schritte umfassen die Fertigstellung eines Kursangebots in Fremdsprachen und EDV-/Internet-Schulungen, Musik und Kultur sowie die Einrichtung und Registrierung einer Jugendgenossenschaft und die Operationalisierung von Kursen der beruflichen Ausbildung in der Werkstatt. Unter anderem sind zertifizierbare Ausbildungen im Bereich der Agrarproduktion wie auch in der Holz- und Metallverarbeitung (Tischler- und Schweißerlehrgänge) vorgesehen. Begleitet wird dies von Begegnungsaktivitäten, internationalen Jugendaustauschprogrammen und Seminaren in ziviler Konfliktbearbeitung und Demokratieförderung. Daneben bilden Maßnahmen der psychosozialen Versorgung und Traumaarbeit mit Jugendlichen und Lehrern wie auch Maßnahmen zur Drogenprävention vordringliche Aufgaben, weshalb das vorwiegend aus PädagogInnen zusammengesetzte Team auch PsychologInnen in die Arbeit vor Ort eingebunden hat.

Überdies soll die bestehende Netzwerkbildung mit Jugendlichen aus der Drinaregion im Dreieck Tuzla, Zvornik und Bjeljina ausgebaut und Krizevici zum Zentrum der Begegnungsveranstaltungen werden, die unterschiedlichen Charakter haben: Die Bandbreite reicht von interna-

tionalen Begegnungsfestivals (unter Einbeziehung deutscher und schweizerischer Jugendgruppen, mit denen IPAk seit Jahren Austauschaktivitäten durchführt) bis zu gezielten Workshops in „ziviler Konfliktbearbeitung“, um Jugendliche aus der Ortsgemeinschaft und der Region für die Arbeit mit Jugendlichen zu qualifizieren.

Spricht man mit den Projektverantwortlichen Jugendlichen, Eltern, LehrerInnen und politischen Entscheidungsträgern am Ort, so sind sich alle darin einig, dass diese Initiative in der besonders strukturschwachen und extrem kriegstraumatisierten Region dringend erforderlich ist. Das bedeutet jedoch nicht, dass das Projekt in der Region in einem Kontext operiert, der sich auf Eintracht und Harmonie gründet. Im folgenden sollen die bisherigen Erfahrungen – Erfolge wie auch Schwierigkeiten, mit denen das Vorhaben konfrontiert ist – zusammengefasst werden.<sup>12</sup>

### **Erfolge der ersten Projektphase**

Die erste Projektphase bestand für das vierköpfige IPAk-Team<sup>13</sup> hauptsächlich aus Aktivitäten zur Vernetzung und Öffentlichkeitsarbeit. Dazu zählte die intensive Pflege des Kontakts zur lokalen politischen Ebene (Gemeinde Zvornik und Ortsgemeinschaft Krizevici) sowie die Gründung eines Projektbeirats mit beratender Funktion, in dem Personen aus der FBiH und der RS, Personen mit bosnisch-serbischem und mit bosniakischem Hintergrund zusammenwirken. Dem Baubeginn ging nämlich eine intensive Vorbereitungsphase voran, in der die Projektidee in der Region verankert und das Vorhaben im politischen und gesellschaftlichen Kontext auf eine solide Basis gestellt werden sollte. Dafür wurden vom IPAk-Team zunächst zwei Arbeitsgruppen gebildet, an denen sich Jugendliche aus dem lokalen Kontext ehrenamtlich beteiligten. Ihre Aufgabe war es, die Kontakte mit Jugendgruppen zu intensivieren (IPAk arbeitet seit längerem mit Jugendgruppen aus der RS zusammen), die Projektziele bei weiteren NRO und vor allem durch regelmäßige Besuche in allen umliegenden Dörfern bei der Zielgruppe bekannt zu machen. Daneben wurden Kontakte mit Personen und FunktionsträgerInnen der Jugend- und Bildungsarbeit (Schuldirektoren und LehrerInnen) ausgebaut. So wurden viele Schulen in der Umgebung zur Beteiligung an einem Malwettbewerb zum Thema „Die Jugend baut die Zukunft auf“ bewegt. Diese Maßnahme machte das Projekt bei allen PädagogInnen und SchülerInnen bekannt. Der Durchführung von Elternversammlungen kam ebenfalls große Bedeutung zu. Noch immer befinden sich die Schulen in der Region teilweise in sehr schlechtem Zustand. Es mangelt an allem, angefangen von sanitären Anlagen über Heizmaterial bis hin zu Lehr- und Arbeitsmaterialien. IPAk hat in der Schule Krizevici deshalb eine Leihbibliothek eingerichtet, deren Bestände rege nachgefragt werden. Die Strategie des Teams besteht darin, die Lehrer darin zu beraten, wie sie selbst aktiv werden können um Abhilfe zu schaffen, indem sie etwa eine Partnerschaft mit deutschen Schulen initiieren.

Das im Projektantrag definierte Ziel, zu einer multiethnischen Zusammenarbeit beizutragen, wurde in der ersten Projektphase – so weit dies in der Anfangsphase möglich war – erreicht: Das von IPAk für Krizevici zusammen gestellte Team besteht aus Angehörigen sowohl mit bosniakischem als auch mit bosnisch-serbischem Hintergrund. Dasselbe gilt für den Projektbeirat. Das Ziel, beide Gruppen gleichermaßen zu berücksichtigen, wird auch bei der Zusammenarbeit mit Schulen und dem Kontakt zu Jugendverbänden besonders berücksichtigt.

Die Informationskampagnen und ausgiebigen Vernetzungsaktivitäten während der ersten Projektphase trugen zum einen dazu bei, dass das Jugendzentrum für die Zukunft auf aktive Mitarbeit von Schülern sowohl aus bosnisch-serbisch als auch bosniatisch besiedelten Ortschaften setzen kann; zum anderen konnten auf diese Weise weitere MultiplikatorInnen (z.B. LehrerInnen) aus dem Bereich der Jugend- und Erziehungsarbeit als Bündnispartner gewonnen werden. Damit wurden erste Grundsteine für Vernetzungen auch auf regionaler Ebene gelegt. Es wurden überdies erste Schritte für die Etablierung von Kooperationsnetzwerken zwischen staatlichen und nichtstaatlichen Trägern der Jugendarbeit und schulischen Bildung unternommen.

In den Gesprächen, die mit Jugendlichen in der Gemeinde Zvornik geführt wurden, wurde deutlich, dass durch den Aufbau des Jugendzentrums und einer Jugendgenossenschaft in der Region große Erwartungen entstanden sind. Bei den jüngeren Personen ist es vor allem die Hoffnung auf eine Verbesserung der Freizeit- und Ausbildungssituation, bei den älteren kommt die Hoffnung auf berufliche Bildung und Beschäftigungsinitiativen hinzu. Ein Wunsch, den fast alle Bewohner der Gebietsgemeinschaft teilen, ist der nach einem Anschluss der vergessenen ländlichen Gebiete des Drinatals an „die Welt“, sei es durch die Qualifizierung im Umgang mit elektronischen Kommunikationsmitteln (e-mail und Internet) oder durch Sprachkurse und internationale Begegnungsmöglichkeiten.

Inwieweit das Projekt „Die Jugend baut die Zukunft auf“ das politische und gesellschaftliche Umfeld wirklich zu beeinflussen vermag, kann sicher nicht mit Abschluss der Aufbauphase, sondern erst nach der Konsolidierung des Projekts, langfristig, d.h. nach einigen Jahren beurteilt werden. Jedoch ist schon jetzt erkennbar, dass es neben Vorteilen für die Zielgruppe der jugendlichen Rückkehrer auch Wirkungen für das gesellschaftliche Umfeld mit sich bringt, nämlich eine Kooperation von MultiplikatorInnen aus dem Bildungsbereich.

- Es ist gelungen, in Zusammenarbeit mit den Schulen einige wichtige Schritte zu unternehmen, die Jugendlichen zur Selbstorganisation, *capacity building*, multiethnischer Kooperation und internationaler Vernetzung verhalfen.
- Ein zweisprachiges Schülerzeitungsprojekt wurde an den Schulen etabliert (IPAk-Mitarbeiter übernahmen

die technische Beratung und Anleitung der ersten Ausgaben, die Finanzierung erfolgte durch Schüler).

- LehrerInnen konnten für Unterstützung der Projektziele und zur aktiven Mitarbeit gewonnen werden;
- Schulpartnerschaften mit deutschen Schulen befinden sich in der Planung;
- Maßnahmen zur Unterstützung bei der Lehrerfortbildung (im Sinne von Seminaren für Teambildung, Schulungen in partizipativen Arbeitsweisen etc.) werden konzipiert.

Hier hat das IPAk-Team – zusammen mit wichtigen Bündnispartnern aus dem gesellschaftlichen Umfeld – mit seinen bisherigen Aktivitäten zumindest dazu beigetragen, günstige Voraussetzungen für die Entstehung einer „Friedensallianz“<sup>14</sup> zu schaffen. Dasselbe gilt für die Verknüpfung von Jugendgruppen.

IPAk ist es gelungen, nicht nur auf örtlicher Ebene, sondern in der Region Ostbosnien insgesamt Jugendliche bosniakischer und bosnisch-serbischer Herkunft für das Projekt zu begeistern, noch bevor dieses überhaupt materiell greifbar war. Im Zuge der Planung von Freizeitaktivitäten, Musikveranstaltungen, aber auch Schulungsmaßnahmen in den Bereichen Öffentlichkeitsarbeit und Demokratieförderung entwickelte sich eine erfolgreiche Zusammenarbeit mit Jugendgruppen aus Zvornik, die sich auch an der Öffentlichkeitsarbeit in den mehrheitlich serbisch bewohnten Dörfern in der Umgebung von Krizevici beteiligen werden. Die InitiatorInnen hatten auf eine solche Entwicklung zwar gehofft, sie aber für keineswegs selbstverständlich gehalten, denn die Beteiligung an Aktivitäten in dem von der jeweils anderen Volksgruppe bewohnten Dorf erfordert von den Menschen, darunter auch von jungen Leuten, in den größtenteils ethnisch homogen besiedelten Dörfern Ostbosniens immer noch überdurchschnittlichen Mut, Selbstvertrauen und Überwindung.

Auch wurde das Projekt in seiner Anfangsphase durchaus mit einer Reihe von Schwierigkeiten und Herausforderungen konfrontiert.

### Schwierigkeiten und Herausforderungen

1. Die Anstrengungen gerade im Hinblick auf die Pflege der Kontakte zur politischen Ebene waren immens. So wurde dem IPAk-Team viel Geduld und Frustrationstoleranz abverlangt, um schließlich einen definitiven Beschluss des Gemeindeparlaments für den Bau des Zentrums in Krizevici zu erwirken. Auch während der folgenden Projektphasen mussten die Kontakte zur politischen Ebene und zur Verwaltung in Zvornik weiter kontinuierlich gepflegt werden. Gerade bei häufig wechselnden politischen Mehrheiten ist es von Bedeutung, den Kontakt zu halten und ggf. immer wieder neue Personen entsprechend zu „sozialisieren“, d.h. mit den Projektzielen vertraut zu machen und regelmäßig über den Stand der Aktivitäten zu informieren. Im konkreten Fall wurde das Projekt mehrmals durch politische Wechsel vor neue Herausforderungen

gestellt, etwa als die sozialdemokratische Bürgermeisterin durch einen Vertreter der radikalen bosnisch-serbischen Partei SDS abgelöst wurde. Nachdem das Gemeindeparlament seine Genehmigung erteilt hatte, führten Obstruktionen innerhalb der Verwaltung zu einer systematischen Verzögerung der Baugenehmigung. Zudem blockierte die örtliche Polizei zunächst Bemühungen des Teams, eine Überprüfung der Umgebung des Baugeländes auf Minen gefahren vorzunehmen. All diese Schwierigkeiten konnten vom Team jeweils dadurch überwunden werden, dass beharrlich der Dialog mit unterschiedlichsten politischen Ebenen gesucht und informelle Netzwerke und Kontakte (z.B. im letzteren Fall auch Unterstützung der SFOR) genutzt wurden.

Zwar stellen Unwägbarkeiten durch häufig wechselnde politische Mehrheiten, Mandats- und Entscheidungsträger auf der kommunalen Ebene weiterhin eine große Herausforderung dar, so dass die Projektverantwortlichen immer wieder Energie auf die Vertrauensbildung mit diesen Personen aufwenden müssen. Inzwischen aber hat sich die Überzeugung eingestellt, dass von dieser Seite keine ernsthaften Behinderungen zu erwarten sind, solange IPAK sich „politisch neutral“ im Sinne der Unterstützung von Jugendlichen aller „Nationalitäten“ verhält.

2. Eine Schwierigkeit, mit der das Projektteam immer wieder konfrontiert wird, besteht darin, dass schul- und bildungspolitische Bestimmungen von übergeordneter Ebene erlassen werden, die auf ethnische Separation gerichtet sind (uneinheitliche Lehrpläne, die keinen muttersprachlichen Unterricht, sondern entweder bosnische oder serbische Sprache vorschreiben, Regelungen für den Religionsunterricht und religiöse Riten etc.). Diese erschweren den an multiethnischer Zusammenarbeit interessierten Pädagogen das Leben und führen vielerorts zur räumlichen Trennung von Kindern und Jugendlichen unterschiedlicher Herkunft. So sehen z.B. die Lehrpläne der RS vor, das im ersten Jahr Kyrillisch unterrichtet wird und erst im zweiten Jahr lateinische Schrift, während in der FBiH die umgekehrte Regelung existiert. Aus Angst vor Benachteiligung oder nationalistischer Indoktrination ihrer Kinder schicken viele Eltern diese oftmals in viel weiter entfernt gelegene Schulen, in denen dann die jeweiligen Volksgruppen wieder unter sich sind, was zu einer Belastung durch extrem weite Schulwege führt.

Wie die Gespräche in den Schulen zeigten, gibt es jedoch für multiethnische Erziehung aufgeschlossene Lehrer und Lehrerkollegien in der Region, die sich gern für die Veränderung der Situation und für eine integrierte, multiethnische Erziehung einsetzen möchten, sich aber isoliert fühlen und nicht über ausreichendes Know-how oder über genügend Kontakte verfügen, um diese Ziele effektiv umzusetzen. Diese Personen gilt es stärker miteinander in Kontakt zu bringen und zu einer „Allianz“ oder „Lobby“ zu vereinen, um gemeinsam im Rahmen ihres beruflichen Umfelds in diesem Sinne zu wirken. Eine weitere Herausforderung besteht überdies darin, Angebote für die Lehrerfortbildung zu entwickeln, um die in der schulischen Bildung weiterhin

verbreiteten, veralteten pädagogischen Konzepte (Frontalunterricht im Rahmen des klassischen Fächerkanons) zu überwinden.

Die begonnenen Vernetzungsaktivitäten vor allem mit Lehrern und Schülern sollen auch in den folgenden Projektphasen weiter intensiviert werden. Besonders wichtig wäre es darüber hinaus, die Aktivitäten von IPAK mit Ansätzen zur Veränderung des bildungspolitischen Kontextes auf der staatlichen (lokalen und regionalen Ebene) zu verbinden. Es wäre vermessen anzunehmen, dass das Projekt „Die Jugend baut die Zukunft auf“ die Bedingungen und Probleme beseitigen könnte, die durch staatliche Instanzen bzw. maßgebliche politische Kräfte in Bosnien-Herzegowina geschaffen werden. Es kann aber mit seinen Vernetzungsaktivitäten dazu beitragen, ein günstiges gesellschaftliches Klima für friedliches Zusammenleben und Verständigung zu schaffen, indem Menschen, die im Bildungssektor tätig sind, dazu ermutigt werden, bildungs- und schulpolitische Bestimmungen, die auf ethnische Separation gerichtet sind, zu transformieren.

3. Der von vielen ausländischen Geberorganisationen formulierte Anspruch an das *gender mainstreaming* von friedensfördernden oder entwicklungspolitischen Projekten wird insbesondere in ländlichen Regionen Bosnien-Herzegowinas mit einer Reihe von Herausforderungen konfrontiert. So ist gerade in traditionellen muslimischen Familien die Praxis verbreitet, das Mädchen über weite Teile des Tages in Haus und Küche Arbeiten verrichten müssen, während ihre Brüder sich im Jugendzentrum engagieren. Der Appell, Mädchen ebenfalls in handwerkliche Ausbildungen einzubeziehen, dürfte in diesem Milieu weitgehend ungehört verhallen. Ausbildungsangebote können für Mädchen wohl eher im Agrarbereich und im Bereich der Buchführung und des Marketing angedacht werden.

Eine Aufgabe für die kommenden Projektphasen wird daher darin bestehen, Genderaspekte stärker Rechnung zu tragen. Wenn maximale Förderung von Jugendlichen beider Geschlechter erreicht werden soll, ist es nötig, die unterschiedlichen Realitäten, Bedürfnisse und die für diese Gesellschaft typischen Rollenkonstruktionen von Jungen und Mädchen in der Region zu berücksichtigen. Dabei gilt es insbesondere, Mädchen und jungen Frauen Freiräume und Rollenveränderungen zu erhalten, die sie als Flüchtlinge während und nach dem Krieg z.B. in städtischen Milieus erfahren haben. Aufgabe wird sein, sich bei der Formulierung von Angeboten für weibliche Jugendliche nicht einfach den Gewohnheiten der dörflichen Gemeinschaft anzupassen, sondern auch dazu beizutragen, dass sich Gewohnheiten verändern; man sollte den Mädchen und Frauen Angebote machen, die sie ansprechen, ohne sie zu überfordern oder von ihnen zu verlangen, sich in offene Konfrontation oder Opposition zu ihrer Umgebung zu begeben.

## **Zusammenfassung und Ausblick**

Eine vordringliche Aufgabe besteht darin, in Bosnien-Herzegowina lokale Initiativen zu fördern, die jungen Men-

schen einen Platz im Gemeinwesen bieten, ihnen berufliche Entwicklungsperspektiven eröffnen, Erfahrungen der Selbstorganisation und Eigeninitiative ermöglichen, Raum für Begegnung und Verständigung zu geben, sie bei der Verarbeitung der Kriegserfahrungen zu unterstützen und ihnen Ansätze der konstruktiven Konfliktbearbeitung nahe zu bringen. Einen Bedarf für Ansätze, die friedensfördernde und entwicklungspolitische Maßnahmen kombinieren, gibt es auch in anderen vernachlässigten und besonders vom Krieg zerstörten Landesteilen Bosnien-Herzegowinas. Überdies bilden die Ausstattung von Schulen und die Reform des Schulwesens eine vordringliche Anforderung.

Eine Schwierigkeit, mit der NRO immer wieder konfrontiert werden, besteht darin, dass schul- und bildungspolitische Bestimmungen von übergeordneter Ebene erlassen werden, die auf ethnische Separation gerichtet sind (s.o.). NRO können es auch bei noch so erfolgreicher Projektstrategie nicht leisten, bildungs- und schulpolitische Bestimmungen zu transformieren, die auf ethnische Separation gerichtet sind. Die Beispiele zeigen aber, dass sie durch ihre Vernetzungsaktivitäten dazu beitragen können, ein günstiges gesellschaftliches Klima für friedliches Zusammenleben und Verständigung zu schaffen, in dem Menschen, die im Bildungssektor tätig sind, dazu ermutigt werden, sich für eine Veränderung dieser Bedingungen zu engagieren.

Internationale Organisationen sollten daher – in Abstimmung mit NRO – verstärkte Anstrengungen zur Veränderung der Situation im Bereich der schulischen Bildung unternehmen und sich auf multiethnische Bildungsarbeit konzentrieren. Das betrifft eine Vereinheitlichung der Lehrpläne und die Etablierung gesicherter Angebote muttersprachlichen Unterrichts, um eine integrierte (statt wie bisher ethnisch-segregierte) Schulausbildung sicherzustellen und der ethnischen Separierung einzelner Dörfer und Gemeinden nach dem Vorbild der Vorkriegssituation in Bosnien entgegenzuwirken.

Internationale Organisationen, die mit der Implementierung des Friedensabkommens von Dayton in BiH betraut sind, darunter der HR und die OSZE, haben jüngst wichtige Schritte zur Implementierung einer Bildungsreform eingeleitet und Jugendorganisationen als Zielgruppe ins Zentrum ihrer Maßnahmen zivilgesellschaftlicher Förderung gerückt.<sup>15</sup> Um dieser Gruppe Perspektiven im Land zu verschaffen, wäre es jedoch wichtig, auch auf die Schaffung berufspraktischer Ausbildungsmöglichkeiten an Schulen und Universitäten hinzuwirken. Die Schaffung entsprechender Angebote in technischen oder handwerklichen Berufen oder auch in Handel und Gewerbe könnte die Chancen junger Menschen auf dem Arbeitsmarkt erhöhen und entscheidend dazu beitragen, ihre Potentiale für das Land nutzbar zu machen. Initiativen dafür müssten und könnten von internationalen Agenturen der Entwicklungszusammenarbeit angestoßen und begleitet werden, die über Zugänge zur staatlichen Ebene verfügen; gleichzeitig müs-

ten dafür einheimische wie ausländische Firmen gewonnen werden. Wichtig ist, dass diese Maßnahmen nicht in erster Linie für Jugendliche konzipiert werden, sondern dass diese aktiv in die Bedarfsanalyse, Konzeption und Realisierung einbezogen werden.

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<sup>1</sup> Wolfgang Petritsch: Bosnien und Herzegowina. 5 Jahre nach Dayton: Hat der Friede eine Chance? Klagenfurt 2001:11.

<sup>2</sup> Nach Angaben des UNHCR sind zwischen 1996 und 2002 ca. 420.000 Flüchtlinge und 500.000 intern Vertriebene zurückgekehrt. Siehe <http://www.unhcr.ba/return/T5-1102.pdf>. Siehe dazu auch International Crisis Group: The Continuing Challenge of Refugee Return in Bosnia & Herzegovina, Balkans Report No. 137, Sarajevo/Brussels December 2002.

<sup>3</sup> UNDP (Hg.) Where will we be in 2015? Bosnia and Herzegovina Human Development Report 2003:115, [www.undp.ba](http://www.undp.ba). Damit befindet sich BiH zwar in der Gruppe der Länder mit mittlerer Entwicklung und rangiert vor Albanien und der Türkei, aber nach Bulgarien und Mazedonien.

<sup>4</sup> Es gibt einen hohen Prozentsatz verdeckter Arbeitslosigkeit, da viele Personen weiterhin auf den Lohnlisten (sogenannten Wartelisten) von Firmen geführt werden, die vor dem Krieg produzierten, jetzt aber nur noch eingeschränkt tätig sind. Firmen, die es sich nicht leisten können, alle Angestellten zu bezahlen, führen einen Teil von ihnen auf Wartelisten, weil dies für sie kostengünstiger ist, als den Betroffenen eine Abfindung zu zahlen, wozu die Unternehmen im Falle einer Entlassung verpflichtet wären.

<sup>5</sup> IBHI/UNDP (Hg.): Human Development Report Bosnia and Herzegovina, Youth, Sarajevo 2000:30.

<sup>6</sup> Balkan Crisis Report No. 385, Institute for War and Peace Reporting, London, January 2003.

<sup>7</sup> Bei der Befragung, die in der zentralbosnischen Stadt Zenica durchgeführt wurde, gaben z.B. 12% der interviewten Jugendlichen gegenüber IBHI an, einen Grossteil des Lebensunterhalts bzw. des Studiums über Geschäfte auf dem Schwarzmarkt zu finanzieren.

<sup>8</sup> 41% der im Rahmen des IBHI/UNDP-Reports befragten jungen Erwachsenen gaben als Status Student an.

<sup>9</sup> Vgl. Balkan Crisis Report No. 385, Institute for War and Peace Reporting, January 2003.

<sup>10</sup> Wolfgang Petritsch fasst dies so zusammen: „.... jeder Dollar, der als Hilfsmittel geflossen ist, hat einige zu der Annahme verleitet, dass die internationale Gemeinschaft alles bezahlen wird – und zwar für immer.“ (Petritsch 2001:257).

<sup>11</sup> Vgl. dazu Martina Fischer/Julie Tumler: Möglichkeiten der Förderung einer „Peace Constituency“ in Bosnien-Herzego-

wina, Schriftenreihe der GTZ, Eschborn 2000, und Fischer/Tumler, Friedensförderung in Bosnien-Herzegowina, Ansätze der Jugend-, Bildungs- und Kulturarbeit, Berghof Occasional Paper 5, 2000. Vgl. auch Martina Fischer/Astrid Fischer, Jugendförderung als Beitrag zum Friedensprozess in Bosnien-Herzegowina – eine Bilanz. Studie zur Auswertung der dreijährigen Förderung von Jugendinitiativen, Schriftenreihe der GTZ, Eschborn 2003:13-26.

<sup>12</sup> Grundlage dafür waren Gespräche mit Mitgliedern des IPA-K-Teams sowie Diskussionen mit Angehörigen der Zielgruppe (SchülerInnen und Jugendliche aus Krizevici und Umgebung, darunter auch Jugendpartnergruppen aus Zvornik). Zudem wurden MultiplikatorInnen der Jugend- und Bildungsarbeit

interviewt, darunter LehrerInnen der dortigen Schulen sowie Vertreter der Ortsgemeinschaft Krizevici und auch Mitgliedern des Projektbeirats.

<sup>13</sup> Das Team, das für die Umsetzung des Projekts in Ostbosnien verantwortlich ist, besteht aktuell aus Lahira Sejfija (Projektmanagerin), Adnan Harbic als Koordinator des Jugendzentrums, Aleksandra Anicic (Assistentin für die Verwaltung) und Nermin Memi (technischer Assistent).

<sup>14</sup> Vgl. John P. Lederach: Building Peace. Sustainable Reconciliation in Divided Societies. Washington D.C. 1997.

<sup>15</sup> Vgl. dazu Valery Perry: Reading, Writing and Reconciliation: Educational Reform in Bosnia and Herzegovina, ECMI Working Paper No 18, Flensburg, September 2003.

# Frieden stiften im Ferghana-Tal

## Erfahrungsbericht einer *Open Space*-Tagung

*Jo Töpfer, Berlin*

### Die Vorgeschichte

Wie so oft begann es mit einem Anruf. In diesem Fall kam er aus Kopenhagen vom Danish Refugee Council. Gegenstand des Anrufs war die Anfrage, ob ich bereit und in der Lage sei, eine geplante trinationale Konferenz zum Thema Ferghana-Tal in Osch, Kyrgyzstan, zu moderieren. Wir sprachen ausführlicher über Anlass, mögliche Teilnehmer und Kontext der Veranstaltung: Es sollten Vertreter von Nichtregierungsorganisationen, lokalen Verwaltungen, staatlichen Organisationen und Medien aus Kyrgyzstan, Tadschikistan und Uzbekistan zusammenkommen und im Laufe einer 3-tägigen Veranstaltung die Konfliktsituation im Ferghana-Tal besprechen und Kooperationsmöglichkeiten für die Zukunft ausloten. Für den Danish Refugee Council ist Krisenprävention eine Priorität der internationalen Arbeit und er versucht, durch solche Initiativen humanitären Krisen und Migration vorzubeugen.

Schnell wurde mir klar, dass diese Veranstaltung nicht im herkömmlichen Format mit Vorträgen, Präsentationen und Podiumsdiskussionen durchgeführt werden könne. Die Situation im Ferghana-Tal ist sehr komplex und konfliktträchtig und der Bedarf nach Austausch zwischen den Teilnehmenden und konkreten Schritten für die gemeinsame Zukunft ist hoch – die Lage ist also vollkommen ungeeignet, Menschen in eine passive Rolle zu drängen, in der sie verdammt sind, „Experten“ zuzuhören. Diese Konferenz musste in einem beteiligungsfördernden, dialogorientierten und auf Handeln gerichteten Rahmen stattfinden, der die Teilnehmenden aktiv einbinden würde. Deswegen schlug ich den Kollegen aus Kopenhagen vor, einen *open space*<sup>1</sup> zu veranstalten, was sehr positiv aufgenommen und beschlossen wurde. Nun galt es, mehr Informationen über die Lage im Ferghana-Tal zu sammeln.

### Die Architektur des Konflikts im Ferghana-Tal

Der Blick auf die Landkarte verrät, dass es im Ferghana-Tal verwirrend zugeht. Die Grenzverläufe orientieren sich weder an natürlichen Grenzen noch an ethnischen Kriterien. Dies ist zum Teil das Erbe der sowjetischen Epoche, die durch willkürliche Grenzziehungen in den 20er Jahren die Völker entzweite und die Traditionen brach, was die Macht ausübung der Moskauer Zentralregierung erleichtern sollte. Es ist andererseits das Ergebnis der bewegten Geschichte und der unterschiedlichen und heterogenen Interessengruppen. Die Bewohner der drei Anrainerstaaten Kyrgyzstan, Tadschikistan und Uzbekistan blicken auf unterschiedliche Traditionen zurück, welche die heute verwirrend an-

mutenden Grenzverläufe im Gebiet erklären: die Bevölkerung Kyrgyzstans hat eine nomadische Tradition, die Bewohner Uzbekistans und Tadschikistans lebten schon immer als Sesshafte.

Auf den Territorien aller drei Staaten finden wir heute Enklaven der jeweils anderen Länder – ein Ergebnis der wechselhaften Geschichte und heute Ursache vieler Probleme im Hinblick auf die Rechte zur Landnutzung und die Regulierung des Grenzverkehrs. Unzureichende Kontrollkapazitäten, temporär geschlossene Übergänge, unterschiedliche Visabestimmungen und korrupte Beamtenapparate erschweren den Grenzverkehr von Personen und Waren und behindern damit die wirtschaftliche Entwicklung der Grenzgebiete. Außerdem wurden Handelswege unterbrochen, Familien entzweit und Naturräume geteilt. Dies führt zu andauernden, spannungsreichen und emotionsgeladenen Auseinandersetzungen zwischen den drei Staaten. Besitzansprüche werden aufgrund von endlos erscheinenden historischen Verkettungen gestellt. Eine kurzfristige Lösung scheint nicht in Sicht. Und so werden die territorialen Probleme weiterhin von den drängenden sozioökonomischen Fragen ablenken. Als drei zentrale Probleme und Konflikttherde im Ferghana-Tal lassen sich derzeit besonders die Verteilung von Wasser, der politische und gesellschaftliche Umgang mit dem Islam und der, besonders durch die Nähe zu Afghanistan, florierende Drogenhandel erkennen.

Das Ferghana-Tal verfügt im Vergleich zu den ausgedehnten Steppengebieten Zentralasiens aufgrund seiner Nähe zu den Bergen des Tienschan und den damit verbunden Wasserreserven über eine hohe Attraktivität. Es ist die fruchtbare Insel im kargen Zentralasien, jedoch nur für diejenigen, die ausreichend Wasser zur Verfügung haben. Die natürlichen Gegebenheiten bringen es mit sich, dass sich in den Gebirgen Kyrgyzstans große Wassermengen anaccumulieren und dort in Stauseen gespeichert werden. Das Wasser fließt dann über das Territorium von Uzbekistan und Tadschikistan in westlicher Richtung ab. Je nachdem wie viel Wasser in den Speichern in Kyrgyzstan zurückgehalten wird, sind in der uzbekischen und tadschikischen Landwirtschaft gute oder schlechte Ernten zu erwarten. Dies hat in Jahren mit wenig Niederschlägen (wie z.B. 2001 und 2002) maßgeblichen Einfluss auf die wirtschaftliche Situation der Bauern und den Baumwollertrag, der für Uzbekistan das wichtigste Exportgut darstellt. Es gibt zwar zwischen den drei Ländern internationale Abkommen über die Bereitstellung von Wasser, welche aber nicht besonders präzise eingehalten werden.

Zudem gewinnt, nicht erst seit dem 11. September 2001, die Frage nach dem Umgang mit dem politischen Islam an Bedeutung. Uzbekistan, Kyrgyzstan und Tadschikistan sind säkulare Staaten, in deren Verfassungen die Trennung von Staat und religiösen Organisationen festgelegt ist. Trotzdem ergeben sich in den drei Staaten sehr unterschiedliche politische Linien im Umgang mit dem Islam. Während es in Uzbekistan eine radikale Unterdrückung aller islamischen Kräfte gibt, praktiziert Kyrgyzstan eine relativ liberale Duldung, und in Tadschikistan beteiligt sich die Partei der Islamischen Wiedergeburt aktiv am politischen Leben und besetzt politische Ämter. Die jüngsten Attentate in Uzbekistan, der Zulauf von jungen Menschen zur radikal-islamischen Bewegung Hizb ut-Tahrir in Tadschikistan und die Aktivitäten von islamistischen Kämpfern im Gebiet von Batken in Kyrgyzstan im Sommer 2001 und 2002 zeigen, dass es bisher in keinem der drei Staaten gelungen ist, mit der wachsenden Problematik des politischen Islam umzugehen. Gleichzeitig sind die politischen Beziehungen zwischen den drei Staaten geprägt von Misstrauen und gegenseitigen Anschuldigungen.

Der Handel mit Drogen aus Afghanistan dürfte in den vergangenen 20 Jahren zu einer bedeutenden Geldquelle besonders für terroristische Organisationen geworden sein. Die drei Anrainerstaaten des Ferghana-Tals sind das Transitgebiet für Drogen auf ihrem Weg nach Europa. Wegen der hohen Arbeitslosigkeit und mangels anderer Beschäftigungschancen beziehen Teile der Bevölkerung ihr Einkommen aus dem illegalen Drogentransit. Dies bringt auch einen erhöhten Drogenkonsum mit sich, der insbesondere unter den Jugendlichen erhebliche gesundheitliche Gefährdungen nach sich zieht, da geeignete Beratungs- und Therapieangebote fehlen. Mit dem Drogenkonsum geht auch eine Ausbreitung von HIV/Aids einher, was sich bei ausbleibenden Aufklärungs- und Präventionsmaßnahmen in wenigen Jahren zu einer ernsthaften Epidemie ausweiten kann. Der Handel mit Drogen stellt auch auf volkswirtschaftlicher Ebene ein großes Problem für die Regierungen dar, da die Umsätze und Erlöse selbstverständlich nicht versteuert werden.

Angesichts dieser Tatsachen wurde mir klar, dass der geplante *open space* auch deswegen schwierig werden könnte, weil viele der Teilnehmenden persönlich oder als Vertreter ihrer Länder in die komplexen Probleme verstrickt sind. Nun gab es aber kein Zurück mehr!

### Vorbereitung

Ein wichtiger Teil der Vorbereitung für den *open space* ist das Formulieren einer geeigneten Überschrift für die jeweilige Veranstaltung. Ich ging also die Vorbereitungsarbeiten in Zusammenarbeit mit den lokalen Koordinatoren von der „Stiftung für Internationale Toleranz“ in Bischkek an. Bei dem Thema sollte es sich um eine komplexe Fragestellung handeln, auf die es keine einfache Ant-

wort gibt. Sie sollte konflikträchtig sein und den Teilnehmenden unter den Nägeln brennen. Normalerweise wird die Überschrift in einem Treffen entwickelt, an dem eine Gruppe von 7–15 Personen teilnimmt, welche die heterogene Zusammensetzung der anvisierten Teilnehmer widerspiegelt. Aufgrund des engen Zeitplans zwischen dem ersten Kontakt und der Konferenz und auch wegen der großen Entfernung wurde auf ein Vorbereitungstreffen verzichtet. Deswegen wurde eine Überschrift von den Kollegen der Stiftung in Bischkek entworfen und an ausgewählte Teilnehmer per E-mail verbreitet. Nach einer Woche intensiven E-mail-Verkehrs stand die Überschrift fest: „Ferghana-Tal: Tal der Toleranz, der Zusammenarbeit und des Friedens?“

Danach stellten sich die Veranstalter gemeinsam mit mir die Frage: Wer muss alles teilnehmen, damit dieses Thema produktiv bearbeitet werden kann und fassbare Ergebnisse erzielt werden? Unter den Teilnehmern sollten möglichst alle unterschiedlichen Perspektiven und Blickwinkel vertreten sein. Außerdem war dem Veranstalter wichtig, dass die Teilnehmenden auch in der Lage seien, unmittelbar auf der Konferenz Entscheidungen zu treffen. Es wurde also eine Liste von Personen zusammengestellt und ein Einladungsschreiben verfasst, welches wiederum von Vertretern verschiedener Länder unterzeichnet wurde, um die Akzeptanz des *open space* bei allen Teilnehmenden zu erhöhen.

### Die *open space*-Veranstaltung

Vier Wochen später reisten dann 28 Personen nach Osh an. Die Gruppe war mit mindestens neun Personen aus jedem Land fast paritätisch zusammengesetzt. Es waren überwiegend Vertreter von lokalen Nichtregierungsorganisationen und Medien, nur zwei Vertreter repräsentierten lokale Verwaltungen und staatliche Institutionen. Der Verlaufsplan für die 3-tägige Veranstaltung sah vor, dass die Konferenz am ersten Vormittag eröffnet wird und alle Teilnehmenden sich über den Stand der Dinge informieren. Zu diesem Zweck wurden kurze Berichte über die Situation in den drei Ländern ausgetauscht.

Am Mittag des ersten Tages wurde dann der insgesamt zweieinhalb Tage dauernde *open space* mit 6 Kleingruppenphasen von je 90 Minuten eröffnet. Nach der 18-minütigen Einführung formulierten die Teilnehmenden ihre Anliegen. 28 Anliegen wurden eingebracht, darunter die Themenbereiche Grenzverkehr, Zoll, Rechtsfragen, Abstimmung der Prioritäten u.a. Die Teilnehmenden nahmen den Raum sogleich in Besitz, um sich selbst organisiert der Arbeit an ihren Anliegen zu widmen.

Als Begleiter konzentrierte ich mich mit meinem Team darauf, Raum bereitzustellen und auf die Einhaltung der Zeit zu achten und mich nicht in die inhaltliche Arbeit einzumischen. Wir kümmerten uns um die Sicherung der Arbeitsergebnisse, die Bereitstellung von Arbeitsmaterial in den Kleingruppen, die Herstellung der Dokumentation, die fo-

tografische Dokumentation der Veranstaltung und die Verpflegung. Obwohl es in den Kleingruppen teilweise sehr lautstark und turbulent zuging, intervenierten wir nicht und überließen den Teilnehmenden den Raum für ihre Arbeit. Auch wenn diese Zurückhaltung meinem natürlichen Temperament widersprach und mir viel Disziplin abverlangte, war mir klar, dass ich die Teilnehmenden nicht davor schützen konnte, ihre Konflikte miteinander auszutragen. Jede Intervention an diesem Punkt wäre kontraproduktiv gewesen und hätte ein falsches Bild von der Verantwortung für die Zukunft des Ferghana-Tals hervorgerufen.

Am Abend und Morgen gab es jeweils eine kurze Runde, in der die ganze Gruppe zusammen kam und Neuigkeiten und Informationen austauschte. Bis zum Redaktionsschluss am Abend des zweiten Tages gingen in der Servicezentrale zwölf ausgefüllte Dokumentations-Blätter ein, auf denen die Arbeit der Kleingruppen festgehalten war. Diese wurden für jeden Teilnehmenden vervielfältigt und als Buch zusammen geheftet. Am Morgen des dritten Tages trafen sich alle zur Handlungsplanung, um die nächsten Schritte zu verabreden. Insgesamt wurden sieben Vorhaben mit Ort- und Zeitplan sowie Kontaktperson für die nächsten Schritte verabredet, darunter Vorhaben wie die Schaffung eines einheitlichen Informationssystems und einer Landkarte zur Grenz- und Zollproblematik oder die Verabredung einer transparenten Informationspolitik unter den Journalisten. In der Abschlussrunde berichteten viele Teilnehmende, dass sie durch die direkte Begegnung mit den vermeintlichen „Feinden“ neue Einblicke in die Dimensionen der Konfliktlage erlangt hätten und in der freien und selbst organisierten Arbeit eine neue Qualität im Miteinander erleben konnten.

Der *open space* war ein Erfolg. Die Teilnehmenden hatten Gelegenheit, einen Beitrag zur Bearbeitung der drängenden Probleme im Ferghana-Tal zu leisten. Dies taten sie freiwillig und selbst organisiert, und es sind nur die Dinge angepackt worden, für welche die Teilnehmenden tatsächlich Verantwortung übernahmen. Dabei wurden die vorhandenen Konflikte nicht ausgeblendet, sondern integriert und teilweise sogar produktiv bearbeitet. Mich beschäftigte während der ganzen Zeit vor allem aber die Frage: Warum geht es insgesamt so friedlich zu? Angesichts der Konflikte in der Region, die durch die Teilnehmenden repräsentiert waren, wäre ein offener Ausbruch von Feindseligkeiten und Hass zu erwarten und möglich gewesen.

Die Suche nach einer Antwort auf diese Frage führte mich zu dem Buch: „Raum für den Frieden“ von Harrison Owen. Darin beschreibt er seine Erfahrungen in der Arbeit mit *open space*-Veranstaltungen mit Israelis und Palästinensern. Dort ging es auch friedlich zu. Seine Analyse der Situation geht über die reine Beobachtung hinaus und untersucht das Wesen des Friedens. Er schreibt: „Frieden ist eine dynamische Wechselbeziehung komplexer Kräfte, die zu Ganzheit, Gesundheit und Harmonie führt.“<sup>2</sup> In diesem Sinne ist Frieden also ein Prozess und kein Zustand, und er stellt sich von selbst ein.

Aus der naturwissenschaftlichen Disziplin der Chaosforschung ist bekannt, dass alle komplexen selbst organisierenden Systeme, wie Atome, Ökosysteme oder Sonnensysteme, in der Lage sind, sich selbst ständig weiter zu entwickeln. Dabei geraten sie immer wieder in chaotische Zustände, in denen jedwede Ordnung fehlt, um danach entweder zu zerfallen oder sich auf einem höheren Niveau von Komplexität neu zu konstituieren. Owen wendet diese Erkenntnis der Chaosforschung auf soziale Systeme wie Familien, Organisationen und Staaten an und entdeckt dort unter bestimmten Voraussetzungen ähnliche Entwicklungsmuster: Es gibt temporär Zustände des Gleichgewichts oder Friedens (gekennzeichnet durch Ganzheit, Gesundheit und Harmonie), die durch chaotische Phasen (Chaos, Konflikt und Verwirrung) abgelöst werden, in denen soziale Systeme entweder zerfallen (wie die DDR) oder aus denen sie auf einem höheren Niveau hervorgehen. Die beiden Zustände sind zwei Seiten der gleichen Medaille, d.h. sie sind untrennbar miteinander verknüpft. Ohne Chaos, Konflikt und Verwirrung gibt es keinen Frieden und kein Gleichgewicht. Die Zustände treten selbst organisierend auf – Planung oder Steuerung ist zwecklos.

Die Erfahrung der Konferenz in Osch hat gezeigt, dass der *open space* einen hervorragenden Raum bietet, um diese Zusammenhänge im Kleinen zu erleben. Vertreter verschiedener Konfliktparteien haben sich in einem gewaltfreien Raum getroffen, um über ihre Zukunft zu beraten. In der direkten Begegnung erlebten sie sich gegenseitig vor allem als menschliche Wesen, mit vielen gemeinsamen Bedürfnissen, Wünschen und Hoffnungen und erst an zweiter Stelle als Vertreter von Konfliktparteien. Die Stereotypen über böse Absichten „der Anderen“ wurden in der direkten Begegnung korrigiert. Als Ergebnis der Veranstaltung standen die Gemeinsamkeiten unter den Teilnehmenden vor dem Trennenden. Und das alles geschah selbst organisiert, ohne jedwede Intervention seitens des Begleiters. Natürlich schafft eine Konferenz von zweieinhalb Tagen mit 28 Teilnehmenden noch nicht den Frieden für die ganze Region, und die konkreten Wasser- und Drogenprobleme und die religiösen Konflikte warten noch auf ihre Lösung. Die Konferenz war jedoch ein Anfang und ein kleiner Schritt in Richtung Frieden, Vertrauen und Zusammenarbeit.

## Fazit

Wenn diese Erfahrung kein Zufall war und der Zusammenhang von Frieden, Chaos und Konflikt tatsächlich unzertrennlich ist und Frieden sich von selbst einstellt (wenn der Raum dafür geöffnet wird), dann hätte dies weitreichende Implikationen für unser Denken über Konflikte und unser Handeln in Konfliktsituationen. Alle Ansätze, die von Steuerung und Vermittlung solcher Situationen ausgehen, müssten gründlich überdacht und neu geordnet werden. Die Idee von Pufferzonen, neutralen Vermittlern und Auseinanderhalten der Konfliktparteien müsste ersetzt werden durch das Streben, die direkte Begegnung der Konfliktparteien im gewaltfreien Raum zu organisieren. Verantwortung und Leidenschaft der Beteiligten selbst

wirken dabei als die treibenden Kräfte, aus denen der Frieden hervorgeht. Die Aufgabe des Friedensstifters ist es, sich dem Konflikt zuzuwenden und Raum und Zeit zur Verfügung zu stellen, in denen die Beteiligten ihren Frieden selbst organisierend finden können. Diese Sichtweise zulassen und sich vom traditionellen Denken über Konflikte zu verabschieden, ist mit Sicherheit nicht einfach. Aber warum sollten wir Menschen und unsere sozialen Systeme eine Ausnahme machen im Universum der selbst organisierenden natürlichen Systeme?

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<sup>1</sup> Siehe [www.joconsult.de](http://www.joconsult.de) für detaillierte Informationen über open space.

<sup>2</sup> H. Owen: Raum für den Frieden, S. 9.

## Friedensmissionen auf dem Balkan

### Acht Jahre Tätigkeit im Auftrag von WEU, UN und OSCE als Wahlbeobachter und als Mitglied einer internationalen Polizeitruppe

*Henning Hensch, Lütjenburg*

Zwischen 1994 und Anfang 2002 bin ich als Polizist auf dem gesamten Balkan eingesetzt gewesen und zwar – stets im Auftrag des Auswärtigen Amtes – für die WEU, die UN und die OSCE. Ich war sowohl als Wahlbeobachter tätig wie auch auf dem Gebiet der polizeilichen Überwachung und Ausbildung sowie im Rahmen von Ermittlungen in Sachen Kriegsverbrechertribunal Den Haag. Meine Schlussfolgerungen aus dem Erlebten, Gesehenen und Erklärten sind in dem einen oder anderen Fall subjektiv, weil ich feststellte, dass die erklärte Politik der internationalen Staatengemeinschaft keineswegs immer mit ihrem Handeln übereinstimmte. Bevor ich meine Beobachtungen darstelle, will ich eine Feststellung vorausschicken: Die zivilen und noch deutlicher die militärischen Missionen nahmen und nehmen selten Rücksicht auf die sehr unterschiedlichen Kulturen des Balkans und daher gab es häufig Schwierigkeiten und Ungerechtigkeiten.

#### Mostar

Als Mitglieder einer internationalen Polizeitruppe war Mostar für uns ein schwieriger Anfang, denn die unterschiedliche Ausbildung und die unterschiedlichen Grundsätze und Polizeistrukturen beispielsweise der paramilitärischen Einheiten der Guardia Civil, des BGS oder der fran-

zösischen Gendarmerie bereiteten anfangs Probleme. Erst seit dem Jahr 2000 hat die OSCE begonnen, gemeinsam mit der EU Ausbildungs- und Vorbereitungsnormen zu installieren. Die noch unterschiedlichen Arbeitsweisen und Schwerpunkte in der Ausbildung der verschiedenen Polizeieinheiten führten daher bei den Einsätzen, bei denen ich beteiligt war, noch häufiger zu Problemen. Ich landete in der „Special Investigation Branch“. Aufgabe dieser Einrichtung war die Überwachung des organisierten Verbrechens, die Beobachtung der Polizei auf der kroatischen und der bosnischen Seite, Ermittlungen bezüglich Vertreibungen und vor allem deren Verhinderung, erste Schritte zur Zusammenführung der Polizeieinheiten beider Seiten sowie – als wichtigstes Ziel – die Vertrauensbildung.

Das Vertrauen in die Polizei war praktisch gleich null, weil in dieser Region Polizei und Militär die uniformierte Staatsgewalt darstellten und nicht selten mit dem organisierten Verbrechen und dessen politischen Freunden kooperierten. Über die WEU-Polizei sollte versucht werden, Vertrauen in eine zivile und unparteiische Verwaltung herzustellen. Eine schier unmögliche Aufgabe, weil Bosnier und Kroaten nur ein Interesse hatten, nämlich Teilung und Besitzstandswahrung, und dabei war jeder Seite jedes Mittel recht. Rücksichtnahme auf die Menschen, die auf beiden



Mostar 1994, Boulevard, Confrontation line

Seiten litten, war selten zu beobachten. Politik, Vertreter der Konfessionen, organisierte Kriminalität und Militär zogen auf beiden Seiten am gleichen Strang. Tuta, kroatischer Held von Franco Tudjmans Gnaden, selbst ernannter Präsident der kroatischen Teilrepublik Herceg-Bosna und heute in Den Haag einsitzend, beherrschte die Westbank Mostars. Wir beobachteten uns gegenseitig – so weit überhaupt möglich –, ohne jedoch wirklich handeln zu können, weil die Vertrags- und die Rechtslage es nicht zuließen. In Sarajewo verabschiedete Gesetze wurden je nach Nutzen und Zweck ganz unterschiedlich angewendet und führten immer wieder zu Schwierigkeiten. Das war den beiden Parteien natürlich bekannt. Mit anderen Worten: wir waren eigentlich machtlos. Die Mafiosi Tuta und Stella belieferten Westbank wie Eastbank mit gestohlenen Kraftfahrzeugen, je nach Bedarf. In Mostar registrierten wir mehr als 4000 gestohlen gemeldete Fahrzeuge, überwiegend aus Deutschland und großenteils Fälle von Versicherungsbetrug. Hinweise an die Versicherungswirtschaft blieben ohne Ergebnis und Nachforschungen und uns wurde jeder weiterer Kontakt mit deutschen Polizeidienststellen im Sinne von Ermittlungen untersagt, weil dies nicht den internationalen Regeln entspreche.

Internationale Regeln bedeutete in diesem Fall, dass es in Sarajewo nach dem Auseinanderbrechen der jugoslawischen Staatengemeinschaft keine Dienststelle der Inpol mehr gab, sondern nur in Belgrad. Letztere Stelle um Auskünfte zu bitten, die Deutschland und BiH. betrafen, hätte geheißen, Eulen nach Athen zu tragen, weil konkret fassbare und nutzbare Mitteilungen nicht zu erwarten waren, zumal die Präsidenten Tudjman und Milošević zu diesem Zeitpunkt noch relativ eng kooperierten und zwar, um einen Staat BiH zu verhindern und eine serbisch-kroatische Aufteilung Bosniens zu erreichen. Einer der Berater Tutas war Ivan Advanbak, ein bei der IRA und in Syrien ausgebildeter Terrorist, mit Verbindungen zur RAF und zu Top-Terrorist Carlos, der für die militärischen Aktionen Tutas

und seiner HVO (kroatisch/hercegovinische Armee) verantwortlich war. Er konnte schalten und walten wie er wollte. Diese Leute – immer im Benehmen mit Tudjmans Regierung – waren auch verantwortlich für das Raketenattentat auf den Administrator Hans Koschnick. Die Täter waren kroatische Militärpolizisten aus Hercegovina, wie sich 2001 herausstellte. Sie waren als Wächter in dem berüchtigten Militärgefängnis „Luna“ nahe Split beschäftigt, in dem in Kroatien lebende Serben inhaftiert und gefoltert wurden, ohne dass Ermittlungen geführt wurden, obwohl Kroatien dem Vertrag mit dem Internationalen Tribunal in Den Haag beigetreten war. Doch wie so häufig auf dem Balkan nach der Operation „Storm and Flash“ (1995) erließ Tudjman sofort eine Amnestie, und damit wurde jedes Verfahren auf nationaler Ebene bis heute verhindert. Mein Hinweis an das Auswärtige Amt blieb ohne jeden Erfolg. Ein gründlich ermitteltes und vollständig abgeschlossenes Verfahren gegen einen kroatischen Milizführer in Starigrad (nördlich von Zadar) wegen eines Kriegsverbrechens blieb der Amnestie wegen ohne Erfolg, nicht nur in Kroatien, sondern auch in Den Haag, wohin der Vorgang über die deutsche Justiz weiter geleitet worden war.

Auch in Den Haag will man nur die Führer vor Gericht stellen, nicht aber die Handlanger. Wo waren die Anklagen gegen bosnische oder albanische Straftäter?

Man ließ zu, dass das Eigentum der im Zuge der Operation „Storm and Flash“ vertriebenen Serben aus der kroatischen Krajina und Dalmatien an bosnische Kroaten fiel, die sofort die Staatsangehörigkeit Kroatiens erhielten, nachdem sie Bosnien verlassen hatten. Mit anderen Worten, die „internationale Familie“ duldet eine stille ethnische Trennung, wie sie auch in Mostar vonstatten gegangen war. Der Wiederaufbau funktioniert, nicht aber die angeblich angestrebte Zusammenführung, die aber Grundlage aller Verträge ist und trotz aller Leiden unabdingbar. Ähnlich läuft es in Ostslawonien. Wohnungen werden okkupiert, die Bewohner vertrieben oder erpresst und die so genannte „Housing commission“ erlässt einen Verfahrensstopp, weil der eigentliche Mieter nachweisen soll, wer ihm die Wohnung vermietete, was heute nicht mehr möglich ist und die jugoslawischen Dokumente nicht anerkannt werden. Die Menschen sitzen auf der Straße und fliehen oder ziehen zu Verwandten. Die kroatische Sprache wird von serbischen Begriffen und Wörtern „befreit“. Alles dient der ethnischen Bereinigung. Wer die Einhaltung der Menschenrechte verlangt, muss sie auch praktizieren oder durchzusetzen versuchen. Nicht alle Bosnier hießen Izetbegović, nicht alle Serben Milošević und auch nicht alle Kroaten Tudjman, die meisten Menschen wünschen sich ganz im Gegenteil Frieden und lehnen den Chauvinismus ihrer jeweiligen Führer ab, der ihnen letztendlich nur Leid gebracht hat und noch bringt. Heute sagen die Menschen hinter vorgehaltener Hand: „Hätten wir doch noch Tito; denn er hat uns Aufschwung und Touristen gebracht.“ Ein Diktator, welche Ironie. Schauen wir heute nach Kroatien, stellen wir fest, dass die Partei Tudjmans – die HDZ – wieder das Zepter in der Hand hat, ohne dass die internationale



Mostar 1994. Wasserstelle, angelegt von NGO und UN

Staatengemeinschaft verhinderte, dass eine so undemokratische Partei die Macht innehat.

Erst wenn die Menschen spüren, dass demokratische Grundregeln und Verhaltensgrundsätze gewahrt werden, werden sie bereit sein, ihre Ängste abzulegen und wieder Vertrauen zu fassen in eine wahrhaftige und offene Gesellschaft. Dieser Grundsatz ist aber nicht zu erzwingen, sondern muss behutsam unter Wahrung der jeweiligen Kultur und der Sozialisation erreicht werden. Es bedeutet aber auch, dass Mittel investiert werden sollten, ohne dass die Geldgeber auf den unmittelbaren Profit schauen, und genau da liegt der Punkt. Entscheidend war auch, dass die UN, aber auch die EU, nicht erkennen ließen, dass ihnen an der Erhaltung der Staatengemeinschaft Jugoslawien etwas lag, sondern nur an der Einstellung der Feindseligkeiten. Die Stornierung der Aufnahme Jugoslawiens in die KSZE (später OSCE) war nach meiner Einschätzung ein großer Fehler, weil sie Milošević die Möglichkeit einräumte, entgegen der Helsinki-Akte jede Kritik als Einmischung in die inneren Angelegenheiten Jugoslawiens zu betrachten.

Auch die Organisation von Wahlen im Nachkriegsbosnien lief bei weitem nicht reibungslos ab. Allein die Registrierung der Wähler stellte uns, die internationalen Beobachter, immer wieder vor erhebliche Probleme. Wer musste oder wer konnte zugelassen werden? Was veränderten Stimmenabgaben von Geflohenen, die an den Konsulaten oder Botschaften ihre Stimmen abgaben (ohne dass eine Rück-

kehr in ihre Gemeinden sichergestellt war, da dies vielerorts noch unmöglich oder gefährlich war)? Für mich war das Wahlverhalten am interessantesten. Selten wählten Einzelpersonen, meist erschien die ganze Familie und das Familienoberhaupt wachte aufmerksam darüber, ob auch nach seiner Vorgabe gewählt werde, ohne dass es dies kontrollieren konnte; denn gewählt wurde hinter einem Wandschirm. Ich glaube jedoch, niemand aus der Familie war bereit, gegen die Entscheidung des Familienoberhauptes zu verstehen. Tatsächlich wurde in den meisten Fällen nach ethnischer Zugehörigkeit entschieden. Minderheiten hatten von vornherein absolut keine Chance, schon deshalb, weil die Parteien und Kandidaten im Prinzip auch nach ethnischen Zugehörigkeiten aufgestellt worden waren. Hinzu kam, dass die alten Seilschaften plötzlich die Verfechter demokratischer Grundregeln wurden, meist in ihrem eigenen Interesse, auch wenn gegeneinander kandidiert wurde, um nach der Wahl sofort eine Koalition einzugehen. Welche serbische Partei hätte in Ostslawonien – dort lebten über Jahrhunderte Serben – eine Chance? Das gilt auch für Kroaten in der Republik Srpska oder die ungarische Minderheit. Dabei darf nicht übersehen werden, dass die Serben nichts sehnlicher wünschen als den Anschluss an die Republik Serbien-Montenegro, und es darf auch nicht vergessen werden, dass letztendlich der Staat BiH ein künstliches Gebilde ist, aus dem erst eine nationale Einheit entstehen soll. Bei den ethnischen Vorgaben und dem entstandenen Leid ist dies eine langwierige Aufgabe, die der ständigen Aufsicht, Kontrolle und Unterstützung bedarf. Ich glaube, dass nur die Jugend, vorausgesetzt, sie wird dazu erzogen, in der Lage sein wird, Toleranz walten zu lassen und den Hass zu beseitigen, um letztendlich im Interesse der dort lebenden Menschen aufeinander zugehen.

## Kosovo

Die Kosovo Verification Mission (KVM) war Nachfolger der Kosovo Diplomatic Verification Mission (KDVM). Die etwa 200 Mitglieder der KDVM waren fast ausschließlich Soldaten. Der Vertrag zwischen Belgrad und den NATO-Staaten wurde für die Verbündeten von den Generälen Wesley Clark und Klaus Altmann unterschrieben, obwohl es sich um eine diplomatische und zivile Mission handelte. 1998 löste die KVM die KDVM ab. Milošević hatte der Mission zugestimmt und garantierte für die Sicherheit der Missionsmitglieder. Es galt aber, wie auch schon in BiH und Kroatien, das jugoslawische Recht. Milošević' Zustimmung hatte sicherlich den Hintergrund, dass die UCK (international: KLA) nur noch über sehr wenige Kräfte im Kosovo verfügte. Der wohl bekannteste Zonenkommandeur der UCK – Ramush Haradinaj – sprach von noch etwa 50 Kämpfern. Im Grunde hatten die Serben die UCK vernichtet und handlungsunfähig gemacht. Die Kämpfe zwischen den serbischen Sicherheitskräften (Polizei, Spezialpolizei, Militär und Arkans Tiger, eine Art ziviler Miliz aus dem organisierten Verbrechen) und der UCK hatten schweres Leid über den Kosovo gebracht, und zwar



Mostar 1995.

Ein Postbeamter bewacht mit Kalaschnikow seine Poststelle.

für alle Bevölkerungsgruppen. Angst, Hass und Not waren allgegenwärtig, doch die Entsendung der Missionsmitglieder verzögerte sich ständig. Die Mission begann im Herbst 1998 mit etwa 300 Beobachtern. Geplant waren bis Jahresende 2000 Beobachter. Zum Zeitpunkt der Evakuierung der Mission im März 1999 waren es noch nicht einmal 1200. Warum so zögerlich entsandt wurde, weiß ich nicht – ein Fehler war es in jedem Fall. Faire, aber notwendiger Weise harte Verhandlungen mit der serbischen Administration fanden nicht statt. Die Führung der Mission begünstigte klar die albanische Seite, die sich ähnlicher Verbrechen an ihren eigenen Leuten wie auch an der serbischen Bevölkerung schuldig gemacht hatte. Es galt der alte Grundsatz: Erst waren sie Terroristen, dann Freiheitskämpfer und am Ende gehörten sie zum Establishment. Um Milošević und sein übles Regime zu beseitigen oder zu zwingen, bedurfte es mehr Geschick.

Mitte Januar 1999 kam es zwischen den serbischen Sicherheitskräften und der UCK zu heftigen Auseinandersetzungen in der Umgebung von Decane, dem Sitz des dortigen Patriarchen. Die Einstellung der Kämpfe gelang zunächst nicht. Während wir auf der Polizeidienststelle in Decane mit der serbischen Polizei verhandelten, erschien dort der Vertreter des ehemaligen Generals DZ (so genannt seines unaussprechlichen Namens wegen), Gablinsky, und forderte die Serben arrogant und überheblich auf, die Kampfhandlungen sofort einzustellen. Die Serben reagierten abweisend und waren nicht dazu bereit, weil sich noch einige ihrer Fahrzeuge im Kampfgebiet befanden, deren Übergabe sie verlangten. Gablinsky verließ nach der Auseinandersetzung den Raum und kehrte wenig später mit der Weisung von „DZ“ zurück, dass die OSCE-Beobachter mit ihren orangefarbenen Fahrzeugen zwischen die Linien fahren sollten, um die Einstellung der Kämpfe zu erreichen. Der Leiter des Regionalcenters Pec, ein sehr tüchtiger und gebildeter österreichischer Offizier, verweigerte diese Weisung mit Hinweis auf die Gefahrenlage. Auch die serbische Polizei verweigerte sich mit dem Hinweis, die Sicherheit der Beobachter nicht garantieren zu können. Nach heftigem Streit fuhren wir in das Gebiet hinein. Aus

den nahe gelegenen Wäldern war starkes Maschinengewehrfeuer zu hören. Plötzlich wurde gestoppt. Ein Geschoß hatte ein Fahrzeug durchschlagen und einen schottischen Beobachter in die Schulter getroffen. Wir brachen die Aktion sofort ab und orderten den jugoslawischen Hubschrauber, den die serbische Militärführung vertragsgemäß für Notfälle bereit hielt. Der Hubschrauber landete in Pec am Krankenhaus. Auf dem Weg nach Pec erhielten wir von „DZ“ die Order, dass der Verletzte mit dem uralten Krankenwagen der OSCE nach Pristina zu fahren sei. Von dort wurde er ausgeflogen. Dieses Misstrauen der serbischen Führung uns gegenüber führte zu einer mehrwöchigen Unterbrechung unserer mittlerweile guten Kontakte. Außerdem stellte sich heraus, dass die UCK die Anwesenheit der Beobachter nutzte, um ihre Kampfbereitschaft wieder herzustellen. Sie rekrutierte ihre Kämpfer aus der Republik Albanien und zwang Familien aus dem Kosovo dazu, ihre Söhne zu stellen. Wurde dieser „Stellungsbefehl“ verweigert, musste Geld gezahlt werden. Gelang auch diese Repressalie nicht, wurde Gewalt angewendet. Immer wieder wurde in der Öffentlichkeit behauptet, es gäbe eine Massenflucht aus dem Kosovo. Dem war nicht so. Es flohen Familien, wenn sie die Gelegenheit hatten, aber von einer Massenflucht konnte keine Rede sein. Richtig ist, dass die Menschen ihre Dörfer und Behausungen verließen, wenn die Gefahr von Kämpfen drohte. Waren die Kämpfe beendet, kehrten sie in ihre teilweise zerstörten Dörfer zurück. Die Rücksichtslosigkeit der Kampfhandlungen hatten beide Seiten zu verantworten, verantwortlich gemacht wurde aber in der Regel nur eine Seite. Der Versuch der internationalen Politik, aus den Kämpfen in Racak und Rugovo Massaker zu interpretieren, scheiterte, weil dieser Vorwurf nicht zu belegen war. In Racak gerieten die Dörfler, darunter einige UCK-Kämpfer und Kinder, zwischen die Linien. In Rugovo handelte es um dreitägige Kämpfe zwischen Serben und UCK. Die Behauptung, die Getöteten seien Zivilisten gewesen (so Scharding) war schlachtweg falsch. Nach dem Scheitern der Verhandlungen in Rambouillet war der Angriff der NATO unabwendbar. Die NATO-Führer glaubten, dass Milošević innerhalb weniger Tage nachgeben würde. Dies sollte sich als ein Irrtum mit leidvollen Folgen erweisen.

Die Evakuierung der OSCE-Beobachter vollzog sich in der letzten Märzwoche 1999, und zwar ohne jede Schwierigkeit. Wir wechselten die Grenze am Übergang zu Mazedonien ohne Probleme. Die serbischen Grenzpolizisten stempelten ein orthodoxes Kreuz in die Pässe und wir waren ausgewiesen. Meinen Diplomatenausweis (deutsch und serbisch) ließen sie unberührt, im Gegenteil konnte ich ohne Fahrzeug und Begleiter sofort passieren und auf die Kollegen in Blace (Mazedonien) warten. Wir fuhren in ein Chaos hinein, denn offensichtlich waren die Angriffe geplant, nicht aber die Evakuierung und unser Status in Mazedonien. Man hatte es schlachtweg nicht für möglich gehalten, dass Milošević nicht nachgeben würde. In Skopje erlebten wir das reine Chaos, keine Unterbringungs-



Wahlen in Kosovo, Herbst 2000

möglichkeit, niemand wusste, wo er abbleiben sollte. Die Mitglieder der KVM saßen in Skopje fest; denn die NATO beziehungsweise die EU hatten versäumt, mit der mazedonischen Regierung einen Status zu vereinbaren, der unseren Aufenthalt in Mazedonien hätte rechtfertigen können. Nach Verhandlungen und der Zahlung hoher Summen wurden wir dem UNHCR (Flüchtlingskommissariat der UN) zugeordnet, aber ohne jede Berechtigung unmittelbar einschreiten oder verhandeln zu können. Nach dreitägigem Chaos wurde mein Regionalcenter „Pec“ nach Ohrid im Süden Mazedoniens verlegt. Der Rest der Mission wurde entlassen und nach Hause geschickt. Auch das Regionalcenter wurde ausgedünnt. Unsere Beobachtergruppe umfasste nur noch 11 Personen. Nach einer Woche wurden wir zurückbeordert, um die Überwachung der Grenzen zwischen Tetovo/Jasnice, Blace und Kumanovo zu übernehmen, weil mittlerweile täglich Tausende Kosovo-Albaner, aber auch Serben, Türken und Roma aus dem Kosovo flohen, getrieben von den serbischen Kräften, welche die Luftangriffe nutzten, um die Kosovo-Albaner los zu werden, die der Logik der NATO folgend geschützt werden sollten – mit Vertreibungen hatte man nicht gerechnet. Bilder des Elends und der Verzweiflung boten sich uns. Was sollten die Menschen nun denken, die Schutz, Recht und Sicherheit gefordert und auf solche Zusagen gebaut hatten? Milošević nutzte die Angriffe, um die Albaner und andere ethnische Gruppen vom Nordosten nach Süden und Südwesten aus dem Kosovo heraus zu treiben. Mazedonien, die UN und vor allen Dingen die OSCE und die NATO waren völlig überrascht und hatten kein Konzept; hilflos standen sie vor der Weltöffentlichkeit und konnten keine andere Erklärung anbieten, als Schuldzuweisungen an Milošević – zu Recht, doch erklärten sie nie ihr eigenes Versagen. Durch die Angriffe wurde die Möglichkeit geschaffen, etwa 1,1 Millionen Menschen außer Landes zu treiben – keiner hatte damit gerechnet oder dies vorhergesehen. Ich werde die Bilder, die sich mir in Blace, Kumanovo, Jasnice oder in den Bergen bei Velje boten, nicht vergessen. Stundenlang mussten die geschwächten, verletzten und abgemagerten, ihrer Habseligkeiten beraubten Flüchtlinge in Bussen bei mehr als 40 Grad warten, um eine Unterkunft zu finden. In Jasnice und Blace konnten wir beobachten, wie die Flüchtlinge am Übergang nach Mazedonien ihre Fahrzeuge abliefern mussten, sie waren der Sold an Polizei, Militär und Arkans Tiger. Später wurde uns diese Beobachtungsmöglichkeit untersagt. Die mazedonische Administration arbeitete eng mit der serbischen Grenzpolizei zusammen und verpflegte sie sogar aus den Beständen der internationalen Hilfsorganisationen. Wir duldeten es, hüben wie drüben das gleiche Elend. Unsere orangefarbenen Fahrzeuge waren nicht gut gelitten, weil die Serben und die Mazedonier sie gleich setzten mit der Einseitigkeit des Vorgehens der Verbündeten im Kosovo, obwohl der Wechsel des Anstrichs etwas mit dem Weiß der Spezialpolizei im Kosovo zu tun hatte, nicht aber mit dem Auftrag, der aber als ungerecht empfunden wurde. Später – 2001 – waren unsere Fahrzeuge wieder weiß.

Aber geändert hatte sich im Prinzip nichts. Wir wurden geduldet, wohl wissend, dass wir keinen wirklichen Einblick hatten.

Zu meinem Aufgabengebiet gehörte unter anderem die polizeiliche Überwachung in Bogovinje, südlich von Gostivar gelegen, einem rein muslimischen Ort von etwa 8000 Bewohnern. In dem Ort gab es 11 „Bars“, in denen russische, ukrainische, bulgarische und moldawische Frauen animierten, Geschlechtsverkehr anzubieten oder verkauft wurden (*trafficking*). Der Ort galt schon zu Titos Zeiten als „Umschlagsplatz“ für den Frauenhandel. Nach einem Bombenanschlag auf eine der „Bars“ stellte ich fest, dass es enge Verbindungen zu in Deutschland lebenden Kroaten und Albanern gab, deren Familien in Tetovo und Zadar lebten und herrschten und die auch enge Verbindungen zu den albanischen „Freiheitskämpfern“ in Mazedonien (Ahmati, Daud Harandinaj) hatten. Nachdem ich meine Erkenntnisse an das Hauptquartier in Skopje weitergegeben hatte, erhielt ich Anweisung, die Finger davon zu lassen. Klar war, dass ohne Beteiligung der Polizei und der politischen Lobbyisten das organisierte Verbrechen dort nicht hätte arbeiten können. Selbst Interventionen strenggläubiger Muslime bei der OSCE oder der Regierung änderten nichts. Im Übrigen wurde hier wie in Kroatien deutlich, wie eng die Verbindungen zwischen Kroaten und der albanischen Seite auf dem Gebiet der Geldwäsche, des Drogenhandels und des Menschenhandels sind.

## Fazit

Ich bin trotz aller Mängel und Kritik und angesichts der Leiden der Bevölkerung der Auffassung, dass UN und EU die Verpflichtung haben, korrigierend einzugreifen, wo immer es notwendig erscheint, allerdings mit Fingerspitzengefühl und mit weniger politischem und strategischen Hintergrund, also, wenn man so will, gemäß dem Prinzip „Menschen für Menschen“. Ich bin kein Idealist und habe die Praxis ein wenig kennen gelernt und bitte um etwas mehr Mut und Wahrheit, wenn es bei internationalen Konflikten um Zustimmung oder Ablehnung geht.

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Nebeneinander und Miteinander  
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# Corruption as an Instrument of State Control in Georgia

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Corruption affects all post-communist states and is perceived as a major obstacle to the development of a democratic political system and a market economy in these countries. As corruption is associated with immediate problems in numerous countries, most studies on corruption focus on its eradication, and theoretical approaches often concentrate on its causes and effects. Corruption is usually understood in its negative aspect as a symptom of state weakness. The functionality of corruption has been less well researched – with the result that our knowledge of the functioning of corrupt states is still rudimentary.

In Georgia, the growing popular dissatisfaction seen in the last decade with regard to the corruption of the political class was one major cause of the recent „Rose Revolution“ and the ousting of the Shevardnadze regime and subsequently the regime of Aslan Abashidze in Adjaria. The new Georgian government has placed the fight against corruption high on its agenda. The Shevardnadze regime – which endured about a decade – may be regarded as an example of a highly corrupt system, whose elites successfully managed to make the international community view Georgia as a democratic state based on the rule of law. In order to understand this manipulation by the Georgian ruling class, it is instructive to examine how corruption within the regime functioned. This article aims to challenge the often-claimed link between corruption and weak state capacity – the argument which Georgian state leaders have used to emphasise their powerlessness against corrupt practices widespread in society. I shall adopt an alternative stance, arguing that corruption has been institutionalised by the state leadership for specific purposes. In the following, corruption appears to be a compliance strategy on the part of the state leadership that in some circumstances may enhance the state's resource extraction and rule-enforcement capacity rather than undermining it.

## The relationship between corruption and state weakness

At the core of the relationship between corruption and weak state capacity, we find in most studies on corruption the assumption that corruption is a response to inadequate institutional arrangements. Formal institutions are either inefficient in producing constraints and incentives or they fail to be internalised in a cognitive mode. By contrast, informal institutions are regarded as persistent and they challenge formal institutions by encouraging alternative behavioural patterns. In both cases, corruption is symptomatic of the failure of the state to generate compliant behaviours in a coercive and normative way.

State strength may be defined both as a rule-enforcement capacity and as its autonomy or independence from particularistic interests. The concept of state capacity refers to the capacity of the early modern state to perform certain activities of central import for its existence such as territorial administration, military coercion and revenue extraction.<sup>1</sup> Accordingly, indicators such as a low budget, administrative corruption and defective law implementation are usually regarded as manifestations of state weakness. Both the pursuit of private interests by public officials and their embeddedness in social networks are thought to undermine the capacity of the state to implement laws and monitor their application (administration and police), punish their violation (judiciary) and extract resources (tax collection).<sup>2</sup>

Most studies on corruption are founded on economics-based agency theories and locate the origin of corruption in a failed principal-agent relationship or principal-agent problem<sup>3</sup>. In a first model, the principal is the electoral body and elected officials represent the agents. The subversion of state institutions by private interests corresponds to the concept of „state capture“. Informal private actors such as oligarchs seek to distort and reshape the institutional framework to their own benefit, taking advantage of the weakness of formal institutional arrangements. In a second model, the principal holds a top level position in the public sector, while the agent is a public official charged with the implementation of regulations. Here too, the agent follows private interests to the detriment of the public interest. Corruption is conceptualised as a breach of contract for private gains. The violation of the contract constraining the subordinate official constitutes a breakdown of the formal state hierarchy.<sup>4</sup>

## The nature of the Georgian ruling order

Indicators ranging from low tax-collection, cross-border smuggling, the existence of breakaway regions such as the self-proclaimed republics of Abkhazia and South Ossetia and uncontrolled zones such as the Pankisi Gorge that have developed into criminal enclaves are the factors behind Georgia's qualification as a weak state. At 14 percent of gross domestic product (GDP), Georgia ranks level with African countries with regard to its tax-collection rate – the lowest of all CIS countries.<sup>5</sup> A central problem of Georgia that is thought to be a key factor in the failure of the state to implement laws, collect taxes and tackle the smuggling problem, is corruption in law enforcement bodies. Systemic corruption in state structures affects the distribution of budgetary funds. The financial losses suffered by the Georgian state due to smuggling – whose cause is believed to be the notorious corruption of customs officials in

concert with criminal networks – have been estimated at \$150 million-\$200 million per year.<sup>6</sup> Yet for many years Georgia was regarded as a promising CIS member which satisfied the conditions for a successful transition. It passed several laws corresponding to international standards and a modern tax code. An anti-corruption program was initiated in 1998. Political parties and the media enjoy relative freedom of expression by contrast to neighbouring countries and civil society is described as strong and has a large number of NGOs. Reform programs aiming at developing a democratic political system and a free market economy were rewarded with substantial financial aid, making Georgia the second-largest per capita recipient of U.S. development aid.<sup>7</sup>

In formal terms – that is with regard to its codified legislation – Georgia has the attributes of a state based on the rule of law. In practice, however, accounts of predatory behaviours by state agents are legion. It is this discrepancy between a formal façade of legalism and widespread corruption in practice that has frequently puzzled foreign observers of Georgia. To explain this discrepancy, standard interpretations of corruption in post-communist states point to the weakness of state institutions, use cultural arguments or focus on the Soviet legacy of disrespect for the law. In practice, however, the image of a helpless state leadership unable to halt the egoistic drives of its agents is contradicted by the omnipresence of the state regulatory capacity and indices of a certain extortive sophistication: one thinks of the police's establishment of road-blocks. At the same time, cultural factors fail to explain why corruption is simultaneously normalised and stigmatised. It seems that this very stigmatisation serves other purposes. Viewed externally, the commitment of the state leadership to fighting corruption helps to uphold a public façade of legalism and morality aimed at ensuring a constant flow of credits from international donors. Viewed from within, this façade actually helps to normalise corruption by stigmatising it and at the same time emphasising its pervasiveness so that it fosters fatalistic attitudes in the population. Moreover, the official condemnation of corruption allied to impunity and extensive state surveillance helps state leaders to develop a powerful instrument of control: blackmail.<sup>8</sup>

### **Corruption and compliance**

As corruption is usually negatively characterised as non-compliance with the law, it is thought as corresponding to failed compliance strategies of the state in terms of weak rule enforcement and weak state legitimacy. In respect of the strength or weakness of a state, it appears that the compulsory character of the state organisation is central to its essence. As Darden observes, a state is „a compulsory rule-making organisation that is sustained through the extraction of wealth from the population within its territorial domain“.<sup>9</sup> The state's „strength“ may be defined in terms of the extent to which rules and directives established

by state leaders are complied with and are indeed compulsory.<sup>10</sup> „Internal capacity“ or „integrity“ refers to the extent to which rules are followed within the state organisation itself. Borrowing from Michael Mann's distinction between the despotic and infrastructural state,<sup>11</sup> we may identify three characteristics of state capacity. Rule making capacity involves the decision-making process and corresponds to a state's despotic powers. Rule enforcement is concerned with the process of implementation of laws and regulations and corresponds to the infrastructural powers of a state. Political capacity refers to the means by which the state ensures compliance with its rules; this corresponds to the legitimate power of the state. It is also possible to distinguish between three main compliance strategies open to the state: coercive, remunerative and normative.<sup>12</sup>

At first glance, the regulative capacity of the Georgian state is reflected in a solid legislative framework. The key position claimed by so-called „power ministries“ – in particular the Interior Ministry – in terms of number and influence points to the state's surveillance and internal coercive capacities.<sup>13</sup> Considering its low tax collection rates, the Georgian state seems to be weak in terms of rule enforcement and its extraction capacities.

A second factor that appeared to be short in supply for the Georgian leadership during the Shevardnadze regime is legitimacy. Legitimacy is a key attribute of the state, as it is understood as a cost-effective solution for social control, whereas coercive forms of compliance usually require substantial resources. It is both a prerequisite for successful state building and a product of efficient formal institutions. State legitimacy is both procedural and performative, as this derives both from the institutionalisation of formal procedures for the formulation and implementation of policies and from the demonstration of the formal institutions, efficiency.<sup>14</sup> Performance is linked to the capacity of the state to supply public goods. Such public goods may themselves be institutions. As a creator of formal institutions and a third-party enforcer of behavioural rules in society, the state will sanction opportunistic behaviours in order to maintain social order. Further, state legitimacy is understood as a prerequisite for its autonomy from particular interests.

However, the cost-effectiveness of a normative compliance strategy is based on the assumption that the objective of the state is to assure compliance with the law. The enforcement of the rule of law is indeed viewed as a *conditio sine qua non* of stateness and correspondingly viewed as a factor of state strength by most scholars on corruption.<sup>15</sup> However, it is possible to question this correlation by affirming that the state's rule enforcement capacity is not necessarily equivalent to its enforcement of the rule of law.

In Georgia, the systematic character of predatory behaviours on the part of law-enforcement bodies suggests the existence of a pyramid of extraction. Thus, if we develop the idea that resource extraction and rule enforcement may

operate in a non-transparent and informal way, then corruption might actually appear to enhance those capacities. Furthermore, it is possible to develop the hypothesis that state leaders will strategically have recourse to the state's surveillance, coercive and rule-making capacities in order to develop precisely those informal extractive capacities in the sense of a non-transparent taxation system and to assure compliance with informal directives. In Georgia, the corrupt state may to some extent be construed as a rational construct, because it actually represents a cost-effective solution to state building. This process might be labelled a venal modus of state building,<sup>16</sup> as it is based on the integrative potential not of resource legitimacy, but of resource corruption. Elites are bound to the state apparatus initially through their „greed“ and subsequently through the enforcement of corrupt behaviours by state agencies.

The period covered by the Shevardnadze regime in Georgia began in 1992 with a coup led by two figures from a criminal background – Djaba Iosseliani and Tengiz Kitovani – against the first democratically elected President of the newly independent Republic of Georgia, Zviad Gamsakhurdia. An untypical alliance between the old *nomenklatura*, the Soviet *intelligentsia*, representatives of the underground economy and criminals precipitated the collapse of his regime after just eight months in power.<sup>17</sup> The heterogeneity of this alliance fuelled political instability and soon afterwards led the country into a civil war, generating immediate benefits for the paramilitary groups headed by Iosseliani and Kitovani. Initially, these groups managed to accumulate resources through the trade in weapons and drugs, looting and racketeering activities. However, within several months they were confronted with the scarcity of resources in a country lacking huge quantities of marketable resources such as oil reserves or diamonds. They developed an interest in a formal restoration of law and order, hoping to stabilise their criminal accumulation and redistribution of resources by means of a semblance of order. They underwent a transformation from „roving bandits“ to „stationary bandits“, to use Mancur Olson's typology.<sup>18</sup> As an arbiter with international aura who might secure international credits, Shevardnadze was „invited“ to take power by Iosseliani and Kitovani. As formal power was restored in Georgia, state structures became the sole focus for the accumulation of political and economic power. Unlike in post-Soviet Russia, where oligarchs with backgrounds such as the oil sector managed to gain influence in the political sphere, the number of actors capable of articulating their interests in Georgia was rather small.<sup>19</sup> In this regard, the criminal accumulation and redistribution of resources follows a pattern in Georgia which is different from that normally found in resource-rich developing countries. In the latter case, local strongmen with a strong hold on territories which have marketable resources are able to establish relationships with transnational actors such as oil firms.

Major transnational financial flows escape the control of the central state, fostering its disintegration. By contrast, the access to international credits and transnational flows in Georgia is a well-protected privilege, benefiting, in the first instance, members of the state apparatus.

Soon after he took power, Eduard Shevardnadze seems to have actively developed a policy of cooptation of elites. He nominated his immediate allies in key ministries, offering numerous possibilities for resource accumulation.<sup>20</sup> Ministers became entrepreneurs in areas of competence regulated by their personal ministries.<sup>21</sup> Moreover, parliamentarians from opposition parties were co-opted in the course of the alliance-building process and received offers from Shevardnadze of lucrative positions and opportunities in state organs. Following the incorporation of key elites in the state structures, Shevardnadze used the mechanism of rotation to hinder the development of autonomous power resources; in a first phase in the strategic power ministries, and in a second phase in the ministries of the economy and finance.<sup>22</sup> The mechanism of rotation relies on a formal basis, as the President of Georgia possesses an extended nomination power with regard to both the central government and local government, where heads of local administrations are his appointees. On several occasions, Shevardnadze made use of the state's „administrative resource“, referring to his provincial appointees, in order to pressure voters or falsify elections.<sup>23</sup>

If public goods and services are privatised and commercialised by the state leadership without their destination and use having been safeguarded, we may say that the state has been „captured“ by private interests. However, the impunity surrounding embezzlement and extortion in Georgia results from a different sort of logic which relies on bureaucratic-coercive power.<sup>24</sup>

### **Enforcement of corrupt behaviours**

Darden is interested in two aspects of state capacity: 1) „the probability that the directives of top leaders will be obeyed by subordinate officials“<sup>25</sup> and, 2) „the scope of issues over which leaders may issue commands“<sup>26</sup>. In the Georgian post-communist state, the state's large surveillance capacities and its accumulation of information help to extend the boundaries within which the state may exert its control. Darden develops the model of an informal contract, in which corruption or the extraction of wealth is an informal directive issued by the state leadership.<sup>27</sup> Thus corruption is compulsory and becomes institutionalised. In most theories on corruption, the individual will freely engage in a corrupt relationship as the result of a cost-benefit analysis. The informal contract, on the other hand, assumes that the individual may face punishment for not respecting the terms of the contract – namely, that resources are to be extracted by means of the extortion of payments. Further, state control may be widened by an

extension of the activities subject to regulation. If the regulated sphere is not bounded, it may become virtually unlimited.<sup>28</sup> The drafting of opaque and unrealistic regulations in several areas of legislation constitutes a means of extracting resources through bribery and of potential state control of all economic activities. In this sense, corruption as an informal institution of governance does not appear to undermine the state's capacity to secure compliance and may in fact actually help to enhance it. Hence in some circumstances, corruption may fall under the compliance strategies developed by the state.

Laws and regulations are designed in such a way that their violation is encouraged. An incentive structure is thus created that induces both the circumvention of rules and payment for their abuse. In Georgia, we observe three types of extortion methods: the public official may gain from bribery associated with services a person is entitled to such as health and security; a state agent may tolerate an illegal activity (smuggling); and finally, he may exempt someone from an administrative blockade, be it artificial or legal.<sup>29</sup> Large enterprises, of which members of the state apparatus took ownership at low prices during the privatisation process, are for example, exempt from taxation.<sup>30</sup> The same logic applies to artificial administrative burdens. Indeed, the unofficial „road tax“ levied by police officers on transport routes is never directed at the owners of new BMW and Mercedes cars – signs of a high position in the state hierarchy – much less to cars with a government license plate<sup>31</sup>. Regulations are particularly dense in sectors which offer opportunities for extortion, such as the transport sector and small businesses.<sup>32</sup>

Corrupt state agents extort bribes due to the violation of absurd regulations in what may be called an informal „loot chain“.<sup>33</sup> The agent is unable to pocket directly the benefits gained through extortions, but they are included in an informal chain of command. Rather than restrict themselves to providing certain privileges in return for support from societal groups, state leaders take a fixed percentage of the revenues from corruption or, through prebendalism, sell official posts. Those practices mark the establishment of a pyramid of corruption and extraction. The contract between decision-making principals and state agents is not constituted by formal legal institutions, but is rather an informal contract, whose directive is the extraction of resources through bribery. Consequently, the formal violations of the law which are implicit in corrupt practices can not be taken as evidence of the breakdown of the command hierarchy.<sup>34</sup> In order to ensure that the subordinates follow informal directives and profits are shared, the state organisation must develop punishment and enforcement mechanisms. There are incentives insofar as official posts may be purchased which provide an opportunity to accumulate resources. Sanction instruments are assured through systematic surveillance and blackmail.

Keeping wage rates low is part of a policy that enables state leaders to extend the size of the bureaucracy and to keep civil servants loyal and obedient through the implicit toleration of the pursuit of private benefits. Through the mechanism of prebendalism, a chain of loyalties is established that militates against the development of opportunistic behaviours. Indeed, the obligation of giving a share of one's benefits to one's superior hinders the development of self-interest. Further, the agent tries to maximise his initial investment and thus develops an interest in the stability and durability of the existing power structures.<sup>35</sup> A person wishing to become a customs official reportedly pays approximately 5.000 US dollars.<sup>36</sup> This investment appears worthwhile, as even low-ranking officers can count on earning between \$2.000-\$5.000 a month.<sup>37</sup> A share of each officer's profits will be passed on through the ranks to his superiors as a further payoff for having obtained this position. In the judiciary, the fees payable by a candidate wishing to „pass“ his examination are reportedly between \$5.000 and \$10.000.<sup>38</sup> By contrast, official police salaries reportedly rarely exceed \$20 a month.

The informal contract is based on the dependence of the corrupt agent on his principal. It is the principal in the first place who makes illicit behaviours possible by drafting rigid and opaque regulations, and thus enables the agent to create an arbitrary zone and thus sell a right to evade the rules.<sup>39</sup> Beside the regulatory capacity of the state, extortion implies the use of coercion. Only where an effective sanction potential applies does it make sense for an individual to pay a bribe rather than simply ignoring the law. Further, it is only where sanctions are possible that corrupt dealings appear attractive in the first place.<sup>40</sup> The market for official posts depends on the possibilities for benefit extraction. Prices for official positions vary according to the prospective level of extortable bribes.<sup>41</sup>

Corruption is informally encouraged and organised, but publicly condemned and rejected. The toleration of corruption is concomitant with systematic recording of all wrongdoings and potential blackmail opportunities through an implicit threat of revelations to the press or judicial action. Systematic records thus offer a means of sanctioning opportunistic behaviour.

The recording of wrongdoings by state agencies is a practice characteristic of the Soviet state. The Communist Party's toleration of economic crimes was actually a means for maintaining strict discipline in the party, as it was coupled with a latent threat of a sudden arbitrary enforcement of the law. The KGB was the agency which specialised in the systematic monitoring of illegal practices. Files containing compromising material about members of the elite were known as *kompromaty*. After the collapse of the Soviet Union, access to the secret services files enabled new leaders to exert pressures on several key political or economic actors.<sup>42</sup>

Darden underlines three elements in the system of blackmail as a tool of state control: 1) „a permissive attitude of state leaders toward corruption“<sup>43</sup>; 2) extensive state surveillance allowing the documentation of wrongdoings on the part of public officials and private actors, and 3) where pressure through blackmail is ineffective, recourse to formal enforcement mechanisms with the consequence that „individuals or groups that openly oppose the policies of the state or seek to usurp the existing leadership suddenly find that the veil of impunity has been lifted“<sup>44</sup>. Blackmail constitutes both a means of pressure against political opposition and a mechanism of enforcement of the informal contract in the administration. Surveillance agencies such as the interior ministry, the secret services or the tax ministry are used to monitor and register illegal activities. Complaints made by Georgian entrepreneurs concerning the tax inspectors' practice of bribing companies suggest the central state's extensive surveillance potential. Several owners of companies have reported that tax authorities have obtained information on their bank accounts and frozen them without first obtaining a preliminary court order. Access to bank accounts also enables tax authorities to arbitrarily deduct as fines sums of money from these.<sup>45</sup> Local authorities collect detailed data on the solvency of economic actors and companies.<sup>46</sup> On the basis of this data, tax inspectors are required by their superiors to extort a certain volume of bribes. Further, the recording of wrongdoings by state surveillance organs in Georgia is illustrated in the suggestion made by former Interior Minister Kakha Targamadze in late September 2000, that he was in possession of „compromising material“ on some deputies of the ruling party „Citizens' Union of Georgia“.<sup>47</sup> This claim occurred at a time when the party was threatening to split into two factions under the influence of the wing of „young reformers“. In this context, it may be interpreted as an attempt to exert pressure on some party members.

Enforcement of laws is selective and may occur suddenly in order to punish a breach of the informal contract. Christophe gives examples of provincial entrepreneurs turned into opposition figures. Their companies suddenly fall under the scrutiny of the tax inspectorate which finds that taxes have not been paid, even though these companies had regularly paid bribes.<sup>48</sup> Sanctions enforcing the informal command chain are of greater severity than the standard formal punishments used by a state bureaucracy. Not only will the subordinate lose his job, he will also lose his reputation and possibly face imprisonment. The benefits the vulnerability of state agents has for the state leadership are apparent in the light of a specific criterion for the recruitment of cadres in Georgia. Figures who have already been involved in corrupt dealings are more likely to be recruited, as they are more easily manipulable.<sup>49</sup> However, they also possess insider knowledge of the power structures. If they therefore fall victim to the system of rotation, they are usually assigned to a post in a different segment of the administration in order to prevent frustration.<sup>50</sup> Thus the state apparatus and the bureaucracy

are steadily expanding in accordance with the need for new opportunities for extortion. This explains the considerable size of some key ministries such as the Georgian Ministry of Internal Affairs.<sup>51</sup>

The use of blackmail as a sanction and control instrument contradicts the assumption that the causes of corruption are to be found in weak state monitoring and enforcement capabilities. Furthermore, the central monitoring of officials engaged in corruption makes it possible to ensure a state monopoly of corruption. Indeed, surveillance and blackmail permit the detection and punishment of potential offenders and independent monopolists who might want to depart from the agreed bribe level.

Besides its integrative function and the resource accumulation, administrative corruption also ensures a monopoly over resources through a blockade policy directed against the formation of a potential rival economic elite. Three features may be discerned in the administrative blockade policy: economic initiatives are subjected to administrative burdens intended to siphon off resources; the insider circle of clients is protected from undesirable concurrence through exclusive access to the market; and administrative sanctions are aimed at political opponents.<sup>52</sup>

### **Preventing the emergence of trust and legitimacy**

The use of cooptation and rotation mechanisms also aims at reducing interpersonal trust and „rarefying“ the resource of legitimacy. With regard to society, it appears that Georgian state leaders use the same mechanisms to regulate state-society relations as they do in the state apparatus. The state initially establishes areas of lawlessness by apparently tolerating violation of rules. However, in violating a rule and breaching his formal contractual relationship with the state, an individual necessarily subscribes to a virtual informal contract, as he immediately pays a bribe for his infraction. In this manner, the individual is „forced“ to engage in a corrupt relationship. At the same time, the state representative – in the form of the bribe-taker – is not bound by any contract and might show his arbitrary power any time through a selective and unexpected use of formal sanctions. As a result, every individual action is subject to a latent sanction potential and consequently a latent uncertainty. Bureaucratic-coercive power impedes action. As every individual tries to achieve closer proximity to the exclusive source of protection that is the state, vertical limits render ineffective any potential form of horizontal association.<sup>53</sup> Engagement in collective action seems to entail more risks than potential benefits. Acceptance of trained behaviours that might evolve into behavioural certainties and routines is hindered by the state blockade policy or by permanently changing tasks. Not only does the Georgian state not provide a formal institutional basis for collective action, but it also hinders the formation of alternative sources of behavioural regularity.

Christophe argues that state leaders in Georgia are interested in a purposeful creation of uncertainties, which is concomitant with the destruction of every alternative source of norm-based legitimacy.<sup>54</sup> The creation of uncertainties – in the sense of lawless areas – assures the „sell of certainty“, hence the sell of protection.<sup>55</sup> Given its destruction of alternatives, power is perceived, if not as legitimate, then at least as inevitable. Despite their social prestige and traditional authority over the criminal underworld, „thieves-in-law“ (Russian: *vory v zakone*) were never able to acquire a position in Georgian society similar to that of their criminal counterparts in Russia. Unlike in Russia, a market for protection based on the system of *krysha* has never developed in Georgia and enterprises are entirely dependent on the good will of the tax inspectors.<sup>56</sup> Traditional social networks have been weakened through the development of a sense of general distrust and the suggestion that no one is likely to escape corruption. The simple fact of holding an official position is enough to be perceived as corrupt. Further, commitments to the rule of law are interpreted as resulting from a calculation. This attitude is expressed in a strong scepticism about honest behaviour.<sup>57</sup> In this sense, the stigmatisation of corruption goes hand in hand with its normalisation. „Exposed corruption“ is an instrument which state leaders use against particular actors.<sup>58</sup> They may also use it to generate a sense of fatality amongst the general population by feeding it a string of corruption scandals. The scepticism expressed by large parts of the population following the official proclamation of a „fight against corruption“ derives from the fact that political purges in Soviet times were often disguised as anti-corruption campaigns.<sup>59</sup> Corruption follows not only from a rational calculation of the likelihood of punishments implied in the informal contract, but also from the internalisation in a cognitive mode of the principle that it is possible to purchase the right to circumvent rules. This is apparent in terms of the readiness of individuals to enforce informal regulations.<sup>60</sup>

### Conclusion

The role of a central authority governing corrupt practices in Georgia is apparent in the above account. Corruption is enforced from above, by the state, insofar as state bodies perform monitoring and sanctioning functions through systematic surveillance and a selective application of laws. Indeed, in their enforcement of formal rules of corruption state leaders resort not only to informal instruments of sanction (loss of reputation through media-coverage of scandals and violence) but also to formal ones (judicial procedures, seizure of assets by the police). It follows from the conceptualisation of corruption as a state-enforced informal institution that the relation between formal and informal institutions cannot be thought of as a zero-sum game. Instead of undermining, substituting and conflicting with formal institutions, informal institutions of corruption appear to complement them. Furthermore, informal

institutions such as bribery would be ineffective without the possibility of recourse to formal state institutions, in the form of surveillance and coercion organs. Cooptation is linked to rotation and impunity to blackmail and surveillance. Informal power that lacks a formal foundation is not efficient. In this sense, an increased informalisation of structures is not necessarily synonymous with a declining state capacity.

In order to capture the specific nature of the process of state-building in Georgia which leads to a combination of formal and informal means of governance, it is useful to examine how globalisation appears to have changed the parameters of statehood. Within a globalised context, we may observe a shift from „internal“ to „external“ state-building.<sup>61</sup> In short, as contemporary states receive their legitimacy, resources and military capacities from without – that is from the international community – they no longer need to acquire them from within and are not compelled to reach the same accommodation with the population as European rulers were.<sup>62</sup> Due to their reliance on external financial sources, contemporary states are indeed accountable in the first instance to external actors for their economic and political choices.<sup>63</sup> Contemporary states do not necessarily aim for a territorial form of control as they no longer depend on national taxation which has been replaced by control of transnational flows and access to international capital; nor do they need to protect internationally sanctioned borders. Rather than a state monopoly of legitimate violence – in terms of territorial control – states or military organisations aim to control commerce.

During the Shevardnadze regime, Georgia appears to have shared all the characteristics of contemporary states. Despite declarations to this effect, Georgian territorial integrity and the re-establishment of a state monopoly of legitimate violence throughout Georgia does not seem to have been a priority of the Shevardnadze regime. The porosity of borders represented a possibility for several actors to profit from smuggling. The Georgian government exploited external threats to Georgia from the governments of the self-proclaimed republics of Abkhazia and South Ossetia so that it could present itself as the sole guarantor of stability.

However, it appears that the new Georgian state leadership aims to restore territorial sovereignty and has already achieved some success in this respect with the demise of the Abashidze regime in Adjaria in May 2004. Further, the enhancement of state legitimacy seems to be a major goal and the new government has shown a willingness to tackle the problem of corruption in public institutions. Saakashvili was elected with a high percentage of the votes and actively relies on symbols of a restored Georgian statehood such as a new flag and hymn. Indeed, a strong factor behind the legitimacy of the new regime is its claim to represent a radical break with the former corrupt regime in the eyes of Georgian citizens and the international community. Although some observers are ready to award early plaudits

to the new president Mikhail Saakashvili for his efforts against corruption, the new Prime Minister Zurab Zhvania does not appear to have broken completely with the practices of the former regime. The challenge of restoring a normative ground and trust in state institutions and fostering high-integrity within the administration remains a long-term goal for Georgia.

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<sup>1</sup> See Easter, Gerald M.: Reconstructing the State: Personal Networks and Elite Identities in Soviet Russia, New York: Cambridge University Press, 2000.

<sup>2</sup> If we apply to corruption the rational choice model of homo oeconomicus or the individual maximisation of self-interest, corrupt behaviour is merely a quest for personal gain. On the perspective of sociological institutionalism, corruption appears to be the product of concurrent social norms.

<sup>3</sup> See Darden, Keith: Graft and Governance: Corruption as an informal mechanism of state control, Prepared for Informal institutions and politics in the developing world, Harvard University, 27 March 2002, p. 5.

<sup>4</sup> Darden (2002), p. 8.

<sup>5</sup> See Phillips, David L.: Stability, Security and Sovereignty in the Republic of Georgia, Rapid Response Conflict Prevention Assessment sponsored by the Council on Foreign Relations Center for Preventive Action, 15 January 2004, p. 3.

<sup>6</sup> See Christophe, Barbara: Zwischen Fassaden der Anarchie und regulativer Allmacht – Metamorphosen des Leviathan in der georgischen Provinz, Habilitationsschrift zur Vorlage bei der Kulturwissenschaftlichen Fakultät der Europa-Universität Viadrina in Frankfurt Oder, 2003, p. 96; and Stier, Ken: Report details failures in Georgian petroleum tax collection, EurasiaNet, 2 December 2002. ([www.eurasianet.org](http://www.eurasianet.org))

<sup>7</sup> Since gaining independence, Georgia has received \$1.3 billion in foreign aid from the United States by virtue of the Freedom Support Act (FSA). See Phillips (2004), p. 3.

<sup>8</sup> Blackmail is the use of threats or moral pressure in order to extort a payment in return for not disclosing discreditable information. See the Oxford English Dictionary definition. See Darden (2002) and Darden, Keith: Blackmail as a Tool of state domination, East European Constitutional Review, 10, 2001, pp. 67-72.

<sup>9</sup> Darden (2002), p. 3.

<sup>10</sup> See Darden (2002), p. 3.

<sup>11</sup> Michael Mann, The Autonomous Power of the State: Its Origins, Mechanisms and Results, in Hall, John (ed.): States in History, Oxford: Basil Blackwell, 1986. Quoted in Easter, Gerald M.: Building Political Compliance in Transitional Economies: Russia, Paper presented at Conference on „State

Capacity, Trust and Tax Evasion“, St. Gallen, Switzerland, October 2003, pp. 3-4.

<sup>12</sup> See Easter (2003), p. 38.

<sup>13</sup> The Interior Ministry reportedly has at its disposal around 60.000 policemen.

<sup>14</sup> Christophe (2003) stresses these two aspects, p. 10. On the procedural aspect of legitimacy, see Luhmann, Niklas: Legitimation durch Verfahren, Darmstadt/Neuwied, 1978.

<sup>15</sup> See Darden (2002), p. 1.

<sup>16</sup> Christophe (2003), p. 100.

<sup>17</sup> See Christophe (2003), p. 98.

<sup>18</sup> According to Olson's typology, „roving bandits“ are interested in a maximum short-term gain, while „stationary bandits“ favour a stable environment from which they may profit in a long-term perspective. See Olson, Mancur: Dictatorship, democracy, and development, American Political Science Review, 87 (3), 1993, pp. 567-76.

<sup>19</sup> This reduction in the number of actors occurred both as a result of the Soviet economic collapse and of the warfare situation that followed Georgian independence – including conflicts with the self-proclaimed republics of Abkhazia and South Ossetia. See Christophe (2003), p. 83.

<sup>20</sup> Kitovani was named Defence Minister; Ioseliani was made responsible for the Ministry for Internal Affairs and Aslan Abashidze for the customs department. See Christophe (2003), p. 100-101.

<sup>21</sup> One report issued by the Secretary of the Anti-Corruption Coordinating Council revealed that six out of nine sources of income declared by the Ministry of Internal Affairs in 2001 were obtained thanks to regulations issued by the ministry itself and not due to higher law, legislation or presidential decree. See Darchiashvili, David/Nodia, Ghia: „Power structures, the weak state syndrome and corruption in Georgia“, International Institute for Democracy and Electoral Assistance (IDEA) Discussion Paper 5, May 2003.

<sup>22</sup> Christophe (2003), p. 102.

<sup>23</sup> See Devdariani, Jaba: As business supports EBBS, Georgian President adjusts tactics, EurasiaNet, 21 April 2003.

<sup>24</sup> Extortion appears to be typical of a bureaucratic elite, while embezzlement might be typical of a rent-seeking elite.

<sup>25</sup> Darden (2002), p. 4.

<sup>26</sup> Darden (2002), p. 4.

<sup>27</sup> See Darden (2002), p. 11.

<sup>28</sup> This is implicit in the second aspect of compliance outlined by Darden: the scope of areas over which leaders may issue commands.

<sup>29</sup> See Elwert, Georg: The Command State in Africa – State Deficiency, Clientelism and Power-locked Economies; in: Wippel, Steffen/Cornelissen, Inse (Hrsg.): Entwicklungspolitische Perspektiven im Kontext wachsender Komplexität, Forschungsberichte des BMZ; Band 128, München, 2001, p. 429.

<sup>30</sup> The former Chairman of the Chamber of Control – the main Georgian state audit agency – Sulkhan Molashvili was sentenced by a court to three-months pre-trial detention in April 2004 as he is suspected of having turned a blind eye to tax evasion by various companies in return for 30 % of the taxes they were due to pay (Civil Georgia 24/04/2004) ([www.civil.ge](http://www.civil.ge)).

<sup>31</sup> 1999 UNDP Human Development Report on Georgia, Chapter 3, p. 4.

<sup>32</sup> See Christophe (2003), p. 126.

<sup>33</sup> This metaphor is taken from Grossman: „Such partial retaining and passing on up of corrupt income occurred at each level of every hierarchy, including those of the party, the general government, and the economic police (OBKhSS). One can picture the wealth flowing-up channel through the pyramide, swelling as it rises along what might be called „loot chains“ (by analogy with food chains that concentrate nutrients or toxines). And since the apexes of all formal Soviet pyramids ultimately converged at the superapexes of the country’s leadership, so did the private wealth.“ Grossman, Gregory: Subverted Sovereignty: Historic Role of the Soviet Underground, in Cohen, Stephen S./Schwartz, Andrew/Zysman, John (eds.): The Tunnel at the End of the Light: Privatization, Business Networks, and Economic Transformation in Russia, Berkeley: International and Area Studies, 1998. Quoted in Darden (2002), p. 11.

<sup>34</sup> See Darden (2002), p. 9.

<sup>35</sup> See Christophe (2001), p. 166.

<sup>36</sup> This sum is cited by sources in the Customs Department in an article in *Kviris Paritla*, 16 March 2003, quoted by Akaki Gogiašvili in his March 2003 Survey of the Georgian Press for the Transnational Crime and Corruption Center of Tbilisi ([www.tracc.ge](http://www.tracc.ge)).

<sup>37</sup> This estimate is given in Stier, Ken: Entrenched corruption begins at Georgia’s border, EurasiaNet, 27 June 2002.

<sup>38</sup> See Stier, Ken: Proposed law amendment threatens to stall judicial reform efforts in Georgia“, EurasiaNet, 6 December 2002.

<sup>39</sup> Christophe (2003), pp. 34-35.

<sup>40</sup> See Christophe (2003), p. 163.

<sup>41</sup> The posts of police officer, tax collector and customs guard are the most popular ones, as they offer numerous bribery opportunities. Accordingly, the requested initial investment is often very high indeed. Knowledge of bribery prices may be interpreted as evidence of a centralisation of corruption. If bribery were to remain limited to networks, prices would remain more or less secret and would vary.

<sup>42</sup> It is worth noting, that the concept of power through knowledge contradicts the idea of assymetrical information derived from principal-agent models in economics. It is not the subordinate who possesses more information than his superior; it is the superior who accumulates information about his subordinate.

<sup>43</sup> Darden (2001), p. 68.

<sup>44</sup> Darden (2001), p. 68.

<sup>45</sup> See 1998 UNDP Human Development Report on Georgia, Chapter 3, p. 9.

<sup>46</sup> See Christophe (2003), p. 140.

<sup>47</sup> RFE/RL Transcaucasus and Central Asia Newsline, 28/09/ 2000 ([www.rferl.org](http://www.rferl.org)).

<sup>48</sup> Christophe (2003), p. 124.

<sup>49</sup> Christophe (2001), p. 166-167. Christophe also points to an active policy of the Georgian state leadership which aims to

produce corrupt agents in certain sensitive and lucrative areas and ministries. See Christophe (2003), p. 142.

<sup>50</sup> Christophe (2003), p. 185.

<sup>51</sup> The press, politicians and other analysts believe this Ministry has more employees than indicated in its budget, suggesting that remuneration of secret employees is largely in the form of „shadow“ revenues, gained through extortion and other corrupt dealings (Darchiashvili 2003).

<sup>52</sup> See Christophe (2003), p. 123.

<sup>53</sup> Christophe (2003), p. 214.

<sup>54</sup> Christophe (2003), pp. 118-133.

<sup>55</sup> As in Tilly’s model, the racketeer state creates threats and then levies a charge for their reduction: „To the extent that the threats against which a given government protects its citizens are imaginary or are consequences of its own activities, the government has organised a protection racket.“ Tilly, Charles: War Making and State Making as Organized Crime, in: Peter Evans, Dietrich Rueschemeyer and Theda Skocpol (eds): Bringing the State Back In, Cambridge: Cambridge University Press, 1995, p. 171.

<sup>56</sup> *Krysha* designs the person or organisation – whether legal or criminal – that protects the interests of a company or an individual. While a company only depends on one single *krysha*, a *krysha* can protect several different companies.

<sup>57</sup> As noted in the 1999 UNDP Human Development Report on Georgia, chapter 6, p. 4: „Those that choose not to take bribes might still be perceived as corrupt simply because they hold government positions. Vocally affirming their efforts to support social or state interests is likely to be regarded as hypocritical.“

<sup>58</sup> The Chamber of Control was created as a parliamentary vehicle to oversee government spending, but soon became an instrument of presidential power by discrediting opposition figures such as Saakashvili and Zhvania on the basis of corruption charges. See Stier, Ken: Finance Minister’s firing damages anti-corruption efforts in Georgia, EurasiaNet, 6 May 2002. On the phenomenon of „exposed corruption“, see Sajn, András: From corruption to extortion: Conceptualization of post-communist corruption, Crime, Law & Social Change 40, pp. 171-194, 2003.

<sup>59</sup> Shevardnadze was named First Party Secretary in the Soviet Republic of Georgia in 1982 by Andropov, who as KGB General used the pretext of a wide anti-corruption campaign to start a power struggle against Brezhnev and get rid of local Party mafias. See Coulloudon, Virginie: La mafia en Union Soviétique, Éditions J.-C. Lattès, Paris, 1991, p. 77.

<sup>60</sup> In Georgia, minibus drivers who drive on a certain road without paying the necessary bribes to the police are punished by other drivers. See Christophe (2003), p. 238.

<sup>61</sup> This argument is made by Anna Leander. See Leander, Anna: War and the un-making of states: Taking Tilly seriously in the contemporary world, in Guzzini, Stefano/Jung, Dietrich (eds): Copenhagen Peace Research: Conceptual Innovations and Contemporary Security Analysis, London and New York: Routledge, 2002, p. 5.

<sup>62</sup> On the formation of the European modern states, see Tilly (1995).

<sup>63</sup> See Leander (2002), p. 12.

## Die Internationale Gemeinschaft soll gegenüber den Albanern so streng sein, wie sie es gegenüber Milošević war

**Interview mit dem serbisch-orthodoxen Bischof Artemije von Raška-Prizren (Kosovo)**

*Klaus Buchenau, Berlin*

Bei den jüngsten Unruhen im Kosovo vom 17. bis 20. März 2004 wurden mehr als 4000 Serben vertrieben, zahlreiche Häuser niedergebrannt und über 30 orthodoxe Kirchen und Klöster zerstört. Der serbisch-orthodoxe Bischof der Provinz Artemije (Radosavljević) nimmt dies zum Anlass, von der Internationalen Gemeinschaft eine Kehrtwende in der praktischen Politik einzufordern. Bischof Artemije ist in den letzten Jahren international bekannt geworden durch sein Lobbying für die Kosovo-Serben, aber auch durch seine Kritik am ehemaligen jugoslawischen Präsidenten Slobodan Milošević.



*Wie ist es zu den Ereignissen des 17. März in Kosovo gekommen?*

Der 17. März ist Folge jener Politik, die die Internationale Gemeinschaft fünf Jahre lang in Kosovo betrieben hat. Sie ist in dieser Zeit vor Verbrennern zurückgewichen und hat sie toleriert. Unter der Herrschaft der Vereinten Nationen

sind schon vor dem 17. März zwei Drittel der Serben aus Kosovo und Metohija vertrieben worden, 250.000 Menschen. Gleichzeitig wurden über 1.300 Serben getötet, genausoviele wurden entführt, und wir wissen bis heute nichts über ihr Schicksal. Hunderte von Dörfern wurden dem Erdboden gleichgemacht, 115 Kirchen und Klöster angezündet und zerstört, viele davon aus dem 14., 15. und 16. Jahrhundert. Nicht ein einziges Verbrechen an Serben ist aufgeklärt worden. Auf diese Weise hat die Internationale Gemeinschaft auch den 17. März ermöglicht.

*Liegt das an der Unfähigkeit oder am Unwillen der Internationalen Gemeinschaft?*

Es fehlt der politische Wille. Ich glaube, dass sich die Internationale Gemeinschaft nicht mit den extremen Albanern anlegen will. Denn sie weiß, dass es dann viele Opfer auf der eigenen Seite geben würde, in der KFOR und bei der UNMIK usw.

*Wie bewerten Sie den Einsatz der deutschen KFOR-Truppen bei den jüngsten Ausschreitungen in Prizren?*

Wie bekannt ist, haben sie unsere Kirchengebäude kampflos der Zerstörung preisgegeben und die bedrohten Serben evakuiert. Ich denke, dass die deutschen Truppen nach Kosovo gekommen sind, um Menschenleben zu schützen, aber auch Eigentum, Heiligtümer und Kulturdenkmäler. Denn es gibt kein Leben ohne Häuser, ohne Kirche. Wir empfinden das als eine Teilnahme an der ethnischen Säuberung der Serben. Das muss keine bewusste Strategie sein, aber so sieht es für uns aus. In Prizren gibt es keine Serben mehr. Die 35 Personen, die evakuiert wurden, befinden sich in der deutschen Basis, sie haben keinen

Ort, an den sie zurückkehren könnten. Sie werden Kosovo verlassen müssen.

*Was kann die Internationale Gemeinschaft tun, wenn sie eine Resolution durchsetzen soll, die vorsieht, dass Kosovo bei Serbien bleibt? Die Albaner lehnen das ja bekanntlich ab.*

Sie kann viel, das hat sie in der Vergangenheit gezeigt. Sie hat Serbien drei Monate lang bombardiert und unschuldige Opfer verursacht, um dann den Albanern zu ermöglichen, derartige Verbrechen zu begehen. Ist Serbien zu diesem Zweck bombardiert worden? Die Internationale Gemeinschaft soll gegenüber den Albanern so streng sein, wie sie es gegenüber Milošević war.

*Früher haben Sie Slobodan Milošević heftig für seine Repression der Kosovo-Albaner kritisiert. Ist die heutige Situation nicht auch eine Folge der Milošević-Ära?*

Wegen Milošević gibt es heute immer noch Verständnis für albanische Verbrechen – das sei angeblich Rache. Wenn das stimmen würde, dann würden sich die Verbrechen gegen jene richten, die früher selbst Verbrechen an Albanern begangen haben. Aber hier werden unschuldige Menschen, Kirchen und Klöster angegriffen, die die Albaner sogar verteidigt haben. Ich darf daran erinnern, was die Mönche von Dečani gemacht haben. [Die Bruderschaft von Dečani leistete im Vorfeld der NATO-Intervention notleidenden Albanern humanitäre Hilfe und propagierte über ihre Internetseite eine gewaltfreie Lösung des Konflikts, K.B.]. Meine Priester in Prizren haben den Albanern in Zeiten des Leids geholfen. Heute geht es nicht um Rache, sondern darum, alle Serben aus dem Kosovo zu tilgen, egal ob es sich um Kinder oder um einen 90-jährigen Greis handelt.

*Gibt es an Ihrem Bischofssitz in Gračanica noch Albaner, die mit Ihnen kommunizieren oder gar zusammenarbeiten?*

Nein, denn man erlaubt es ihnen nicht. Die Terroristen terrorisieren Serben und Albaner gleichermaßen. Aber ich glaube, dass es unter den Albanern Menschen gibt, die an Frieden, Freiheit und einem gemeinsamen Leben interessiert sind. Aber sie können sich heute nicht dazu bekennen. Denn die albanischen Terroristen haben vielleicht

noch mehr Albaner auf dem Gewissen als Serben. Aber es gibt auf jeden Fall Menschen, die als gute Nachbarn mit den Serben zusammenleben würden, so wie früher. Die Internationale Gemeinschaft würde einen irreparablen Fehler begehen, wenn sie gegenüber den Terroristen im Kosovo nachgibt und ihnen das gibt, was sie auf gewaltsamem Weg erreicht haben.

*Aber die Unabhängigkeit wollen nicht nur die Terroristen?*

Aber das ist doch kein Argument. Erstmal müssen die wichtigsten Terroristen ausgeschaltet werden, und dann werden wir sehen, wie sich das Volk verhält.

*Fordert die Kirche immer noch, Kosovo zu kantonisieren?*

Nein. Die Internationale Gemeinschaft hört das Wort Kantonisierung nicht gern. Wir sprechen lieber von Dezentralisierung, das habe ich gesagt, und auch die Regierung in Belgrad sieht das so. Wenn die Macht nicht allen Bürgern zugänglich ist, dann kann sie nicht demokratisch sein. Wir zum Beispiel gehören offiziell zur Kommune Priština. Aber niemand von den Serben aus Gračanica, Čaglavica usw. kann nach Priština fahren, weil das lebensgefährlich wäre. Darum brauchen wir eine Kommune in Gračanica, wo wir unsere Bedürfnisse erfüllen können. Wir wollen nicht Kosovo teilen, sondern die Macht und die Verantwortung. Ich war immer gegen die territoriale Aufteilung Kosovos. Denn überall in Kosovo sind unsere Kirchen.

*Nehmen wir einmal an, die Albaner würden einer Dezentralisierung zustimmen. Wo sollen die Serben dann ihre Autonomien erhalten?*

Überall dort, wo sie auch bis 1999 gelebt haben. Auf keinen Fall dürfte man vom aktuellen Zustand ausgehen, denn

dann würde die ethnische Säuberung als vollendete Tat sache anerkannt. Die geflohenen Serben sollen also an ihre Wohnorte zurückkehren und dort ihre lokale Macht einrichten. So könnten Serben und Albaner wenigsten nebeneinander, wenn schon nicht miteinander leben. Die Zeit und eine günstige wirtschaftliche Entwicklung könnten dann bewirken, dass sich Serben und Albaner miteinander vernetzen und tatsächlich ein multiethnisches Kosovo entsteht.

*Was wäre, wenn die Internationale Gemeinschaft morgen sagt: Tut uns leid, das Engagement für ein kleines Grüppchen Serben im Kosovo ist uns zu teuer, wir gehen ...*

Dann wird Serbien auf den Kosovo zurückkehren und seine Macht dort errichten, und ich hoffe, dass das eine demokratische Macht wird. Es kann tatsächlich passieren, dass die Internationale Gemeinschaft die Albaner belohnt und ihnen ein unabhängiges Kosovo gibt, aber dann muss man ihnen auch ein Großalbanien erlauben. Dann werden sie sich einen Teil Makedoniens, Griechenlands und Montenegros nehmen. Wird die Internationale Gemeinschaft ihnen das gestatten? Sie wird es müssen. Aber unsere Einwilligung dazu wird sie nicht bekommen. Das wird kein Serbe erlauben. Und die Regel ist: Das, was mit Gewalt weggenommen wurde, wird mit Gewalt zurückgeholt. So eine Unabhängigkeit Kosovos wäre nichts als ein Zwi schenspiel bis zum nächsten Krieg, bis zur nächsten Veränderung der internationalen Konstellation. Die Serben als Volk gibt es nicht ohne Kosovo. Kosovo ist so etwas wie unsere Legitimation, unser kollektiver Personalausweis.

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### KLAUS BUCHENAU

#### Orthodoxie und Katholizismus in Jugoslawien 1945–1991. Ein serbisch-kroatischer Vergleich

(Balkanologische Veröffentlichungen 40)

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Nirgendwo sonst gab es eine derartige Konkurrenz zwischen katholischer und orthodoxer Kirche wie im ehemaligen Jugoslawien. Die Serbische Orthodoxe Kirche und die katholische Kirche bei den Kroaten verstanden sich als „Mütter“ ihrer Völker und als ständige bedrohte Vorposten der eigenen Tradition. Im Sozialismus wurden die Glaubengemeinschaften marginalisiert, so dass die Problematik zeitweilig von der Bildfläche, aber nicht aus der Welt verschwand. Klaus Buchenau hat hinter die Kulissen der jugoslawischen Religionspolitik wie auch der kirchlichen Selbstdarstellung geschaut und ist dabei auf interessante Dinge gestoßen: auf eine große Bandbreite kirchenpolitischer Ansichten innerhalb der kommunistischen Partei, auf überforderte Religionspolitiker und auf regional sehr unterschiedliche Konfliktlinien. Gleichzeitig entsteht ein Gesamtbild. Es erzählt von einer katholischen Kirche, die organisatorisch der orthodoxen stets voraus war; von religiöspolitischen Dilemmata, für die selbst wohlmeinende Religionspolitiker keine Lösung fanden; von liberalen Theologen, die in Tito-Jugoslawien wirken konnten, aber nie eine wirkliche Chance bekamen; und von nationalen Traumata, die nirgendwo so sicher aufbewahrt wurden wie in den Kirchen.

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

*Jan Koehler and Christoph Zürcher, Berlin*

## **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.<sup>1</sup> 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<sup>2</sup> 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-ethnic 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 stakeholder 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 importance 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“.<sup>3</sup> 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.<sup>4</sup> 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.<sup>6</sup>

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.<sup>7</sup> 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<sup>8</sup> 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<sup>9</sup>

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 *sovkhоз* 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<sup>10</sup> that had been established between mountain and plain dwellers of different ethnic and socio-professional background.<sup>11</sup> 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 Kisiev 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<sup>12</sup>

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<sup>13</sup>

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 *brigadiers* 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<sup>14</sup> 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<sup>15</sup> 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, Armenia, 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 where 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.<sup>16</sup> 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 works 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 state 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.<sup>17</sup> 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 nonexistent, 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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- <sup>1</sup> For further information on the research project see <http://www.oei.fu-berlin.de/cscca>.
- <sup>2</sup> Cf. the contributions of Alexey Gunya, Scott Radnitz, Bahodir Sidikov, Azamat Temirkoulov, Jonathan Wheatley and Gunda Wiegmann in this volume.
- <sup>3</sup> Coser 1956: 8.
- <sup>4</sup> Cf. Elwert 2002: 2543f, on conflict as embedded social action.
- <sup>5</sup> 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.
- <sup>6</sup> North 1990: 3.
- <sup>7</sup> 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).
- <sup>8</sup> Cf. Alexei Gunya in this volume.
- <sup>9</sup> 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.
- <sup>10</sup> Examples are found in the North Caucasus, in Kyrgyzstan, and in Tajikistan in the area covered by the project.
- <sup>11</sup> Cf. the article by Azamat Temirkoulov in this volume.
- <sup>12</sup> Cf. Scott Radnitz in this volume.
- <sup>13</sup> Cf. the article by Azamat Temirkoulov in this volume.
- <sup>14</sup> Cf. Bahodir Sidikov in this volume.
- <sup>15</sup> Cf. Jonathan Wheatley and Gunda Wiegmann in this volume.
- <sup>16</sup> 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.

## New or Traditional?

# „Clans“, Regional Groupings, and State in Post-Soviet Azerbaijan\*

Bahodir Sidikov, Berlin

This article presents only a fraction of the preliminary results of my field research in Azerbaijan, which is yet to be completed. The conclusions are therefore not final and may require further verification.

### I. Short Introduction

Modern political science, both in the West and in Russia, has made it almost a norm to view the post-colonial development of the former Soviet republics through the prism of the revival of a traditional lifestyle. This approach implies that in these countries, particularly in Central Asia and the Caucasus, traditions that were previously suppressed and banished from social life are now coming back. The traditional clan-based structure that existed among some peoples of these regions during the pre-soviet period is believed to be among them.

The emergence of such a „norm“ is determined by two main factors. On the one hand, research undertaken by some Western and Russian experts into traditions that disappeared without trace during Soviet times can be interpreted as an attempt to find something familiar and recognizable in the newly emerged states and societies. On the other hand, the researchers – although they may or may not be aware of it – have been influenced by the classical paradigm of perceiving the Orient, which was common in Western academic literature during the 19<sup>th</sup> century and which originated during the age of European colonialism. According to this paradigm, the Orient is a world regulated by traditions. It is in this respect that the Orient is placed in opposition to the Occident, the universe of modernism. This way of perceiving and studying the East by Western science was brilliantly described by an American scholar, the late Edward Said, in his work „Orientalism“.<sup>1</sup>

It is not surprising, therefore, that for some Western experts the „traditional“ character of the societies they study is so important. It's a kind of social inertia, which is characteristic of the humanities in particular. This inertia in thinking has also had its effect in the study of post-soviet Azerbaijan. Social and political journalism and academic works covering Azerbaijani society and state in the post-soviet period often feature the words „clan“, „clannishness“, „tribe“ etc., that is, elements of terminology that are used to describe traditional society. However, field work carried out by this author has demonstrated that the reality is different from the „norm“ that pervades Western and Russian political science. New informal networks and structures have emerged in the Azerbaijani society and state, which, despite sharing superficial similarities with traditional institutions such as clans and regional fellowships, are essentially quite different.

### II. Terminology

Local and foreign researchers still use concepts such as „clan“, „clannishness“ and „tribe“ for want of a better term, but at the same time are conscious of the fact that these terms fail to reflect the real situation adequately. To speak about „tribe“ in the context of post-Soviet Azerbaijan, in my view, does not make any sense at all. But this is not the end of the matter.

For one unfamiliar with the realities of Azerbaijan the words „clan“ and „clannishness“ – as used, for example, by Arif Yusunov – may imply that the phenomena denoted by these words have „deep historical roots“. Although Yusunov does concede that the term „goes somewhat beyond conventional understanding of the word *clan*“<sup>2</sup> he still fails to draw the natural conclusion that the core of the matter is exactly the contrary. What is called *clannishness* is essentially a new phenomenon in post-Soviet Azerbaijan, although it is disguised in the garb of tradition. Therefore, it will be incorrect to say that „with [Heydär] Aliyev's arrival [1993] *clannishness* in the society experienced a renaissance“.<sup>3</sup> What has sunk into oblivion cannot be reborn in principle! Something „reborn“ is something new, even if it does retain some genetic link with the past.

This phenomenon has no direct relation to the classical notion of clannishness, which is known to be present in many nations worldwide, principally because in this case one cannot see a reverse flow of resources from the centre to the appropriate region or to clan members on the local level. In Azerbaijan the phenomenon shares only one common feature with clannishness – the creation of informal networks and institutions on the basis of a common regional identity, and this is exactly what misleads the observer. Boundaries between regional groupings and regional fellowships [*zemlyachestvo*, a community of people born in the same area] coincide with those of medieval khanates on the territory of contemporary Azerbaijan and Armenia. But this is where all similarities end.

This phenomenon should not be termed „regional fellowship“, for it is functionally different. That is why I suggest using the term „regional grouping“,<sup>4</sup> which is in essence a strategy to capture resources.<sup>5</sup> In the environment of a command state<sup>6</sup> it is a strategy to gain power. The regional grouping is essentially a new political and economic instrument that evolved after the disintegration of the USSR, and this is indirectly confirmed by A. Yunusov

himself: „...until the summer of 1993 clannishness in post-Soviet Azerbaijan did not play a dominant role, although it actually was in place“.<sup>7</sup>

A regional grouping has its base in its „own“ regional fellowship and uses informal structures among the latter, etc. Certainly, the boundaries between the two social groups are quite transparent and mobile; this is exemplified by the fact that members of the regional grouping are recruited from the milieu of the regional fellowship. Besides, the broad strata of the regional fellowship and their leaders, out of their own mental inertia, identify themselves with „their own“ regional grouping. This identification is actively encouraged by the leaders of the regional groupings, who continuously suggest to „their“ regional fellowship that their interests are identical and not in contradiction. This strategy has been quite successful in Azerbaijan: members of the regional fellowship who live in severe destitution blindly support the representatives of „their“ regional grouping whose fortunes are worth millions of dollars and who won't spare a cent to support their regional fellows.<sup>8</sup>

The difference between regional fellowship and regional grouping is as great as that between a professional masons' guild and political freemasonry, even though formal similarities between the former two are quite numerous. Like the freemasonry of the modern era, regional groupings in Azerbaijan have borrowed from the regional fellowships only external attributes (such as belonging to the same territory, the sense of solidarity, mutual aide within a community, etc.), while changing the content entirely.

### **III. The Characteristics of Regional Groupings**

Over the last 12 years Azerbaijan has seen the emergence of two regional groupings. The first and the most numerous is the one comprised of Azerbaijanis originating from Armenia. In Azerbaijan proper they are half-contemptuously called the *Yeraz*.<sup>9</sup> This nickname is an abbreviation derived from „Yerevan Azerbaijanis“ and was given them by the late Academician Ziya Bunyatov; however, the self-reference term for the group is „erme-nistanliler“ – the „Armenianis“. In the local scientific literature they are referred to as „Azerbaijanis originating from Western Azerbaijan“.<sup>10</sup> The grouping has its base among those Azerbaijanis who either were themselves born on the territory of present-day Armenia or whose ancestors were. According to various unofficial estimates, their numbers make up between 2 and 3 million people<sup>11</sup> and they include both the refugees/re-settlers of the three migration waves (1918–1920, 1948–1952 and 1988–1990) and their descendants.

Numerically smaller, but more influential is the grouping that is made up of individuals native to the Nakhichevan Autonomous Republic within Azerbaijan. The population of Nakhichevan is approximately 361,500 people.<sup>12</sup> The financial basis and the human resources framework of this

regional grouping were put in place as early as the 1970s, when H. Äliyev held the post of First Secretary of the Central Committee of the Communist Party of Azerbaijan. At that time, however, the dominance of the „Nakhichevanis“ in the country's leadership was not so noticeable.<sup>13</sup> During the late 1990s, having turned from a regional community into a regional grouping and maintaining their dominant position within the state structure as a result of Äliyev's staff policy, the „Nakhichevanis“ laid their hands on all key sectors of Azerbaijan's economy.

Along with the above two groupings there is also a Kurdish grouping that shows weak regional identity. It consists mainly of Kurds originating from Armenia, Nakhichevan, the Kelbajar region of Azerbaijan and Nagornyi Karabakh.<sup>14</sup>

I do not subscribe to the view of Zurab Todua that along with the aforementioned regional groupings there were and are another three („clans“ as he terms them): the Baku, the Gänca, and the Karabakh.<sup>15</sup> In terms of their degree of social organization and solidarity these groupings cannot be compared with the groupings that are made up of those originating from Armenia and Nakhichevan. As Z. Todua correctly observed, they, like the representatives of other regions of Azerbaijan, failed „to get transformed from regular regional communities into organized clan groupings“.<sup>16</sup>

Amongst other reasons, the defeat of the Baku, Gänca and Karabakh regional fellowships in the power struggle in Azerbaijan in 1991–1995 was due to their inability to move to a new, higher level of social organization. Their confrontation with the groupings of those originating from Armenia and Nakhichevan is like a confrontation between fighters of different weight categories, where the combat outcome is predetermined by the mere disparity of power and capability. In my view, the huge financial capacity of the „Nakhichevan“ and „Armenian“ regional groupings certainly does play an important role, but is not the key factor in this confrontation. The most significant factor for this opposition is the fact that the regional groupings of those originating from Nakhichevan and Armenia are a phenomenon that is qualitatively different from a regional fellowship, in that they have reached a higher level of social development and organization.

This is explained largely by the fact that the period when the representatives of these „second rank“ regional fellowships ruled was too brief. The „Karabakh man“ Äbdürrähman Väzirov, former First Secretary of the CPSU Central Committee of Azerbaijan, led the country from 1989 to 1990. His successor from Baku, Ayaz Mütällibov, stayed in power only for a little while: between 1990 and 1992. First he was elected First Secretary of the CPSU Central Committee of Azerbaijan and then became the country's first president. And finally, there was the „Gänca man“, Surät Hüseyinov, who was the Prime Minister of Azerbaijan from 1993 to 1994. Further attempts by these regional fellowships to shape themselves as regional groupings

were harshly suppressed by the Armenistani and Nakhichevani regional groupings, both in the economy and in politics<sup>17</sup>. This state of affairs was confirmed, for example, by a representative of the Borçalı regional fellowship that comprises Azerbaijanis native to the Borçalı region (Kmevo-Kartli) in Georgia.<sup>18</sup>

The majority of regional fellowships have an amorphous structure and organization. As regional fellowships, the “Armenistanis”, the “Nakhichevanis” and the “Borçalıs” are better structured, for they are influenced by their respective regional groupings. The “Borçalıs” occupy an intermediate position between fellowship and regional grouping. Some “Borçalı” leaders have been making so far fruitless efforts to transform into a regional grouping and seize a number of key positions in government – principally in the law enforcement agencies.<sup>19</sup> These attempts encounter resistance from the „Armenistanis“ and „Nakhichevanis“, who are not willing to see yet another competitor in „their“ field of Azerbaijani statehood.

The above regional groupings have formed the basis for the structuring of the new state in Azerbaijan. In a simplified way, the structuring principle is three-tiered: the core of statehood is constituted by the Kurdish grouping; according to local observers, up to 80 percent of high positions in the state are occupied by individuals of Kurdish origin.<sup>20</sup> They are followed by the „Nakhichevanis“. This pyramid of power is propped up by Azerbaijanis originating from Armenia (the „Armenistanis“).<sup>21</sup>

#### IV. Group Boundaries

Both regional groupings, despite continuous internal conflicts, act in concert and unite as soon as there is an „external“ threat to their interests, such as that posed by the above regional communities. This has prompted some observers to classify them as one regional grouping („clan“).<sup>22</sup> While this point of view has certain merits, it is not entirely correct.

Certainly, among the „Nakhichevanis“ and the „Armenistanis“ there exists a certain „shared area“, i.e. a multi-tier unity. This, however, should not be treated as an absolute. Azerbaijanis originating from Armenia settled not only in Baku and the Apsheron Peninsula, but also in other regions of Azerbaijan, including Nakhichevan. The *Yeraz* born in Nakhichevan are considered to be both „Nakhichevani“ and „Armenistani“, and are treated by both groupings as „their own people“. They are a kind of double-headed eagle, and among their number include the former president H. Aliyev and the former chairman of the Parliament and current Chairman of the Democratic Party of Azerbaijan, Rəsul Quliyev, who now lives in the USA as an immigrant.<sup>23</sup> This type of *Nakher* person (an abbreviation derived from the words „Nakhichevani“ and „Yeraz“, a rather rude nickname phonetically associated with the most common Russian swear word<sup>24</sup>) functions as a kind of bridge („Brücken-

bauer“) between the two groupings, softening constantly emerging conflicts.

For example, the representatives of the „Nakhichevan“ grouping openly declare that „there are very few native, genuine Nakhichevanis in their grouping“.<sup>25</sup> The „Armenistanis“, unhappy with the „Nakhichevanis“ dominant position in the government administration, are trying to oust the latter from state structures and terminate this „unnatural“, as they see it, symbiosis.<sup>26</sup> To my knowledge, three such attempts have been made so far. One such occasion was during the 1998 presidential elections when some influential „Armenistanis“, led by the late Säfiyar Musayev, Professor of the Baku State University, supported the chairman of the opposition National Independence Party, Etibar Mämmädov („Armenistani“).<sup>27</sup> At that time Mämmädov was the principal rival to the incumbent president H. Aliyev („Nakhichevani“). Then in 1999, when H. Aliyev’s power was weakened by his illness;<sup>28</sup> and at the present moment, when such integrating figures as H. Aliyev and R. Quliyev are no longer heading both groupings.

One should not exclude the possibility that in the medium term the „Armenistanis“, due to their demographic preponderance and other associated advantages, may gain the upper hand over the „Nakhichevanis“ and the „Kurdish“ groupings in the state system. The only question is whether this will happen by peaceful means.

Belonging to the „Armenistani“ grouping is determined not only by the fact of birth in a certain district [rayon] of Armenia. To enter the grouping it is enough to have male line relatives born in the appropriate area (up to the fourth generation, i.e. great grandfathers).<sup>29</sup> Sometimes it is sufficient to have just one genetic line linking one to Armenia in order to be included into the ranks of „Armenistanis“.<sup>30</sup>

Individuals of non-Armenistani origin may also be included into the grouping as clients, if, for example, they are married to Armenian women. There is certainly no rigid boundaries in Azerbaijani society (inter-regional marriages face no obstacles). Depending on the political situation, many individuals who do not have direct regional affiliation can accentuate their (sometimes fictitious) Armenian, Nakhichevani or other roots and join the appropriate grouping that dominates at the given moment.<sup>31</sup> But the core of the grouping remains „Armenistani“.

Inside their grouping the „Armenistanis“ fall into segments that coincide with the boundaries of the former districts of concentrated settlement of Azerbaijanis on Armenian territory. Genealogical information on people originating from these areas, which is continuously updated, is „stored“ in oral form by the so-called *aghsaqqals* [white beards], informal leaders of the Armenian regional fellowship. They are the most important local institution in Azerbaijan.

Each of these custodians of genealogical information looks after his own district [rayon], which may no longer exist in

reality, but be represented by people originating from it and their descendants living in different parts of Azerbaijan. Before staff appointments are made, information on the applicant to a certain position in the government administration is checked with the relevant *aghsaqqal*, who is also jokingly referred to as an informal „human resource department“ [*otdel kadrov*]. At the early stages of resettlement to Azerbaijan the Armenians already had their own „division of labor“ at the new place of residence: for example, representatives of one district „monopolized“ journalism, others dominated in the legal sphere, etc. Nowadays this division of labor is almost completely indistinguishable.<sup>32</sup>

Within the „Armenian“ grouping there is also a certain hierarchy, which is related to territory. The dominant position is held by people from the Sisian district of Armenia, the native land of H. Äliyev's parents; they are followed by those from the neighbouring Masis district (Armenia). The hierarchy of Azerbaijanis originating from other areas of Armenia is more or less defined in terms of their distance from these former two districts.<sup>33</sup>

The „Nakhichevanis“ also fall into segments that coincide with the boundaries of the six administrative districts of the Nakhichevan Autonomous Republic. The most powerful segment of the Nakhichevan grouping is represented by people from Şarur district, where economic development is the most advanced in Nakhichevan. Unlike the „Armenian“, the „Nakhichevanis“ hierarchy is both territory- and family-related: the dominant position is held by those individuals who are connected to the family of the former president H. Äliyev through kinship or in-law ties.<sup>34</sup>

The most isolated grouping in the Azerbaijani state system is the „Kurds“, holding, as mentioned earlier, the majority of the key positions in government administration. Some observers link this disproportionately high representation relative to the total number of the country's Kurdish population to three important factors. First, according to a number of sources, H. Äliyev, and his father-in-law Äziz Äliyev (the former First Secretary of the Dagestan Oblast Committee of the CPSU), were of Kurdish origin.<sup>35</sup> Second, the presence of „Kurds“ in the hierarchy of power in Azerbaijan is explained by the Russian and Soviet legacies: neither Russia nor the USSR were interested in the strengthening of Turkic identity in Azerbaijan and its drift towards Turkey, and, in order to hold the Turkic identity „at bay“, both regimes supported a „Kurdish“ substratum as a counterbalance in the top organs of government authority.<sup>36</sup> In the environment of the contemporary Azerbaijani state, the „Kurds“ represent a convenient lever of manipulation for the „Armenian“ and „Nakhichevani“ leaders, for statesmen of Kurdish origin do not have a powerful social base from which they can draw support. Apparently, their role in the state system is the same as the role of „Tajiks“ from Samarqand and Bukhara in the state system of Uzbekistan.

## V. Structure of Groupings

There are at least two structural differences between the „Armenian“ and „Nakhichevani“ regional groupings, which provide yet another reason not to merge them into a single community.

First of all, the „Armenian“ have a two-level structure: the first core level is comprised of *aghsaqqals* who mobilize the mass of „their own people“; and the second level – the so-called „top managers“, who are promoted by the *aghsaqqals* and the masses to positions in the government administration from local to national level. In other words, officially only the top managers are seen on the surface of public life, while the *aghsaqqals* remain in the shadow, their activity being somewhat hidden and not advertised. This once again confirms the thesis that informal networks are a kind of „social invisible“, since it is very difficult for the researcher to identify their boundaries.<sup>37</sup>

The „Nakhichevan“ grouping, on the contrary, has a one-level structure: all leaders are exposed and usually occupy high positions in the government.

Second, the „Armenian“, despite all efforts by the state represented by H. Äliyev and his entourage, have achieved a high degree of autonomy from state, i.e. a significant part of the grouping exists outside the government administration, while the „Nakhichevan“ grouping does not exist beyond the government administration.

The „Armenian“ and „Nakhichevanis“ have created several political organizations, which are a kind of extension to the regional groupings. The most influential of those are the government party „Yeni Azerbaijan“ (New Azerbaijan), its leadership, which mainly consists of H. Äliyev's relatives and in-laws,<sup>38</sup> and two non-governmental organizations: „Aghridag“, which is translated as „Aarat“, and „Älincä“, named in honour of a famous Babek fortress in Nakhichevan.

## VI. Soviet Legacy, State and Regional Groupings

The Soviet Union, even during its existence, was poorly represented in the Caucasus. During the transition period, the weak Soviet legacy in Azerbaijan, as well as the conflict with Armenia over Nagornyi Karabakh, have led to the weakening of state institutions generally. As a result, the Azerbaijani state has blended so solidly with the two regional groupings that their elimination from the state sphere could potentially trigger the collapse of the entire state. Here is one typical example. Since 1994 the whole of the public health sector has been controlled by the „Armenian“ headed by the Health Minister Äli Insanov. According to various estimates, up to 90 percent of executive positions in this sector (from the ministry to the district hospital) are occupied by the „Armenian“.<sup>39</sup> An attempt to replace the minister under the existing system by a non-Armenian minister would inevitably cause

sabotage in the entire public health sector hierarchy. The change of a minister without major social conflict is possible only if the entire state system is transformed.

## VI. System-building Factors („Glues“)

The main system-building element for both groupings is the nature of the command state, which is characterized by a high level of clientelism, for all political and economic controls are concentrated in the government administration. In the present environment of a command state it is economically advantageous to be „Armenistani“ and „Nakhichevani“! It was once common to fake birth place records in Azerbaijani identification documents: representatives of other regions had themselves registered as „Nakhichevanis“.<sup>40</sup> The price to pay for this kind of forgery used to reach \$1,000.<sup>41</sup>

With the disappearance of the command state the „Armenistani“ and „Nakhichevani“ groupings would also vanish. This, by the way, is their weak point, compared to the classical regional communities. And this once again proves that these regional groupings are a qualitatively new phenomenon in the history of Azerbaijan. Regional groupings represent a particular form of social organization that can thrive only in the environment of a command state.

Besides, the situation in the host society of Azerbaijan played a specific role in the evolution of these groupings. The „Armenistanis“ and „Nakhichevanis“ (except people from Ordubad district) are mainly people with an outright agrarian mentality, which is manifest not only in the first, but also in subsequent generations.<sup>42</sup> And their settlement in Baku and the Apsheron Peninsula led to rejection on the part of the indigenous urban population; this can be seen from the nickname „Yeraz“, so popular with the opponents of the „Armenistanis“. The conflict between the agrarian and urban mentalities was one of the system-building factors for the „Armenistanis“. The latter were actually rejected by Azerbaijani society because of their mentality. To exemplify this, here is a quotation from an article titled *Dukhovnoye prostranstvo* [Spiritual Space] authored by one Äli Baqirov, Medical Doctor (sic!):

„Thanks“ to the *Perestroikchiks* [engineers of Perestroika], we have been flooded by a huge influx of people from Western Azerbaijan – Armenia, who were born and brought up in that environment. Their ancestors have lived there for centuries. And, naturally, **they have their own notion of honor and dignity, moral and ethical code, behavior stereotypes...** While those who left us were primarily urban dwellers [the Baku Armenians – B. S.] – skilled specialists, part of the elite, **those who arrived were farmers, cattle-breeders – rural people**, bringing in their lifestyle and spiritual baggage.“ [Bold type is mine – B. S.]<sup>43</sup>

The „Armenistanis“ never existed in Armenia as a united regional grouping. In the Armenian environment they were the suppressed Azerbaijani minority. Having found themselves in the qualitatively different surroundings of

Azerbaijan, the „Armenistanis“ deployed like a tight spring and evolved a tough and consolidated system. The above mentioned structure, hierarchy and community only emerged in Azerbaijan during the post-Soviet period! In other words – and this is paradoxical – the Azerbaijanis from Armenia have preserved and consolidated in what appears to be their native Azerbaijani environment the mentality of a ethnoreligious minority. Even today they function as a ethnoreligious minority. The „Armenistani“ leaders regularly initiate various ritual events and use these events to strengthen the community’s identity. A typical example is the creation of special sections in cemeteries and even special cemeteries to bury „their own“ separately from other Azerbaijanis. Affiliation with a regional grouping is also confirmed in financial terms. The grouping has a „black pool“ (*obshchak* [colloquial Russian for „shared cash pool“]) and its resources are used to address its various political and economic objectives.

For on-going decision-making and also for developing tactics and strategy, the leaders of regional groupings meet during ritual events (weddings, burials, birthdays), which neither attract too much attention, nor make people around apprehensive. However, special gatherings of leaders in their dachas and restaurants are not infrequent either.<sup>44</sup>

## VIII. Stability, Conflict Potential, and Social Efficiency

The command state that emerged in Azerbaijan in the post-Soviet period, with its structure based on the two regional groupings, and within those groupings on family-kinship and in-law connections, has a rather high degree of stability. To overcome protest and conflict processes in society, such a state primarily uses its law enforcement agencies, as well as informal armed units of the regional groupings, for purposes of oppression. According to data provided by Z. Todua, in a situation of crisis the latter may number up to 2,000 well-armed individuals.<sup>45</sup> Besides, as some local newspapers and observers report, the armed units of the regional groupings may take in members of various kinds of sports schools, karate classes and martial arts federations.<sup>46</sup> These can also be joined by some people from the security services of private firms and corporations controlled by the ruling family of the Äliyevs. Local observers believe that the latter were also engaged in breaking up demonstrations on the 15th–16th of October 2003 following the presidential elections.<sup>47</sup> The other no less important economic factor that supports the stability of state are Azerbaijani „guest-workers“, who mainly work in Russia and generate an annual inflow of up to two billion US dollars into Azerbaijan’s economy.

The relatively high level of stability, however, is not in contradiction with the fact that the state has an extremely low level of social efficiency. To illustrate this statement I will refer to two facts only. Since 1993, when this type of state began to evolve, almost all the economic potential of the country has been concentrated in the capital city:

according to official data, up to 90 percent of the state budget is spent in Baku, 75–80 percent of operating enterprises are concentrated in the capital, and the major part of GDP is produced in Baku.<sup>48</sup> The distribution of resources among „our own“ has led to the emergence of 165 so-called „natural monopolies“ in the economic sector,<sup>49</sup> not to mention numerous informal monopolies. All other regions have turned into pitiable appendages of the capital, with predictable social consequences. Up to one quarter of the total population of Azerbaijan has left the country (2 of 8 million) in search of jobs.

## IX. Conclusions

1. Between the classical regional fellowship and a regional grouping (which, as has already been mentioned, is essentially a new social phenomenon) there is a substantial difference that is being ignored. The fact is that a regional grouping, defined as a strategy to gain access to and to exploit resources, emerges and exists mainly in the domain of state, while the state – as a command state – is characterized by a high level of clientelism.
2. Another no less important aspect, in my view, is the inseparability of regional grouping(s) and the state. The regional groupings and the state so deeply infiltrate one another that it is hard to tell where the regional grouping ends and the state begins. This is an integrated phenomenon. It would be incorrect to say that regional groupings in Azerbaijan determine the structure of the state. It is rather the other way round: it is the command state that structures regional groupings. In other words, a regional grouping emerges when certain segments of a regional fellowship come into contact with the domains of the state that have control over resources. This interaction alienates a certain section of the fellowship and turns it into a regional grouping.
3. It is doubtful whether, in the short and medium term, Azerbaijan will face the risk of social instability. Instability could occur only under two sets of circumstances: either during the transfer of power from one leader to another, as occurred in 2003, or during the transformation of the command state into a democratic one.

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- \* Note on transliteration: Azerbaijan in the Latin script, reintroduced in December 1991, is rendered as ‘ä’ and ‘ğ’ as ‘gh’.
- <sup>1</sup> Said 1995.
- <sup>2</sup> Yunusov A. 1997, p. 159.
- <sup>3</sup> Ebd., p. 159.
- <sup>4</sup> Or „regional strategic groups“ (suggestion of J. Koehler).
- <sup>5</sup> Rubin B.R. 1998.
- <sup>6</sup> Elwert G. 2001.
- <sup>7</sup> Yunusov A. 1997, p. 160.
- <sup>8</sup> To the question of who you voted for in the last presidential elections, one woman from Sumqayıt (of „Armenistani“ origin) responded that she had voted for İlham Əliyev. When asked to explain the reasons for her choice, she said that the only factor that had influenced her decision was that I. Əliyev was „our own“. Interview with Insider, 26.04.04.
- <sup>9</sup> In Azerbaijan, like in medieval Jewish communities, it is quite common to give nicknames to all and sundry – from local currency to people.
- <sup>10</sup> See: Istoricheskaya geografiya... 1998.
- <sup>11</sup> Interview with T. Cuvarlı, 16.02.04 and I. Qämbär, 01.04.04.
- <sup>12</sup> Azerbaijan in 20<sup>th</sup> Century. 2001, p. 58.
- <sup>13</sup> Todua Z. 2001, p. 117.
- <sup>14</sup> Yunusov A. 2003.
- <sup>15</sup> Todua Z. 2001, p. 116.
- <sup>16</sup> Ebd., p. 117.
- <sup>17</sup> Gülmämmädov 2004, 12.
- <sup>18</sup> Interview with the Borçalı man, 25.04.04. According to unofficial data, about 400,000 Borçalı people and their descendants live in Baku. See Gülmämmädov 2004, 12.
- <sup>19</sup> Älibäyli 2004, 7.
- <sup>20</sup> Interview with F. Hüseynlı, 17.03.04. S. also V. Guseinov 2004,
- <sup>21</sup> Interview with R. Hüseynov, 06.02.04.
- <sup>22</sup> Yunusov A. 1997, pp. 159–160; Todua Z. 2001, 117.
- <sup>23</sup> Their parents are from Armenia, but both politicians were born in Nakhichevan.
- <sup>24</sup> Interview with E. Hüseynov, 06.02.04.
- <sup>25</sup> Interview with A. Quliyev, 02.03.04.
- <sup>26</sup> Interview with Insider, 14.03.04.
- <sup>27</sup> Interview with Insider, 16.03.04; Interview with N. Mustafayev, 05.04.04.
- <sup>28</sup> Todua Z. 2001, p. 123.
- <sup>29</sup> Interview with E. Hüseynov, 6.2.04. S. also Äläkberli 2003, p.
- <sup>30</sup> Monitor, no. 51, 14.03.04, p. 24.
- <sup>31</sup> Interview with I. Qämbär, 01.04.04. “If someone is needed as a professional, the Armenian roots can always be found.” From the interview with T. Cuvarlı, 22.03.04.
- <sup>32</sup> Interview with Insider, 17.03.04.
- <sup>33</sup> Interview with E. Hüseynov, 06.02.04.
- <sup>34</sup> Interview with E. Hüseynov, 06.02.04. S. also Shermatova S. 2001, p. 224.
- <sup>35</sup> Aghayev 2003, pp. 1–5.
- <sup>36</sup> Interview with T. Cuvarlı, 16.02.04.
- <sup>37</sup> Hübner-Schmid K. 2003, p. 3.
- <sup>38</sup> S. the website of Yeni Azerbaijan Partiyası: <http://www.yap.org.az/files/rehberorganlari.shtml>
- <sup>39</sup> Monitor, no. 2 (29), 2003, p. 11.
- <sup>40</sup> Interview with R. Hüseynov, 06.02.04.
- <sup>41</sup> Interview with A. Quliyev, 02.03.04.
- <sup>42</sup> The majority of young people in the city of Baku are always dressed in formal suites regardless of their occupation or pastime. This is an attempt of the rural population to adapt, at least on the exterior, to urban lifestyle. I observed this phenomenon in many Oriental cities.
- <sup>43</sup> Novoye Vremya, no. 55, 27–29.03.04, p. 11. S. also De Waal, 2003, p. 80–81.
- <sup>44</sup> Interview with Insider, 19.03.04. S. also Guseynov V. 2004.
- <sup>45</sup> Todua Z. 2001, p. 118.
- <sup>46</sup> Ekho, 26.02.04, p. 3.
- <sup>47</sup> Interview with R. Hüseynov, 06.02.04.
- <sup>48</sup> Ekho, 04.03.04, p. 2. S. also Monitor, no. 48, 14.02.04, p. 14.
- <sup>49</sup> Zerkalo, 20.02.04, p. 4.

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(eds.)**

### **Potentials of Disorder**

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# Elections and Democratic Governance in the Former Soviet Union: the Case of Georgia

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## Introduction

This paper is inspired by research I have carried out in Georgia, both during the writing of my doctoral dissertation for the European University Institute in Florence<sup>1</sup> and during my current research for the project „Accounting for State-building, Stability & Violent Conflict: The Institutional Framework of Caucasian and Central Asian Transitional Societies“ at the Osteuropa Institute. Studying the Georgian regime over the last five years has provided me with a great many insights on how the Soviet legacy has conditioned (and often hindered) attempts to build a functioning independent state and democratic institutions in Georgia. It has also helped me to understand the role of actors, and the extent to which they have been able to exploit or undermine that legacy. Observing first hand the so-called „Rose Revolution“ that took place in November 2003 gave me a fascinating glimpse of how, after a long period of inertia, actors can „emerge from the shadows“ and overturn old power structures in a period of „condensed history“. However, the question of whether (and how much) the new leaders in Georgia will be burdened by what Marx would call „the tradition of all the dead generations“ and will remain doomed to tread the same path as their predecessors is an open one. It is the aim of this paper to shed light on one small aspect of this puzzle: the way the Soviet legacy influenced new political parties in Georgia and the effect of this legacy on one principle element of democracy – electoralism. It will also show how, generally speaking, actors behaved rationally within the institutional constraints under which they were operating and how this shaped (or deformed) electoral democracy in Georgia.

In the former Soviet Union (FSU) the decision to hold free and fair elections is more often the product of a strategic calculation by elites than evidence of a genuine commitment to democracy. A contrast must be drawn between „democratic moments“ on the one hand and the consolidation of democracy as an institutionalised form of government on the other. A „democratic moment“ is when, owing to a particular set of circumstances, fair and democratic elections are held. During the period of so-called transition in the FSU, these „democratic moments“ occurred either a) as a concession granted by an entrenched communist leadership to an increasingly powerful nationalist opposition, or b) in response to a perceived need to keep potentially dangerous political forces off the streets and to give them a forum in which to channel their demands (which can later be neutralised), or c) as a means of giving a stamp of legitimacy (both within the country and for the sake of the international community) when the results of elections are already a

foregone conclusion. Thus they were no more than a tactical manoeuvre aimed at preserving or bolstering power. However, once an elite faces a genuine threat to its hegemony, it is unlikely to cede power through democratic elections. The reasons for this are the following. First political elites are not socially embedded and political contests are a zero-sum game; if a ruling political elite loses an election it does not have a stable political party to propel it back to power in a subsequent election. Second, (in most of the FSU) civil society is insufficiently developed to resist a return to authoritarianism. Finally, within political elites the behavioural norm of collecting *kompromat* to discredit one's political rivals remains as a legacy of the Soviet period and this gives members of political elites a personal reason to fear a rotation of power.

This paper first illustrates this argument by examining successive presidential and parliamentary elections in Georgia after the introduction of political pluralism in 1990. In doing so, it shows that free and fair elections in Georgia, when these have occurred, are no more than a rational strategy employed by elites to preserve their grip on power. By focusing on the electoral element of democracy in Georgia this paper also casts light on other interrelated elements of democracy, such as political parties, civil society and a free media, which are essential if the electoral element is to function. The paper closes by using the Georgian case to set down some useful lessons for organisations that aim to promote democracy in the FSU.

## Georgia: The First Free and Fair Elections 1990–1991

The nationalist Round Table – Free Georgia bloc, led by the former dissident Zviad Gamsakhurdia, came to power as a result of democratic elections that were held on 28 October 1990. This bloc won 54% of the vote as compared with 29.6% for the Communist Party. The elections, which were judged to be free and fair by almost all observers, were a culmination of a long power struggle between the incumbent Communist Party elite, led by Givi Gumbaridze, and the nationalist opposition, the most powerful element of which was an association of groupings loyal to Gamsakhurdia (the Round Table). Gumbaridze had finally agreed to open and competitive elections in August 1990 after action by supporters of Zviad Gamsakhurdia led to the main rail route between western and eastern Georgia being cut at the peak of the holiday season.

Gamsakhurdia's term of office was not a success. Despite being elected to the newly-established post of president in May 1991, with 86% of the vote in elections that were,

once again, generally considered free and fair, by the beginning of the following year Gamsakhurdia had been driven from office by a broad opposition coalition that included other former dissidents, the intelligentsia, criminal groupings, shadow economy entrepreneurs and members of the former communist nomenklatura. Reasons often cited for his failure include his inability to compromise, his tendency to alienate his own allies, and his own paranoid personality.

However, while Gamsakhurdia's personality was clearly an issue, probably a more important reason for his downfall was the fact that he had no institutionalised societal organisations to support him. Although he had his own party, the Helsinki Union, this party had only around 2,000 members in early 1990<sup>2</sup> and lacked organisational structure. Gamsakhurdia thus led a mass movement, rather than a coherent political organisation.<sup>3</sup> His political future was dependent entirely on the day-to-day vicissitudes of public opinion and was not rooted in any stable social or political structure. Once public opinion began to slip away from him, he had no institutional levers to maintain his grip on power.

By September 1991, Gamsakhurdia was already in a weak position. He had lost one of his closest allies, childhood friend and Defence Minister Tengiz Kitovani, after he had ordered that the newly-established army or National Guard be subordinated to the Ministry of Internal Affairs during the attempted coup in Moscow in August. From then on, Kitovani headed an independent military force that was loyal only to him. Moreover, the opposition National Democratic Party, led by another former dissident, Giorgi Tchanturia, had taken to the streets of Tbilisi calling for Gamsakhurdia's resignation. Finally, a group of his supporters in parliament had left the Round Table bloc and formed their own group „Charter-91“, which called for Gamsakhurdia to compromise.

Gamsakhurdia refused to compromise and instead opted for repression. He declared a state of emergency, arrested Tchanturia, and forces loyal to the government drove opposition supporters from the streets of Tbilisi. He rejected requests by members of „Charter-91“ and other former allies to hold pre-term elections to diffuse the crisis. Although he was often portrayed (probably justifiably) as irrational, Gamsakhurdia's rejection of pre-term elections was entirely rational, given that he had only his own charisma and no party or civil society organisation to rely on. Seeing his popularity wane, Gamsakhurdia realised that were he to call new elections he would be consigned once and for all to oblivion. Instead he chose to rely on a show of force. Unfortunately for him, his opponents were able to muster together a more powerful force than his own and this led to his being driven out of Tbilisi on 6 January 1992.

The Gamsakhurdia period provides us with two important insights. First, free and fair elections occurred under two distinct sets of circumstances. In October 1990 parliamentary elections were held as a concession granted by an

entrenched communist leadership to an increasingly powerful nationalist opposition under conditions in which the former had lost its room to manoeuvre. On the other hand, the presidential elections of May 1991 were held under somewhat different circumstances; they were a means of giving a further stamp of legitimacy to Gamsakhurdia (and thereby strengthening his grip on power) when the result of the elections were already a foregone conclusion. Second, in a democratic system, a political leader requires the backing of social organisations; if there is no organised social constituency from which a political leader can draw support, his or her power is likely to be based on the shifting tides of public opinion. Once public adulation is lost, such a leader is likely to be consigned to scrap heap of history if free and fair elections are held and is therefore likely to perceive elections as a zero-sum game. In short, because Gamsakhurdia had no societal structures such as institutionalised political parties or powerful civil society organisations to support him, his leadership was „socially disembedded“; despite short-term popularity, it had no stable, long-term links with any significant social actor.

### **„All Minus One“: Pluralist Anarchy in Georgia 1992–94**

Following Gamsakhurdia's overthrow, three men were left in charge of Georgia: the head of a paramilitary group called the *Mkhedrioni* („Horsemen“), Jaba Ioseliani; the head of the National Guard, Tengiz Kitovani; and Gamsakhurdia's former prime minister, Tengiz Sigua, who had been forced to resign by Gamsakhurdia in August 1991. These three men established a Military Council, which was to run the country, at least on a temporary basis. However, they faced a serious dilemma: how could two paramilitary leaders such as Ioseliani and Kitovani ever gain international recognition for Georgia and show that the country was worthy of vital foreign credit. Here I have deliberately neglected the role of Prime Minister Sigua. As Jonathan Aves points out „[a]lthough the Military Council .... was formally headed by Tengiz Sigua, ..... real power lay with Kitovani and Ioseliani“.<sup>4</sup>

There were two components to the Military Council's response. First, they declared their commitment to democracy and signalled that they were willing to co-operate with all political parties and actors, with the exception of Zviad Gamsakhurdia in person. „All minus one“ is the way Jaba Ioseliani described this arrangement, with the „one“ referring to the deposed ex-president.<sup>5</sup> A Consultative Council was thus set up consisting of representatives of ten political parties, several opposition members from the 1990 Parliament and a group of intellectuals. Its decisions were not binding; it had the power to make recommendations only.<sup>6</sup> On 21 February 1992 the Military Council restored the 1921 Constitution, which envisaged free and fair elections and a democratic system.<sup>7</sup> Consequently, in March, the State Council (see later) adopted the single transferable vote with no minimum

threshold as the system that would be used for the subsequent elections. This would allow virtually all parties, even the very smallest, into Parliament.<sup>8</sup> This formula was chosen so that all politically active figures would be in Parliament, leaving Gamsakhurdia's followers as the only so-called street opposition. A „democratic“ electoral system was therefore chosen because the authorities (such as they were) were weak and feared alienating even quite minor actors.<sup>9</sup> Although a new electoral law was passed on 1 August 1992 according to which 150 members of Parliament would be elected proportionally by regional party lists while eighty-four would be elected in single-mandate constituencies, the principle remained the same; even the smallest parties would be allowed into Parliament.

The second major decision made by the Military Council was to invite former First Secretary Eduard Shevardnadze back to the country to play a leading role in steering Georgia's future political course. Shevardnadze returned to Tbilisi on 7 March 1992. The power-sharing arrangement that was struck up between Ioseliani, Kitovani, Sigua and Shevardnadze was the following. Power would be transferred from the Military Council to a State Council, chaired by Shevardnadze, which would be a representative body with legislative power that would replace the Consultative Council. The State Council was envisaged as a temporary body and would only operate until elections were held later that year. Its Presidium would consist of all four men, each with the right of veto over decisions made by the Council.<sup>10</sup> Moreover, Sigua was confirmed as Prime Minister, Kitovani remained head of the National Guard and Ioseliani remained leader of the *Mkhedrioni*.

Two separate elections were held on 11 October 1992: the first for the Parliament and the second (separately) for the Chairman of the Parliament, for which the only candidate was Eduard Shevardnadze. No less than twenty-four parties and blocs gained representation of parliament, and the largest number of seats went to the avidly pro-Shevardnadze Peace bloc, which won 20.38% of the vote. In the election for the Chairman of Parliament, Shevardnadze won an overwhelming 96% of the vote. Most international observers judged the poll to be free and fair.<sup>11</sup> However, due to political violence in Samegrelo, continuing hostilities in Abkhazia and a *de facto* separatist regime in Tskhinvali, polling was postponed indefinitely in nine districts within these regions. Thus only seventy-five majoritarian deputies were elected.

Why did the new leadership allow free and fair elections? Certainly the track records of paramilitary leaders Ioseliani and Kitovani do not mark them down as „democrats“. However, the answer to this question is simple: it was an eminently rational thing to do. First, as was mentioned earlier, there was the overriding need to „bring all political forces on board“ and keep the opposition off the streets. Second, there was a need to gain international legitimacy and receive much needed foreign credit (whether this was for the leaders' own interests or for those of the country is

another question), and the holding of free elections as well as the return of Shevardnadze gave Georgia the semblance of statehood. Third, elections posed no risk for the new leaders; for Shevardnadze, his short-term popularity assured him of victory in much the same way as Gamsakhurdia's popularity had assured him of victory just over one year earlier, while Ioseliani and Kitovani could rely on their armed groupings to make sure they would remain in *de facto* control, even if they failed to gain representation in parliament. The elections were more or less an irrelevance for Ioseliani and Kitovani; they did not belong to any political bloc and instead stood (and won) in single mandate constituencies. Far more important for them was the fact that their power on the ground assured them of continuing predominance.

### **Shevardnadze Consolidates Power: An Oligarchy is Established 1995–2000**

By the time of the next parliamentary and presidential elections, which were held on 5 November 1995, the election law had been changed once again and a 5% threshold was established for parties and blocs aiming to enter parliament by the proportional system. At the same time the regional party lists were replaced by a single national party list. By now Shevardnadze and forces close to him had managed to marginalize both the paramilitary groups and the pro-Gamsakhurdia opposition, and therefore no longer feared the danger of a street opposition. Moreover, a „ruling party“, the Citizens' Union of Georgia (CUG), had been created in November 1993 by Shevardnadze's supporters. Thus power had been consolidated in the hands of a pro-Shevardnadze elite (or rather several different elites united in their support for the Head of State) and this elite felt much less threatened by the opposition than had been the case three years earlier. As a consequence, both the electoral rules and the procedures that took place on election day were deliberately devised to assure victory for the CUG, of which Shevardnadze was Chairman.

The result of the elections was that the CUG won almost half the seats (or more than half the seats if one includes loyal independents) despite winning only 23.71% of the vote. In the proportional system, 61.5% of the population voted for parties that failed to overcome the 5% barrier and these votes were therefore wasted. Three parties gained between 4% and 5%, including two parties that had previously supported Gamsakhurdia, leading to widespread suspicions that their vote had been artificially „massaged“ to fall short of 5%. In the presidential elections, Eduard Shevardnadze won with 74.32% of the vote. According to some sources, however, there was a real fear amongst members of the Shevardnadze camp that he might lose to his rival, former First Secretary of the Georgian Communist Party Jumber Patiashvili, and in at least one district where Patiashvili was winning, the vote tallies for the two men were simply swapped over.<sup>12</sup> The OSCE described the elections as generally free and fair, except in

Atchara, where significant violations were observed. However local observers were more critical, and reported significant irregularities. Thus we see an erosion in the electoral element of democracy between the 1992 and the 1995 elections.

However, this did not mean that all power was concentrated in the hands of Eduard Shevardnadze as some observers have claimed. Pluralism remained, but it was a more regulated, intra-elite pluralism from which populist mass movements that were so dominant just three or four years previously were more or less excluded. In the first place, pluralism existed within the ruling party, the CUG. This party was a broad coalition of rather uneasy bedfellows: former Communist Party apparatchiks and part of the Soviet-era industrial elite, who were dominant in the regional branches of the CUG; younger reform-minded (and often western-educated) individuals who had been brought in by the former leader of the Green Party, Zurab Zhvania<sup>13</sup>; and members of the liberal intelligentsia. A second political centre formed around the autocratic Chairman of the Supreme Council of Atchara, Aslan Abashidze. This was the Union of Democratic Revival (UDR), which constituted a second „ruling party“ based around the Atcharan political elite and which gradually developed a conflictual relationship with the CUG, particularly with its reformist wing. Both ‘ruling parties’ managed to overcome the five per cent barrier in the 1995 elections, a feat that was accomplished by only one other party, the National Democratic Party, which had begun as a dissident organisation and now represented „soft“ opposition to Shevardnadze.

This „oligarchisation“ of politics continued throughout the late 1990s. Political power became somehow „feudalised“ as various elite cliques (generally economic clans rather than ideologically-based parties) all demanded official posts and the lucrative resources associated with them. This feudalisation took place at two levels. First, at local level considerable power accrued to regional bosses, primarily the „governors“ or authorised representatives to the regions, and, to a lesser extent, the presidential appointees at rayon level (*gamgebelis*). Second, power became feudalised *sectorially* in that certain individual ministries or even informal „circles of friends“ within the political elite themselves came to form their own informal centres of power. Thus all main elite actors were guaranteed a piece of the cake, both in terms of official posts and in terms of deputies’ mandates.

This system of oligarchic power-sharing became even more vividly apparent in the results of the 1999 parliamentary elections. The two main protagonists were the CUG, on the one hand, and a bloc grouped around Abashidze’s UDR, on the other. These two blocs gained 41.75% and 25.18% of the vote respectively, according to official returns. The only other party to overcome the threshold required to enter parliament on the proportional basis, which had now been raised to 7%, was another party based

around an economic elite, „Industry Will Save Georgia“. According to official figures, this party garnered 7.08% of the vote. Both local and international observers noted numerous instances of electoral fraud. As a result of these elections, none of the parties that won seats in the 1999 elections were socially embedded; they were instead based on cliques that were an integral part of the political and economic elite. Their political programmes were vague and lacked credibility, suggesting that for these groups political ideology was mere window-dressing, cooked up to disguise the true (resource-driven) logic of their existence.

Electoral fraud was most evident during the 2000 presidential elections, which, according to official figures, Shevardnadze won with 79.82% on a turnout of 75.86%. However, while most independent observers agree that Shevardnadze obtained more votes than his rival, Jumber Patiashvili, they doubt whether even 50% of the electorate turned out to vote.<sup>14</sup> According to the Constitution, if less than 50% of eligible voters cast their ballots in presidential elections, new elections must be held within two months (Article 70). This was a situation that Shevardnadze’s circle were prepared to do their utmost to avoid.

Non-democratic elections in 1999 and especially in 2000 were essential for maintaining the elites’ grip on power. Shevardnadze and his cliques were now no longer popular and truly competitive elections threatened their grip on power. As so-called „administrative resources“ (i.e. control over the country’s bureaucracy) provided their only guarantee of continued predominance, they feared that losing such resources would put a permanent end to their oligarchic rule.

### The Rise of the Third Sector 1995–2003

Paradoxically, however, the failure of any one clique to gain hegemony over all the others and the consequent pluralism that existed in the Georgian political system allowed for the establishment of a relatively free media and an NGO sector that was quite active, at least in comparison with most other former Soviet republics. The reformist members of the CUG, many of whom had positions of authority in the parliament (Zurab Zhvania was Chairman of Parliament and other so-called reformers were chairpersons of parliamentary committees), were keen to promote rather progressive legislation such as the Civil Code (which improved the legal basis for the registration of NGOs) and the Law of the Courts (which aimed at improving the professionalism of the judiciary). As a result, the number of NGOs mushroomed, especially during the period 1995–98; several became quite powerful and even managed to play a role in drafting and amending legislation.

Within the media, of particular importance was the independent television channel, Rustavi-2, which was established in 1994, originally as a local channel in the town of Rustavi. In 1996, Rustavi-2 had its licence revoked by the Ministry of Post and Communications, supposedly on the grounds

that the station was registered as a limited liability company without specifying that broadcasting would be one of its activities. As a result of the Ministry's action, Rustavi-2 was off the air from July 1996 until May 1997, when the Supreme Court found in the company's favour and it was allowed to resume broadcasting. During this period two Rustavi-2 journalists, Levan Ramishvili and Giga Bokeria, spearheaded the defence of the channel by establishing their own NGO, the Liberty Institute, which became one of the most important NGOs involved in the defence of media freedom and freedom of speech in general.

The Liberty Institute and other powerful NGOs were generally perceived as being close to the reformers' group within the CUG and it would appear that Zurab Zhvania and Mikheil Saakashvili (a Columbia University law specialist who Zhvania invited back from the USA to become a leader of the CUG and who in October 2000 became Minister of Justice) were attempting to use them as a support base. Through their influence, several representatives of NGOs were elected on the CUG party list in the 1999 parliamentary elections. During the period 1999–2001, these NGOs became much more critical of the Georgian government for its failure to fight against corruption and its apparent desire to stall, if not reverse, democratic reforms. At the end of October 2001, the Liberty Institute helped organise demonstrations in defence of Rustavi-2 after an attempt by officials from the Ministry for State Security to raid the premises of the TV channel, ostensibly on the pretext that the company owed the state unpaid taxes. The demonstrators, who at one point numbered between five and ten thousand, demanded the resignation of Minister for Internal Affairs, Kakha Targamadze (who several days previously had threatened to 'smash' anyone who opposed him), and of Shevardnadze himself. The outcome was that Zurab Zhvania agreed to resign as Chairman of Parliament, providing Targamadze also left his post. On 1 November, following the resignation of both men, Shevardnadze dismissed *all* his ministers, although he later re-appointed most of them (with the exception of Targamadze and the Minister of State Security, Vakhtang Kutateladze).

From that time on the reformers' group form within the CUG joined the opposition and formed separate parliamentary factions. The CUG as a party then began to collapse and by July 2003 had only 13 members in its parliamentary faction, as compared with 119 members in February 2000. Shevardnadze himself had resigned as Chairman of the party in September 2001, which acted as a trigger for the collapse. A large part of the NGO movement had sympathies with Mikheil Saakashvili; following his resignation as Justice Minister in September 2001, Saakashvili became the most outspoken member of the opposition. Meanwhile, the Liberty Institute was attempting to develop a strategy to force Eduard Shevardnadze out of office; their aim was to reproduce the democratic movement in Serbia that eventually brought about the fall of Slobodan Milosevic by creating a strong network of civic organisations and a

*united* opposition. In April 2003, the students' movement *Kmara* was established with the support of the Liberty Institute on the basis of the breakaway students' union „Students Self-Government Development“, which had broken away from the official Union of Students and Postgraduates in April 2001.<sup>15</sup> The establishment of *Kmara* followed a fact-finding visit of Serbia by Bokeria and Ramishvili, which was funded by the Soros Foundation: *Kmara*'s aim was to emulate the Serbian „OTPOR“ resistance movement, which had helped depose Milosevic.

### The „Rose Revolution“ and its Aftermath 2003–2004

As the November 2003 parliamentary elections approached, Eduard Shevardnadze and his pro-government „For a New Georgia“ bloc, which had been cobbled together in the summer mainly by members of the executive branch of government<sup>16</sup>, faced a dilemma: allow free and fair elections and risk losing power (if not immediately then inevitably after the presidential elections scheduled for April 2005) or resort to fraud and risk a well-orchestrated popular revolt. The opposition was now much more well-organised than previously, was led by experienced politicians such as Saakashvili and Zhvania, and had already demonstrated its capacity to mobilise the population during the Rustavi-2 protest in 2001. Shevardnadze's clique, on the other hand, still had „administrative resources“ at its disposal, but had no social base from which it was able to draw support.<sup>17</sup> Thus, the President's supporters knew that once they lost power, they would lose it permanently and would never persist as a political force (as subsequent events confirmed). Moreover, the bureaucratic system which characterised Shevardnadze's mode of governance was based on the old late-Soviet model in which the norms were rule-breaking, corruption, and the collection of *kompromat* (compromising material) to discredit one's opponents. Thus there was a real fear that many in Shevardnadze's circle would be prosecuted were they to relinquish their grip on power. Electoral fraud thus appeared to be the only option for them.

Fraud, however, was made problematic by the decision of Rustavi-2 to publish an exit poll on the evening of election day, which was carried out by the US Polling Firm, Global Strategy Group, and by the fact that Shevardnadze's supporters were unable to prevent a clause allowing non-governmental organisations to carry out a parallel tabulation of the votes from being introduced into the electoral code. After the election, as official returns trickled in gradually from the constituencies, it became clear that the counts did not tally and that the two 'ruling parties' (i.e. the CUG and UDR, who despite their earlier differences were now co-operating) were having their votes artificially inflated, mainly at the expense of Saakashvili's National Movement, which, according to both the parallel count by the NGO „Fair Elections“ and the exit poll, had won by a margin of around 10%. When the official results were finally

published, nearly three weeks after the vote, the „For A New Georgia“ bloc was in first place with 21.32%, Abashidze’s UDR was second with 18.84%, Saakashvili’s National Movement was third with 18.08%, followed by the Labour Party with 12.40%, the Burjanadze Democrats (led by the Speaker of Parliament, Nino Burjanadze, and Zurab Zhvania) with 8.79% and another business-based party, the New Rights, with 7.35%. All other parties failed to surmount the 7% barrier. The OSCE condemned the vote as marred by numerous irregularities.

By that time, protest action by the opposition was already two weeks old. The protests were led by Mikheil Saakashvili, Nino Burjanadze and Zurab Zhvania and a key role was played both by Rustavi-2 (who gave considerable publicity to the opposition and announced when and where there would be demonstrations) and *Kmara*, which mobilised mainly young people to demonstrate. After Mikheil Saakashvili led his supporters from the regions to Tbilisi on 22 November, culminating in a huge rally and the occupation of Parliament by the opposition, Eduard Shevardnadze resigned and Nino Burjanadze, as Speaker of Parliament, became interim President until new elections were held.

The new leadership (i.e. Saakashvili, Burjanadze and Zhvania) then set the date of the presidential elections for 4 January 2004 and Mikheil Saakashvili was chosen as their joint presidential candidate. Given Saakashvili’s enormous popularity in the wake of the so-called Rose Revolution, no major political figure chose to stand against him, except Temur Shashiashvili, the former governor of the western region of Imereti, who had his small following of loyal supporters. In the event Saakashvili won with 96.27% compared with 1.85% for Shashiashvili. The OSCE concluded that „the 4 January 2004 extraordinary presidential election in Georgia demonstrated notable progress over previous elections, and brought the country closer to meeting international commitments and standards for democratic elections“, adding that „the authorities generally displayed the collective political will to conduct democratic elections, especially compared to the 2 November 2003 parliamentary elections that were characterized by systematic and widespread fraud“.<sup>18</sup> Thus the elections were more or less free and fair, if not particularly competitive.

Following a decision by the Supreme Court on 25 November 2003 to satisfy an appeal by Fair Elections and cancel the proportional results of the 2 November parliamentary elections, repeat parliamentary elections were held on 28 March 2004 for the 150 seats that are decided by the proportional vote. However, the Supreme Court did not cancel the results of the vote for single mandate districts and therefore most of 75 candidates elected by the first-past the-post system on 2 November 2003 were allowed to take their seat.<sup>19</sup> According to international observers, the March elections represented a further improvement in democratic standards and marked „commendable progress“, in the words of the OSCE. However, the new „ruling coalition“ of

Saakashvili, Burjanadze and Zhvania, united in a bloc called „National Movement – Democrats“, won 90% of the seats, as the seven per cent barrier excluded some smaller parties, such as the Labour Party and the UDR. According to official results, the bloc of the new government won with 66.24% of the vote and received 135 proportional seats. The only other party or bloc to surmount the 7% barrier was the moderate opposition bloc, „Right Opposition“ (a coalition of „Industry Will Save Georgia“ and the New Rights), which won 7.56% of the vote and 15 seats. Deprived of administrative resources, the „For a New Georgia“ bloc had ceased to exist and the only remaining fragment of this bloc that participated in the March elections, the Georgian Socialist Party, secured just 0.48% of the vote.

Thus the 2004 elections in many ways represent a return to the presidential elections of 1991 or the 1992 elections for the post of Chairman of Parliament. Electoral fraud was unnecessary, because the power-holders were going to win anyway. Moreover, falsification would have actually been counter-productive as it would have damaged the new government’s reputation both at home and abroad. International good will was particularly important for the new government not only because of its espoused pro-western orientation, but also because of the need for foreign credit. Once again, the decision on how to conduct elections was based on the rational calculation that more or less free and fair elections would bring greater benefits to the new leadership than rigged ones. As yet, however, there is no evidence that there is any real inculcation of democratic norms in the body politic of Georgia.

Although the new government in Georgia clearly enjoys popular legitimacy (unlike most other governments in the Commonwealth of Independent States), if democracy is to become institutionalised, democratic elections must evolve from a „useful strategy“ to an accepted element of a democratic political culture. While this article has focused on Georgia, this challenge is equally relevant for most other republics of the former Soviet Union. How the international community can help consolidate these norms is the topic of the final part of the paper.

### **Democracy Promotion in the CIS: Lessons Learned**

The above discussion provides us with some useful lessons about how international democracy-building organizations can devise strategies to improve democratic governance in the former Soviet union. In my view, the most important lessons are the following:

**First, parties matter.** Parties are the vehicles of democracy. The problem in Georgia and in most of the rest of the Soviet Union is that parties are not institutionalised, have no coherent political programme and are either based on (oligarchic) business interests or act simply as a „fan club“ for some charismatic individual. Moreover, parties in

government tend to act as „ruling parties“, in other words they have at their disposal „administrative resources“ which gives them control of, or at least influence over, a substantial part of the state bureaucracy. However, they are hierarchical organizations that are not socially embedded and lack any meaningful links with the population. Thus, once they lose access to the levers of power, they are likely simply to disappear. This means that for them elections are a battle for survival and the stakes are therefore very high. In such circumstances, fraud is almost inevitable. To date, few democracy-promoting initiatives have worked with political parties and a change in emphasis would therefore be desirable.<sup>20</sup>

What is needed is a strategy for building political parties „from the bottom up“, so that they can become wedded to more or less stable interest groups within society rather than merely cliques within the state bureaucracy. Once a party represents a „core group“ in society, it may lose elections, but it will be able to maintain its influence and live to fight again in subsequent elections because it enjoys a social base from which it can draw support. The development of „socially embedded“ political parties lowers the stakes at election time and (hopefully) will make fraud less likely.

**Second, a free media is essential for the establishment of democratic governance.** A fairly obvious point, but one which is still worth emphasising. As we have seen, media channels, particularly Rustavi-2, played a key role in the so-called „Rose Revolution“ that removed Shevardnadze’s government. Through the media, Georgian citizens were more or less aware of the Georgian government’s shortcomings. Political conflicts were openly aired, government corruption entered the realm of public knowledge and humorous programmes openly mocked the president and his government. However, it should be made clear that independent television has a far greater impact than independent newspapers in the CIS; few people read newspapers, while most of the population (or at least most of the urban population) watch television.

**Third, the establishment of a democratic system is impossible as long as Soviet era norms remain a defining feature of post-Soviet political elites.** Soviet era norms remain entrenched in the organisational culture of the *apparat* in most of the CIS. This organisational culture is characterised by rule-breaking, dissimulation, corruption, clientelism, indifference towards the affairs of ordinary citizens, and an extreme degree of dependency on superiors. It has also led to the proliferation of informal patronage networks. In this system control is exercised by collecting compromising material (*kompromat*) on one’s opponents and political struggles are aimed at discrediting one’s opponent, rather than criticising his or her policies.

Under such a backdrop a ruling elite is most unlikely to relinquish power of its own free will. The only way to survive in such a political culture is by breaking the rules

and by acting illegally. Therefore, once an elite loses power, its members will be discredited or even imprisoned by its newly-ascendant rivals. In fact, this is precisely what has happened to members of Shevardnadze’s government. Under such circumstances, political elites will spare no effort to resist democratic mechanisms that may loosen their control of government.

This feature is particularly hard to eliminate. Elite political culture is slow to change, at least without the sort of revolutionary changes that occurred in Georgia in November 2003 (and even here it is still too early to tell the extent to which this culture has really changed). „Democracy promoters“ can adopt one of two strategies. First, if they believe that an opposition movement has a real possibility not only of gaining power but of bringing about a significant „sea change“ in elite culture, then it may be worth their while to actively support the opposition. This was the strategy used by the Soros Fund in Georgia, where the opposition was already well-organised and its leaders had some experience of government. However, this is not always possible, as in most republics of the CIS the opposition remains weak and divided. A second „softly softly approach“ would be to attempt gradually to change the organisational culture, by working with government structures to encourage decentralisation, personnel changes, reduced emphasis on targets and more emphasis on quality of work. This, however, is only likely to work if the government shows a genuine commitment to reform, such as is apparently the case in Georgia at the present moment.

However, there may come a point when it becomes patently obvious that the government has no wish to reform and that further co-operation with government structures is pointless. It is noteworthy that Georgia was the second biggest per capita recipient of foreign aid in the world during the Shevardnadze era, but saw little, if any, improvement in either living standards or standards of democratic governance. It is difficult to avoid coming to the conclusion that foreign assistance programmes in general and democratic governance projects in particular proved advantageous both to corrupt government officials and to western „consultants“ who managed to earn six-figure salaries for their „contributions“. Such projects can only give rise to cynicism amongst the population of the target state, especially given that some of them are in the form of loans whereby the six-figure salaries must eventually be paid back from the country’s own budget!

**Fourth, interventions are never politically neutral.** Donors must appreciate that empowering society and society’s capacity to influence decision-making at local and national level is not a politically neutral activity and will have implications for the future of society. If they are to have any meaningful effect at all, such activities will inevitably cause conflict between the new civil society organisations and semi-authoritarian national governments. This is not to say that such conflicts are necessarily a bad thing, and it is even possible that their consequences may eventually

lead to the establishment of a more stable, democratic and prosperous state. The point is simply that before intervening, donor organisations must analyse the possible implications of what they are doing.

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<sup>1</sup> „The Problems of Post-Soviet Regime Change: Dynamic and Static Elements of the Georgian Regime 1989–2001“ (Florence: EUI, 2003).

<sup>2</sup> See Jonathan Aves, „The Rise and Fall of the Georgian Nationalist Movement, 1987–91“ in Hosking, Aves and Duncan (eds.), *The Road to Post-Communism: Independent Movements in the Soviet Union 1985–1991* (London and New York: Pinter Publishers, 1992), 165.

<sup>3</sup> According to Zhang, in communist states the leaders of such movements „do not derive their influence and power through control of highly institutionalised societal organisations. They are created by the democratic movement and get their influence and power from the dynamics of the movement. Therefore, leaders of democratic social movements are essentially movement-dependent leaders. Their influence and power depend on the continuous momentum of the movements. Thus they have to use populist if not demagogic political demands to sustain the movement's political momentum and their own power“. Baohui Zhang, „Corporatism, Totalitarianism and Transitions to Democracy“, *Comparative Political Studies*, Vol. 27, No.1 (1994), 108–136.

<sup>4</sup> Jonathan Aves, „Politics, Parties and Presidents in Transcaucasia“, *Caucasian Regional Studies*, Vol.1 (1996) at [www.vub.ac.be/POLI/](http://www.vub.ac.be/POLI/), accessed October 2001.

<sup>5</sup> Interviews with the author. Ioseliani claims that he had even invited Akaki Asatiani, head of the Union of Georgian Traditionalists (formerly part of the Round Table), to take part in the Consultative Council, but that Asatiani had rejected the offer.

<sup>6</sup> Ibid. and Charlie Bartholomew, Georgia Country Profile, on <http://www.eurasianet.org/resource/cenasia/hypermail/0002/0036.html>, and 0060&0072&0092.html, accessed October 2001.

<sup>7</sup> See *Georgian Law Review* (First and Second Quarters 1999), 5, <http://www.geplac.org/publicat/law/archives/glr99q1q2e.pdf>, accessed October 2001.

<sup>8</sup> Bartholomew, Georgia Country Profile.

<sup>9</sup> My thanks to Ghia Nodia for this observation.

<sup>10</sup> Bartholomew, Georgia Country Profile; interviews with the author; The Caucasian Institute of Peace, Democracy and Development, *The Georgian Chronicle Monthly Bulletin: Major Events and Trends in Politics, Economy and Social Life*, January–February 1993 at [www.cipdd.org/cipdd/GCh](http://www.cipdd.org/cipdd/GCh), accessed October 2001.

<sup>11</sup> See, for example, US Department of State, *Georgia Human Rights Practices*, 1993 at [www.geocities.com/bcahoon.geo/Georgia.html](http://www.geocities.com/bcahoon.geo/Georgia.html), accessed October 2001; Suzanne Goldenberg, *Pride of Small Nations: The Caucasus and Post-Soviet Disorder* (London: Zed Books, 1994), 99.

<sup>12</sup> Source: interviews with the author.

<sup>13</sup> Zhvania was elected Secretary General of the CUG at the party's founding congress in November 1993. After the 1995 elections he became Chairman of Parliament.

<sup>14</sup> Interviews with the author.

<sup>15</sup> Georgian Times, 1 May 2001.

<sup>16</sup> Although Irina Sarishvili-Tchanturia's previously oppositional National Democratic Party also joined.

<sup>17</sup> While it is true that most members of ethnic minorities (Azeris and Armenians) supported Shevardnadze, they did so more out of fear of a return to the ultra-nationalism of the past, than out of any sense that Shevardnadze's group represented them.

<sup>18</sup> [http://www.osce.org/documents/odihr/2004/01/1765\\_en.pdf](http://www.osce.org/documents/odihr/2004/01/1765_en.pdf).

<sup>19</sup> Except in cases where the elections were not held, or where the elected member was either prosecuted or appointed to the executive branch.

<sup>20</sup> There are, of course, a few exceptions to this tendency. The German Konrad Adenauer Foundation (KAS) as well as the US-based International Republican Institute (IRI) and National Democratic Institute (NDI) all support the development of political parties.

## ULF BRUNNBAUER

Die Menschen und ihre Umwelt:  
Anpassungsstrategien an den Naturraum

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# Северный Кавказ: распределение ресурсов и власти на локальном и региональном уровнях

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## 1. Введение

Северный Кавказ состоит из девяти регионов России, из которых семь являются национальными республиками (Адыгея, Дагестан, Ингушетия, Кабардино-Балкария, Карачаево-Черкесия, Северная Осетия, Чечня). Этническое разнообразие региона очень высокое. Ресурсы и власть распределены между различными этносами неравномерно. Одной из важных причин является различие горных и предгорно-равнинных территорий, которое приводит к объективному неравенству горных и равнинных этносов, определяет зависимость горных народов от центров, а также от более ресурсообеспеченных и развитых равнинных районов. В советское время существовала политика выравнивания условий развития за счет субсидий и льгот для горных жителей. Разрушение этой политики в 1990-е годы обнажило быстро растущие диспропорции в развитии удаленных, трудно доступных и малообеспеченных ресурсами районов в отличие от близлежащих к центрам, хорошо доступных и обеспеченных территорий. Применявшаяся в советское время система национального представительства в органах государственной власти продолжает существовать, хотя и значительно трансформировалась с учетом новых социально-политических условий.

В настоящее время механизм распределения ресурсов и власти на региональном и локальном уровне включает элементы советской системы, некоторых рыночных правил, а также традиционных норм в виде, например, обычного права (в основном на локальном уровне). Связь между локальными и региональными, формальными и неформальными, старыми и новыми институтами осуществляется на основе институциональной гибридизации, обеспечивающей компромиссные условия для равномерного и бесконфликтного развития. Наиболее важны следующие сферы гибридизации, в которых происходит регулирование распределения власти и ресурсов на региональном и локальном уровнях на Северном Кавказе:

1) *Официальная власть в регионе*, представленная сочетанием старых кадров советского партийного электората и национальных и семейно-родственных неформальных элит, как правило, сильно завязанных на местном бизнесе. Часть региональных лидеров имеет партийное прошлое (Коков, Дзасохов). Существует разграничение полномочий между федеральной и региональной властью. Некоторые позиции (например, министерство внутренних дел, ФСБ, налоговая служба, национальный банк и др.) контролируются и утверждаются Москвой.

2) *Официальный и теневой бизнес*, который частично сросся или срастается с властью, а также опирается на семейно-родственные и земляческие связи.

3) *Институты ресурсопользования* (в основном землепользования, водопользования, отчасти использования рыбных ресурсов, например, в Дагестане), затрагивающие экзистенциальные основы жизнедеятельности людей. Это потенциал для массовой мобилизации, а также объект манипулирования массовым поведением людей.

## 2. Распределение ресурсов и власти между центром и северо-кавказскими регионами

*Иерархия власти.* Существует несколько иерархических уровней распределения власти и ресурсов: федеральный центр, федеральные округа, регионы (области, края, республики, автономные округа), административные районы, местные (локальные) сельские и городские администрации. Еще несколько лет тому назад центральная власть непосредственно контактировала с 89 регионами Российской Федерации. В 2000 году Путиным создано промежуточное звено – 7 федеральных округов, имеющего целью усиления вертикали власти. Северный Кавказ входит в Южный Федеральный округ. Знаменательным событием последнего времени стало смена представителя президента в этом округе, (генерала Казанникова на Владимира Яковleva, который в недавнем прошлом был губернатором Санкт-Петербурга). Этим как бы подчеркивается новый, демилитаризованный этап развития Северного Кавказа.

Южный Федеральный округ состоит из 13 регионов, имеющих разное название (области, края, республики), но по сути один статус в составе России. Именно этот уровень является основным в проведении политики и регулировании конфликтов. Огромные полномочия сосредоточены на уровне президентской (в национальных республиках) и губернаторской (в краях и областях) власти. Между федеральным центром и регионами идет постоянная борьба за распределение полномочий и приведении регионального законодательства в соответствие с федеральным. Так, еще два года назад каждый третий нормативный акт в Кабардино-Балкарии не соответствовал Конституции России. «Наступление» федеральных властей на региональные власти расценивается национальными лидерами как урезание прав субъектов (Аккиева 2003).

Административные районы и местные (сельские, поселковые, станичные, городские) администрации

имеют незначительные полномочия, в основном выполняя распределительные, некоторые контрольные и статистические функции. Хотя в некоторых регионах районы созданы по национальному признаку (например, Дагестан, Кабардино-Балкария, Карачаево-Черкесия). В Кабардино-Балкарии требования балкарских лидеров к восстановлению упраздненных в 1944 году балкарских районов служило поводом для нагнетания напряженности в начале 1990-х годов. В результате был создан лишь один балкарский район – Эльбрусский. В Краснодарском крае шапсуги также выдвигали требования для организации «своего» района.

### **Отношение к центральной власти и выборы президента России**

Все национальные регионы Северного Кавказа являются дотационными. Наибольшие объемы государственных средств поглощала и поглощает Чечня. Вопрос о хищении государственных средств, направлявшихся на восстановление Чечни, неоднократно поднимался в печати, но быстро затухал.

Каждый из руководителей регионов имеет свои негласные каналы (в основном через своих людей в администрации Президента), как приблизиться и замолвить слово перед президентом России, выпросить дополнительные финансовые средства, продемонстрировать свою значимость перед существующими и несуществующими проблемами.

Последние выборы президента России ярко демонстрируют готовность региональных властей высказать центральной власти в Москве свою лояльность. Все регионы, прилегающие к Чечне, дружно и почти как в советское время дали самый высокий процент голосов за Путина (рис. 1). Особенно «постаралась» Ингушетия – более 98%. Нет сомнения в том, что эти регионы в случае необходимости могли бы дать и большие результаты, сравнимые с советскими временами, когда на выборах подсчитывали лишь сотые доли после 99 %. Нет смысла также говорить о том, были ли результаты голосования подтасованы или нет. В данном случае результаты выборов в национальном регионе надо воспринимать как выраженное в цифрах «мнение» региональной власти, которая объективно была и остается абсолютным авторитетом для большинства населения в регионах.

Чем дальше от Чечни, тем меньше в регионах было подано голосов за Путина. Осколки «красного пояса» (Краснодарский край) резко контрастируют по количеству голосов, отданных за Путина, с национальными регионами. Определенный плюрализм сочетается, к сожалению, с весьма жесткой политикой края к этническим мигрантам (например, к туркам-месхетинцам), попустительству националистических выступлений против нерусского населения.

### **Власть как ресурс и ресурсы как власть**

Основным нематериальным ресурсом является власть, или административный ресурс. Борьба за этот ресурс пронизывает все институты и слои общества. В целом этот ресурс уже был распределен к середине 1990-х годов. В настоящее время административный ресурс находится в центре борьбы между дельцами крупного бизнеса. Свободных рыночных механизмов в большинстве республик пока нет – все осуществляется под контролем региональных властей. Стоящие во власти имеют и доступ к организации бизнеса, а также имеют в своих руках больше возможностей подавлять конкурентов. Бизнесмен, который захочет вести «честный» бизнес в национальных республиках, вряд ли продержится, не имея поддержки сверху. Причем инструменты влияния могут быть вполне легальными и формально законными, но очень изощренными, использующими разнообразные формальные предписания (пожарники, архитекторы, санэпидемнадзор и пр.).

Основными материальными ресурсами на Северном Кавказе являются: нефть, рыбные ресурсы Каспийского моря, земля, лес (на Западном Кавказе), рекреационные ресурсы, а также некоторые редкие полезные ископаемые (например, свинец в Северной Осетии, вольфрам и молибден в Кабардино-Балкарии, золото в Карачаево-Черкесии и др.). Специфическим ресурсом является территория, которая может быть для организации транзитных транспортных потоков. Использование большинства ресурсов, особенно нефти, ресурсов Каспийского моря, находится под строгим контролем федеральных властей. За ресурсы идет конкуренция трех групп бизнеса: международного (например, Shell), российского (например, Lukoil) и национального (региональные предприятия и фирмы). Если два первых уровня предпринимательства в принципе интегрируют все пространство Северного Кавказа, в целом играя позитивную роль в предупреждении конфликтов, то национальный уровень бизнеса принципиально дезинтегративен. В значительной степени это обусловлено также тем, что принципы организации предпринимательских институтов основаны на семьяно-родственных связях, где положительные моменты (доверие, надежность, высокая степень мотивации и др.) сопровождаются отрицательными (слабое проникновение инноваций, уход от конкуренции и критики и др.). Республики ограничивают роль внешнего бизнеса за счет предоставления региональным бизнесменам более благоприятных условий. Внешне это ярко заметно, например, по бензоколонкам. Если в центральной России даже в глубинках этот бизнес монополизирован двумя-тремя крупными фирмами типа Лукойл, то в ряде северокавказских регионах существует разнообразие собственных фирм, принадлежащих, как правило, семьям правящих элит.

### **Территориальный ресурс: транспорт и самостоятельность регионов**

Мечта каждого региона иметь свои транспортные коридоры. Но лишь в трех регионах (Дагестане, Северной Осетии и Краснодарском крае) существует развитая система транзитных трасс.

Во время короткой самопровозглашенной независимости от России Чечня сразу же проложила дороги к Грузии (тем более, что некоторая часть границ с Грузией на территории Чечни проходит не только по горным хребтам как в большинстве северокавказских республик, а по долинам рек) и даже участвовала в продолжении этих дорог уже по самой территории Грузии через горные хребты.

Ингушетии осталось только сожалеть, что начатое в советское время строительство кавказской перевальной железной дороги из России в Грузию, которая должна была пройти и по территории Ингушетии, было остановлено.

Северная Осетия всегда являлась основной опорой федерального центра на Северном Кавказе. Она имеет две дороги в Грузию: через Казбекский район Грузии и через Рокский туннель. Дорога через Рокский туннель в Южную Осетию используется для снабжения товарами как Южной Осетии, так и Грузии. В ней заинтересованы не только политические, но и различные криминальные структуры, завязанные на выгодном, практически беспошлинном бизнесе (таможня только со стороны России).

Карачаево-Черкесия и Адыгея давно стремились к строительству дорог через свои республики к Черному морю. Однако на территориях, через которые смогли бы быть построены дороги, находятся заповедники федерального подчинения. Без соответствующего разрешения из Москвы любая деятельность на них невозможна. Пример тому уже многие годы длящийся конфликт между руководством Республики Адыгея, имеющего планы строительства дороги к Черному морю через территорию Кавказского биосферного заповедника, и заповедником, находящимся в подчинении федеральных органов.

### **Конфликты**

В настоящее время большинству северокавказских республик выгодно либо приукрашивать результаты улаживания конфликтных ситуаций (Чечня), либо, наоборот, представлять ситуацию напряженной, чтобы легче «выбивать» из госбюджета дополнительные средства на развитие (Кабардино-Балкария). И в том и другом случаях руководители регионов стараются засвидетельствовать перед Москвой результаты своей борьбы за мир. Не всегда гонорар за их старание имеет прямую финансовую помошь. Иногда это превращается в закрывании глаз на узурпацию власти в регионах, сопровождающуюся распределением постов среди родственников.

### **3. Кабардино-Балкария и Карачаево-Черкесия**

#### **Власть**

Кабардино-Балкария представляет самую западную северокавказскую республику, в которой более 90% голосов было отдано за Путина. Уже в Карачаево-Черкесии доля голосов за Путина составляет лишь 82%. Эти два региона являются близнецами с точки зрения сочетания этносов (таблица 1), но представляют различные случаи разрешения конфликтных ситуаций.

В Кабардино-Балкарии конфликтная ситуация 1990-х годов была разрешена успешно, в то время как в Карачаево-Черкесии до сих пор сохраняется определенная напряженность. Мирное существование в Кабардино-Балкарии характеризуется высокой долей централизации власти, подавлением оппонентов и оппозиции, слабым развитием демократических институтов, многие из которых являются лишь вывесками и призваны обеспечивать интересы региональной власти. Президента В. Кокова не принято критиковать. Он уже на протяжении около 12 лет является признанным лидером и выглядит успешным миротворцем, предотвратившим потенциальные конфликты в республике в начале 1990-х годов. Однако среди интеллигенции много недовольных как снижением уровня демократии в республике, так и застоем в экономике. Кабардино-Балкария с ее централизацией власти и подавляющей поддержкой Кокова еще в конце 1990-х годов являлась реальной предтечей для нынешней путинской России.

В Карачаево-Черкесии сохраняется напряженность в вопросах распределения власти между карачаевцами, с одной стороны, и черкесами, а также казачеством, с другой. При этом, напряженность между карачаевцами и казачеством более весома. Наиболее значимыми стали события при выборах главы республики в 1999 и 2003 годах. Если при выборах 1999 года основными кандидатами были представители карачаевцев (Семенов) и черкесов (Дерев), то уже осенью 2003 года основными кандидатами были только карачаевцы. Русское население не выдвинуло сколько-нибудь значимых фигур, так как многие считают закономерным поддержать именно национального кандидата. Такая же ситуация была и в Адыгее, где русские, имея около 67% населения, поддержали кандидатуру адыга. Он набрал почти 69% голосов, в то время как русский кандидат лишь около 10%.

Раскол общества на сторонников власти и оппозицию по-прежнему остается важным фактором нестабильности в республике. После выборов президента Карачаево-Черкесии в 2003 году победили сторонники Батдыева, более грамотно проведшего избирательную кампанию. Прежний президент – генерал Семенов – потерпел поражение вследствие недооценки соперника и социально-политической ситуации. Несмотря на то, что оба претендента являются карачаевцами, новому президенту удалось привлечь на свою сторону

черкесов, абазин, казаков. Оппозиция долго пыталась опротестовать результаты выборов. Палаточный лагерь в столице республики г. Черкесск продержался практически до зимы и был насищенно ликвидирован победившей на выборе властью.

Краткое сравнение ситуаций в двух близких республиках позволяет выделить следующие основные группы факторов, приведшие к разным уровням конфликтности в республиках:

**1. Стратегия и тактика действий этнических элит** (как своеобразный институт этнические элиты играли и продолжают играть существенную роль практически во всех национальных регионах России (Дробижева, 2003)). Причинами более стабильной ситуации в Кабардино-Балкарии стало удержание власти советско-партийными структурами, состоявшими в основном из кабардинцев. Формирование правящей элиты сопровождалось быстрой адаптацией к новым условиям, демонстрацией лояльности федеральному центру. Выступления балкарцев под лозунгами реабилитации народа, который вместе с карачаевцами и некоторыми другими северо-кавказскими народами был полностью выселен в Среднюю Азию, не смогли нарушить относительно стабильную социально-политическую ситуацию в республике. Более мощные выступления в начале 1990-х годов исходили из кабардинских национальных и демократических движений. Но лидеры этих, равно как и балкарских движений, были быстро нейтрализованы или кооптированы.

В Карачаево-Черкесии, где карачаевцы составляют около 35% населения, идеи реабилитации широко использовались при мобилизации масс. Советская система оказалась ненадежной и весьма уязвимой для критики, поскольку она непосредственно была связана с проведением репрессий против карачаевского народа, а затем искажением или замалчиванием правды. Последовавшая в 1990-е годы череда смен в правительстве республики отражала неустойчивость, слабость власти.

**2. Отношение к внешним актерам.** Кабардино-Балкария ограничивала влияния внешних лидеров, укрепляла цензуру внутренней печати, а также налаживала каналы влияния и на центральную печать с целью недопущения просачивания в центральные газеты нежелательной информации о республике. Создавался и всячески поощрялся имидж республики как наиболее миролюбивой на Северном Кавказе. До сих пор в республике резко ограничена деятельность неправительственных организаций.

Карачаево-Черкесия, наоборот, осталась открытой для прессы, что в некоторых случаях обернулось против нее. Ряд публикаций незаслуженно выставляет Карачаево-Черкесию очагом нестабильности и даже ваххабизма на западном Кавказе.

**3. Отношение к власти преобладающих этносов.** Одной из важных причин относительно сильной власти в Кабардино-Балкарии и относительно слабой в Карачаево-Черкесии следует назвать отношение к власти у преобладающих этносов: кабардинцев в Кабардино-Балкарии и карачаевцев в Карачаево-Черкесии. У кабардинцев, имевших исторически развитое сословное общество, отношение к власти институализировано. У карачаевцев же отношение к власти имеет значительный эмоциональный и в какой-то мере духовный аспект. Возможно, вследствие этого карачаевцы легче мобилизуются под влиянием различных идей.

### Бизнес

По роли традиционных связей в бизнесе выделяется мелкий и крупный бизнес. Крупный бизнес сросся с управлением и властью во всех республиках. Наёмными рабочими в нем могут быть лица разных национальностей. Но верхушка всегда моннациональная, например, в Кабардино-Балкарии, чаще кабардинская. Не является секретом тесная связь родственников правящих элит с крупным бизнесом. В этом отношении своеобразным разрешающим знаком послужили «достижения» семьи Ельцина в середине 1990-х годов.

В Кабардино-Балкарии около 2 тыс. предприятий мелкого бизнеса. Ими производится около 10% валового внутреннего продукта, в частности почти вся торговля. Наиболее эффективным способом решения проблем считается использование личных связей. Это связано с рядом преимуществ по сравнению с официальными каналами: быстрота, доверие, отсутствие угрозы утечки информации, бесплатность консультаций и др. На первом месте стоят аренда помещений, поиск поставщиков и потребителей, приобретение транспорта и оборудования. На втором – использование банковских кредитов (50% фирм), ссуд у родственников (четверть фирм). И лишь на третьем использование помощи местных властей через личные связи (Таов, Гуртуев, 2003).

Новый президент Карачаево-Черкесии имеет большой опыт в банковской сфере. В своей программе он делает акцент на экономическое развитие, что подкупило многих избирателей, которые надеются на улучшение экономической ситуации в республике. Как признают многие респонденты-карачаевцы, в бизнесе более удачливы черкесы, которые лучше кооперируются и организуют бизнес. Карачаевцы владеют шестью из восьми водочных заводов. Но по высказыванию самих карачаевцев, это наиболее примитивный бизнес. Технологически более сложные отрасли промышленности управляются черкесами (например, братья Коновы).

Бизнес в обеих республиках заинтересован в стабильности. Однако, учитывая тесную связь национального бизнеса с властью и слабой развитостью демократических механизмов, можно ожидать, что бизнес будет

вовлечен как мощное средство при дележе постов, в выборах. Особенно это касается Карачаево-Черкесии.

### **Экзистенциальные основы как потенциальный фактор мобилизации населения**

Карачаевцы и черкесы, кабардинцы и балкарцы веками жили вместе на одной территории. Объективное напряжение в конкуренции за ресурсы не выливалось в конфликты. Две этнические группы могут неопределенно долго и практически бесконфликтно сосуществовать на одной и той же территории, если они в силу специфики традиционного хозяйства и культуры природопользования занимают разные экологические ниши, и потому не соперничают друг с другом из-за контроля над доступом к средствам их существования (Ямков, 1998). Родственные народы карачаевцы и балкарцы занимают горные части, в то время как черкесы, кабардинцы, абазины – равнинные территории. У карачаевцев и балкарцев на первом месте стоит животноводство, а земледелие играет второстепенную роль. У адыгских народов (черкесов, кабардинцев, абазинов) – наоборот, первое место всегда занимало земледелие.

Структура землепользования осталась такой же, как и в советское время. Коллективные хозяйства (колхозы и совхозы) как типичный результат институциональной гибридизации, остались по сути прежними, поменяв лишь свои названия. В основе их функционирования лежат механизмы землепользования, соединяющие традиционные неформальные и формальные институты. Крестьяне, как и в советское время, лишены основных прав на землю, несмотря на формальное разделение долей в начале 1990-х. Локальные власти не имеют больших полномочий по перераспределению земли (хотя в этом отношении ситуация в Карачаево-Черкесии лучше, чем в Кабардино-Балкарии). Расслоение общества на богатые и бедные захватило и сельскую местность. Те, кто имеет выгодные связи в городе (через родственников, бизнес на рынке и др.), становятся все более богатыми. Элементарные основы существования (пища, жилище, пенсии и др.) имеет практически все население. Однако надо учитывать высокий уровень фактической безработицы в сельской местности (до 80%), а также менталитет народов, при котором жить бедно не принято, а в какой-то степени и позорно. Поэтому потенциал для мобилизации безработного и малоимущего населения, который уже реализовался в серии общественных конфликтов в конце 1990-х годов (Степанов, 2002), огромен.

#### **Риски и сценарии развития**

1. «Пролетаризация» (обеднение населения в результате урезания прав на ресурсы, образование, медицинское обслуживание и др.) и этническое обезличивание. При этом сценарии возможен спад межэтнической и рост социально-политической напряженности. Возможны два варианта пролетаризации:

- а. быстрая и относительно равномерная «пролетаризация» всех этносов, их объединении в одну группу в противовес богатым и имеющим власть;
  - б. более ранняя пролетаризация наиболее уязвимых для рынка горных народов – балкарцев и карачаевцев, которые меньше всего имеют возможностей для равноправного развития. В этом случае может возникнуть дисбаланс между этническими группами, что приведет к увеличению межэтнической напряженности.
2. Смена политического курса. Этот сценарий предполагает смену существующего баланса власти между различными этносами в сторону либо паритетного представительства всех народов (практически как в советское время), либо формирования власти на демократической основе, не взирая на этническое представительство. При первом варианте предполагается уменьшение влияния ведущих этносов (кабардинцев в Кабардино-Балкарии и карачаевцев в Карачаево-Черкесии) увеличение доли русских в правительстве и парламенте. В настоящее время доля русских в парламентах республик занижена: русские занимают примерно 20% голосов в парламенте Кабардино-Балкарии (при около 30% русских в республике) и 18% в парламенте Карачаево-Черкесии (при около 40% русских в республике).

Нынешнее социально-экономическое и политическое положение на Северном Кавказе вряд ли позволяет реализоваться второму сценарию. Кадровый консерватизм во власти, обусловленный соблюдением определенного этнического баланса, приводит к замедленной циркуляции элиты (Кисриев, 2003), что, в свою очередь, определяет экономический застой (яркий пример – Кабардино-Балкария).

#### **4. Заключение**

Почему все-таки после распада СССР и уменьшении государственных дотаций Кабардино-Балкария избежала крупномасштабных конфликтов, в то время как в Карачаево-Черкесии едва удалось избежать насилия? Кабардино-Балкария имела более совершенные и гибкие институты-гибриды на уровне а) элиты, б) использования и распределения ресурсов. Руководство постепенно переходило от партийно-советской системы к нынешней национально-олигархической. С активистами движений работали с уже отлаженными инструментами подавления, подкупа (кооптации). Бесконфликтность играла на руку власти. В напряженной социально-политической ситуации в Карачаево-Черкесии были заинтересованы некоторые политики, в том числе и из центра. Мощной фигурой являлся Березовский, который баллотировался депутатом Госдумы от Карачаево-Черкесии и роль которого в

социально-политической ситуации на всем Северном Кавказе до сих пор полностью не выяснена.

Условия мобилизации в Карачаево-Черкесии были лучше, так как более чем треть населения республики составляют карачаевцы, среди которых много тех, кто лично пережил выселение всего народа в Среднюю Азию. В Кабардино-Балкарии такой же репрессированный народ – балкарцы – составляет лишь около 10% всего населения и проживает в основном в горной части.

В целом предотвращение конфликтного сценария в Кабардино-Балкарии связано с успешным захватом, удержанием и распределением власти и ресурсов на региональном уровне, нейтрализацией локальных лидеров и недопущением лидеров извне (подобных Березовскому в Карачаево-Черкесии).

В Карачаево-Черкесии, представляющей пример сохраняющейся напряженности, власть не смогла добиться быстрой концентрации полномочий и ресурсов, допустила существование нескольких, не могущих договориться между собой лидеров. К тому же она оказалась весьма уязвимой для влияния внешних актеров.

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# Local Political Structures and a Reflection on Field Research in Tajikistan

*Gunda Wiegmann, Berlin*

## **My Background**

In 2002 I graduated from the European University of St. Petersburg with a Master's in Russian Studies. In my Master's thesis I focused on the emergence of violent conflict in Tajikistan. Since April 2003 I have been part of the research project „Accounting for State-Building, Stability & Violent Conflict: The Institutional Framework of Caucasian and Central Asian Transitional Societies“ and working on my PhD in political science at the Free University of Berlin. Since 1 September 2003 I have been doing field research in Tajikistan and for four months I worked as an assistant for the „German Organization for Technical Cooperation“ (GTZ) writing an „Analysis of Peace and Conflict Potential in Tajikistan“. The overall goal of my research is to find out more about the role of local institutions in the process of stabilization in Tajikistan. I have almost three years experience of studying and working in the former Soviet Union, in Russia and Tajikistan. Among other articles I have published a „Country Report Tajikistan“ in the „Near and Middle East Economy Handbook“ 2004–2006 and a documentation on „The Relations Between the EU and the Central Asian States“ for the German Institute for International Politics and Security (SWP).

## **Part I: The Role of Local Institutions in the Process of Stabilization in Tajikistan**

### **Introduction**

Many times I have been asked why I picked Tajikistan as a site to conduct field research. For a long time I had studied political structures and conflict in both the (former) Soviet Union and in the Islamic world. Studying Tajikistan offered me a synthesis of both and gave me the chance to get to know a fascinating new culture, a blend of both Persian and Soviet elements.

Tajikistan is to many an unknown country. It is located in Central Asia surrounded by China in the East, Afghanistan in the South, Uzbekistan in the West and Kyrgyzstan in the North. Most people in the world have not heard of the Tajik Civil War which started in 1992, raged intensively for two years and only ended with a peace agreement in 1997 with the help of the UN and other mediating forces.

Assuming a connection between conflict and poverty, the extreme poverty in Tajikistan may have been one of the reasons why the struggle for access to scarce resources escalated into a violent conflict. Tajikistan is the poorest republic of the former Soviet Union and it is one of the poorest countries in the world. The majority of the people live at subsistence level and of the money work migrants

earn primarily in Russia and send home to their families. The total sum of such remittances is estimated to be about as high as the entire GDP of Tajikistan. The country is also very dependent on international aid. Tajikistan has a small amount of industry (such as aluminium production) and earns some income from the processing of natural resources (e.g. cotton production and electricity production from water power).

Tajikistan's crippling economic condition is very much connected to the extremely difficult geographical conditions in Tajikistan. It is doubly landlocked, its infrastructure is in very bad condition, and Tajikistan does not maintain good relationships with any of its neighboring countries, impeding its access to the world markets.

Since the breakdown of the Soviet Union and the Tajik Civil War the state has found itself in a process of decay. Officially, 40% of Tajikistan's economy (though I believe that in reality the figure was even higher) was dependent on subsidies from Moscow during Soviet times. With the breakdown of the Soviet Union these subsidies stopped abruptly. Since then the level of education has decreased rapidly and the provision of healthcare is deteriorating significantly, while at the same time the birth rate is extremely high (with an average of 5 children). Politically, Tajikistan is still predominantly marked by legacies from its Soviet past. Cadres have not been replaced to a large extent, the administrative structures have mainly remained the same, and Tajikistan is still structured by the features of a planned economy. Nevertheless, Tajikistan has overcome its civil war and has with the help of international organizations and to a small extent from the state engaged in a process of stabilization.

In my dissertation I am analyzing the role of formal and informal local institutions in the process of stabilization in Tajikistan. My level of analysis is the local level (from the village level up the district level). I am looking at how the state and the society interact on the local level and whether this interaction has a stabilizing impact on the Tajik state and society in the long run or not.

For my dissertation I have chosen three regions as case studies: the Rasht Valley, a conservative region and stronghold of the *United Tajik Opposition* (UTO)<sup>1</sup> during the civil war, the Shuroobad district on the border with Afghanistan in the eastern part of the Khatlon region, and the Shugnan, Roushan and Darvaz districts in the autonomous region of „Kuhistoni Badakhshan“ (Gorno-Badakhshan) in the Pamir mountains.

I have been interviewing peasants, leaders of village organizations and women's groups (village organizations

and women's groups are a form of community mobilization introduced by the „Mountain Societies Development Support Program“ (MSDSP) which is part of the „Aga Khan Development Network“ (AKDN) – an Ismaili<sup>2</sup> organization and the most active international organization in Tajikistan. Their conception includes establishing democratic procedures in the villages, creating a village fund which hands out credit and grants to the local population and helps them to take their own initiatives in order to improve their livelihood. I have also been interviewing heads of farmers' associations (these so-called associations are in economic terms the functional heirs of *kolkhozes* and *sovkhозes*, whose main function is to rent out land to peasants), heads of *hukumat* (district administration), representatives of political parties, journalists, representatives of international organizations etc.

In this article I would like to focus on my experiences and preliminary results from the Rasht Valley, northeast of the capital, Dushanbe, concentrating on two major issues: the distribution of land and the local power structures (the state versus former warlords). Finally, I will conclude with a section of reflections on my fieldwork in Tajikistan.

### **Formal and Informal Local Institutions in the Rasht Valley: The State versus Former Fighters and Warlords**

The Rasht valley is an agrarian region (mainly used for potato production). More than any other region it is dependent on subsistence farming and remittances from work migrants due to the fact that since the civil war people from the Rasht Valley do not have access to the labor market in Dushanbe. According to a survey carried out by

MSDSP in the Rasht Valley in 2003, 50% of the population does not have any access to land whatsoever.

During my last research stay in the Rasht Valley in February and March 2004 I focused primarily on formal institutions – the *hukumats* – and their role in the process of stabilization. In the course of my research I also learned about the informal structures and about how important the former warlords still are in the Rasht Valley.

What the seven districts of the Rasht valley have in common and what actually distinguishes them from the other two regions of my project is the fact that the local political structures are still very much influenced by warlords from the civil war. The Rasht Valley was the part of Tajikistan hit hardest by the civil war.

Up until now the formal local institutions of state administration on the village, *jamoat* (sub-district) and *rayon* (district) level have not functioned properly due in part to the lack of financial resources and the fact that the rule of law has not been re-instated. Consequently, the formal structures on the district level and below do not have a stabilizing influence on the Tajik state.

In fact, informal structures, the „local cocktails“ consisting of former warlords and combatants, religious authorities and other local big men (e.g. former directors of *kolkhozes* and *sovkhозes*), are more instrumental in structuring relations at the local level.

Nevertheless many respondents I talked to (mainly the heads of the districts but also representatives from international organizations) in various districts of the Rasht Valley said that there was a trend of increasing influence of the state on the local level and that the state was gradually establishing rule of law. Judging from my observations



The part marked in blue is the Rasht Valley. [Note: „Leninabad“ – today Sogd]

during the fieldwork and after reading ongoing debates between the government and the opposition<sup>3</sup> in newspapers one should not underestimate the influence of former fighters and warlords from the civil war in the Rasht Valley.

The peace agreement following the civil war stipulated that government forces and the UTO would share posts on all levels of the state administration. The opposition was supposed to get 30% of posts on all levels. This was never totally implemented and lately as President Emomali Rakhmonov has increasingly been trying to get more of „his own people“ into power, he has replaced opposition representatives with „his own people“.

However, the opposition does not simply tolerate this violation of the agreement. Two of the greatest warlords (Salamsho Mukhabatov and Makhmadrozi Iskandarov) who had lately been staying in Jirgatal – the district in the Rasht Valley furthest from the capital and less subject to state control – went to Bishkek to see Hairiddin (a major former warlord who is said to control drug-trafficking into Bishkek) and they were said to be preparing a political act in order to increase their power.

Rakhmonov has to accomplish a difficult balancing act between his own people and representatives of the former opposition and simultaneously between the various regional groupings. A respondent<sup>4</sup> said that the opposition is waiting for another war to start. So far the situation is calm and president Rakhmonov is presiding over peace. Since the civil war political constellations have changed and today the strongest opposition and the one Rakhmonov fears most is that from Kulyab, the president's home region. Currently, a new party, *Hisbi Taraqqiyot* (Party of Development), is trying to register and its leader is from the same region as the president. Even though the party has collected enough members in order to register, the president has not yet given a green light because he is afraid of this competition and its leader.

Recently, Rakhmanov has been shifting some people from one position to another within the government. For instance Mr. Mirzoev, the head of the presidential guard, was removed from his post and offered a low profile position instead. Following that, many people went to Kulyab to a protest and a respondent from Gharm said that even people from Gharm attended. About 3,000 people were said to have taken part in the protest. Even though social mobilization is generally low in Tajikistan today, this incident shows that people are ready to mobilize in support of particular issues.

Evaluations of the security situation in the Rasht Valley today are contradictory. On one hand there are said to be no more armed groups active in this region. On the other hand, a member of the *Social-Democratic Party* (SDPT) and the initiator of two NGOs in the Rasht Valley in February characterized the situation in the region as critical due to the fact that not even one factory is working in the Rasht Valley and that the majority of young people work abroad.

Due to the fact that people do not trust local government (Russian: *mestnaja vlast'*), they prefer to turn to *mullahs* (local religious authorities) with their problems. Unfortunately, these are often not very educated people and offer outdated solutions for conflicts. Conflicts in the Rasht Valley are mainly about access to scarce resources (e.g. land, water). There are conflicts about the distribution of water (for drinking and irrigation), access to gas and electricity, lack of school buildings (education as a very important resource), and finally infrastructure (e.g. bridges and roads). Many people I talked to in the Rasht Valley seemed to see a direct connection between poverty and conflict and therefore saw poverty reduction as the key to conflict prevention and resolution.

What actually interests me is the extent to which local informal institutions are capable of processing conflict in a non-violent way. People's opinions on the capacity of local informal institutions to solve small-scale conflicts within communities vary. Some respondents said that there are absolutely no informal or traditional mechanisms available in the communities in order to solve conflicts. Others like Daler, a local who works for an international organization in the sphere of community mobilization in Gharm, listed several institutions capable of solving small-scale conflicts within the communities: spiritual leaders like the *mullah*, *aksakal* (elected wise elder), the council of elders and the *mahalla* (a traditional living quarter which has its own procedures for solving conflicts).

In terms of the overall process of stabilization of the Tajik state I found that a big problem is that there is not much interaction between informal and formal institutions – between the state and the society – on the local level. So far the two systems are basically detached from one another and even within society districts and villages are very much detached from one another. As international organizations try to mobilize communities there is increasingly a danger of these entities becoming even more mutually detached.

At least the local population does not perceive the state as a threat as they might in neighboring Uzbekistan. People simply do not expect anything from the state anymore. Only a low percentage of the population receives an income from the state and those who do receive so little that they have to find additional sources of income.

The people in the local communities are rarely involved in political processes. Their involvement might increase with the new law on local government which has been drafted and will hopefully be passed this year. The main problem of the Tajik local administration is that organs of local administration answer to several higher levels of state administration (known as double subordination). Functions of the *rayon* (district) and *jamoat* (sub-district) level are not clearly divided and everybody is responsible for everything. The *jamoats* are financially dependent on the *rayon* due to the fact that they receive their budget through that level. The new *jamoat* law foresees that the head of the *jamoat* will be elected. The *jamoat* will have its own

budget and responsibilities such as garbage removal, sewage, maintenance of roads, and cemeteries.

Last but not least some former war commanders are increasingly becoming politically active and engage in social mobilization. As I mentioned earlier many of them believe that they did not get their share. Makhmadrozi Iskandarov for example – one of the most well-known war commanders in the region and the head of the Democratic Party – is preparing a campaign for his party and together with the Social-Democratic Party and the Islamic Renaissance Party he founded a political bloc in order to monitor the presidential and parliamentary elections in 2005.

### The Land Issue

The former war commanders also play an important role concerning land because in many districts of the Rasht Valley the distribution of land took place during the civil war, when the rules of the game were unclear and those with the most supporters, influence, and best weapons received the biggest shares of land. The other big land owners are usually the heads of the formal institutions who as a rule are the former heads of *kolkhozes* and *sovkhозes*. In the agricultural sphere there has not actually been a change in cadres since the breakdown of the Soviet Union. Certainly, these two kinds of big landowners do not act as neutral mediators in the conflict over distribution of land. They have personal interests as well and are therefore not interested in re-distribution of land.

The Rasht Valley has for a long time been a region focused on agriculture and livestock breeding. The land is relatively good and the main crop that grows is potato, an important cash crop. The potato trade from the Rasht valley to Dushanbe used to be dominated by one businessman from Jirgatal (his nickname is Shoh – Tajik for king)<sup>5</sup> who used to be the commander of the border troops on the border with Kyrgyzstan in Jirgatal. He controls the drug-trafficking through the entire Rasht Valley and also the tobacco, vodka and coal trade within the region. Shoh was recently removed from his position as the commander of the border troops and is now the commander of troops in the Sogd region in the north of Tajikistan (in Uro-Teppe). His domination of those trade sectors depends on how well-established his network is.

Further connected with the unequal distribution of land is the fact that many young men go to Russia or other CIS countries for work migration. The patterns of migration vary due to geographical factors: the districts that are situated closer to Dushanbe (especially Faizabad and Roghun) are very much oriented towards Dushanbe. They have the opportunity to do trade and sell a lot of products (milk products, meat, fruits, and vegetables) to the markets in Dushanbe. Districts that are further away from the capital have fewer opportunities. Jirgatal, which is situated close to the Kyrgyz border, seems to be more oriented towards Kyrgyz markets (mainly to Osh). Therefore the work migration rate from the districts in the Rasht Valley rises

with the distance from Dushanbe. Work migration thus functions as a way of avoiding conflict. Russia is increasingly trying to fight illegal labor and has started to deport illegal workers to their home countries. This puts pressures onto the local communities which are highly dependent on remittances from work migrants.

## Part II: Reflections on the Fieldwork

### Difficulties and Positive Surprises

Fieldwork in the regions of Tajikistan is challenging due to infrastructural problems such as how to find transport from one place to another, frequent electricity cuts, etc. It is advisable to have an affiliation with some kind of organization. During my time in Tajikistan I have been affiliated with MSDSP, which has field offices all over the regions I worked in. They allowed me to use their offices<sup>6</sup> and transport. In addition to that the people who work for MSDSP have been extremely open towards my research and have helped me to link up with respondents and find accommodation during my stays in the various districts. I do not know how I would have organized the fieldwork without the help of MSDSP. Tajik people's hospitality and their desire to do everything for the „guest“ to feel as comfortable as possible have also helped in this regard.

Starting fieldwork is always difficult and before I did not have any experience with it. Consequently, I was afraid to start the fieldwork on my own. I was also afraid of the conditions in the regions. Now I can say that one can get used to many things (only once a week having the opportunity to take a shower, not using internet or telephone for weeks, using an outside toilet, eating all kinds of weird things etc.).

The most significant problem in the beginning is probably to find the right entry points. Concerning this I was extremely lucky because I got the chance to work as an assistant for a consultant for the „German Organization for Technical Cooperation“ (GTZ) doing research for a conflict study on the local level for three months last year. Through this work I found many contacts and had something to build on in the phases of fieldwork.

One of the positive surprises besides Tajik hospitality was the fact that the so-called snow-balling strategy actually turned out to work very well. Interviewing a person and asking that person to recommend further respondents turned out to be extremely helpful, especially in a post-war country where people still have to learn to trust each other again.

Another very helpful method turned out to be to cross-check respondents; that is, to ask people what they thought about the *raisi hukumat* (head of the district), for example, in order to check whether the information he gave was „correct“ or at least intersubjectively shared by several people.

Doing field work for the first time I was sometimes afraid to touch sensitive issues. A scary situation for me was, for

example, when I went to see the deputy of the *raisi hukumat* (head of the district) in Tajikabad (one of the areas which was very much hit by the war) and I was accompanied by the MSDSP manager of Tajikabad, a former commander, and it was clear that these two had been opponents during the Tajik Civil War. When I asked the deputy of the head of the district how many political parties there were in the district, he replied that there was only the *Democratic Peoples' Party*, the party of the president. When we had just left the *hukumat* building, the MSDSP manager told me that he hated this attitude and that certainly there was only one party because the *hukumat* did not allow any other political parties to be active in the district.

It also turned out to be good advice to collect all information in the beginning and only later on to select. Sometimes information did not really seem to be useful in the beginning, but by the time I had found out more about the political power structures in the region, it turned out to be useful.

### The Gender Issue

I have been thinking a lot of whether it is advantageous or disadvantageous to be a (young) woman while doing research in rural areas of Tajikistan. All in all I have come to the conclusion that it is better to be a woman due to the fact that around 80% of my respondents have been men and I doubt that they would have been as supportive, open and helpful towards a man as they were towards me. Maybe in fact they do not take me as seriously as they would take a man, but this does not harm the extent to which they reveal information to me. They rather feel that they have to support me, even though they probably think back in their minds that I should rather get married and have children, instead of travelling around Tajikistan, doing research and collecting material for a PhD.

Taking interviews from women was also a very good experience because the women developed women's solidarity towards me. They were very curious and wanted to find out what this woman from the „West“ came for and share their daily problems with me.

Doing research in the framework of a research group and to exchange experiences during the period of research gave me a lot of support. The members of the group have been sharing preliminary results, giving each other advice and I am very thankful for that.

### Knowledge of Languages

It turned out to be incredibly helpful not only to know Russian, but also Tajik. Especially in rural areas of Tajikistan, this was a gate-opener because people felt honored by the fact that I knew some Tajik. Also especially women in rural areas often did not know enough Russian in order to communicate.

Especially in the Rasht valley, the region of the former opposition where many think that the Russians are responsible for the war, it was extremely good to be able to

do interviews in Tajik and to avoid Russian – “the language of the enemy“.

### Irrational Factors

Sometimes it is amazing what positive influence irrational factors can have on one's fieldwork. In the Tajik context being German helps. Many times people emphasized our common background of being Indo-Europeans which is extremely important for them as they are the only „Persians“ in Central Asia and perceive being surrounded almost exclusively by Turkic *ethnies* (Uzbeks, Kyrgyz, Uigurs, etc.) as a threat.

In Badakhshan it helped because the people would always say that they like Germany very much because their highest religious leader, the Imam (Aga Khan) is married to a German. My eventual aim with the research is to shed light on state-society relations on the local level in Tajikistan. I want to find out to what extent the Tajik state penetrates society and to what extent agents of state administration are embedded in the local communities they work in. Finally, I would like to be able to forecast prospects for the process of stabilization in Tajikistan.

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<sup>1</sup> In short, during the Tajik Civil War „democratic“ forces allied with „Islamist“ forces and formed the „United Tajik Opposition“ (UTO). These forces were mainly from the Rasht Valley and Gorno-Badakhshan. On the other side were government forces representing an alliance between people from the northern Sogd and the southern Khatlon regions.

<sup>2</sup> Ismaili Islam is a branch of Shiite Islam. Most of the people living in Gorno-Badakhshan are Ismaili Muslims; Ismaili Islam is generally more liberal than the Sunnite Islam practiced in other parts of Tajikistan. The religious leader of the Ismailis is the Aga Khan, he is at the same time the head of the „Aga Khan Development Network“ (AKDN), which was the first international organization to become active in Gorno-Badakhshan in 1993.

<sup>3</sup> Some representatives from the UTO active during the civil war are involved in politics today. Makhmadrozi Iskandarov for example, a commander from the Rasht Valley, is the head of the Democratic Party of Tajikistan (DPT).

<sup>4</sup> This respondent is the nephew of Makhmadrozi Iskandarov. His father was Tajikistan's Ambassador to Kabul during the Tajik Civil War. The UTO was supported by forces from Afghanistan (with arms and ideology) during the war and the father of this respondent was probably associated .

<sup>5</sup> Shoh is kin to Makhmadrozi Iskandarov.

<sup>7</sup> This turned out to be extremely helpful due to the fact that during winter time the people in the regions only have an average three hours of electricity and it would have been difficult to work through and structure the collected material otherwise.

# Tribalism, Social Conflict, and State-Building in the Kyrgyz Republic

Azamat Temirkoulov

## Introduction

The problem of tribalism seems to be one of the major dangers for the young and independent Kyrgyz Republic. The rivalry between northern and southern regional/tribal groups undermines the national unity and can become the source of internal conflict. The evidence for this statement can be seen in the Aksy events in 2002<sup>1</sup>. The problem is widespread and touches on all important aspects of social and political life, complicating the development process and state-building in general. This issue has been addressed by many scholars and politicians. Nevertheless, the problem requires more research. This article is intended to explicate the nature of this problem from the perspective of institutionalism. It will examine the origins of tribalism, its place within the state structure, and its institutional basis. The first section is a description of the traditional Kyrgyz social structure from a historical perspective. The second is an analysis of the impact of the rivalry between different regional groups on the state structure. The third part is an overview of the institutions that govern conflict between regional groups.

### 1. The basis of patronage network: clan, tribe or regional group?

The concept of „clan“ is often used for any type of solidarity group of Central Asian societies: tribes, *juz*, *mahalla*, etc. Nevertheless, its genealogy and functions is unique, as well as its role in politics and society. So, what exactly are clans? What is their historical background? What is their function?

Kyrgyz social structure was constructed from some forty different tribal unions (*uruk*) based on kinship relations. Each tribal union consisted of different kin subdivisions (*top*), which were united by imaginary, rather than real, kinship links. These tribal unions were united into three big confederations: *On kanat* (Right wing), *Sol kanat* (Left wing), and *Ichkilik* (Neither). This structure was the basis of political organization of the Kyrgyz.<sup>2</sup>

During Islamisation, Kyrgyz, as well as other inhabitants of Central Asia, adopted a notion from the Muslim world – *achabyya*, a solidarity group based on family and personal relations, which is the most important object of loyalty and allegiance.<sup>3</sup> The notion of *achabyya* conformed to the tribal structure of the Kyrgyz people and cemented the importance of traditional solidarity groups.

Each tribal union had its own territory and political sovereignty. The nomadic groups had the right to join one or another tribal union, so that tribal unions later consisted of representatives of different groups. Consequently, the

basis of tribal union, kinship, has been doubled by territorial-political allegiance that developed more importance as a result of external factors.<sup>4</sup>

During the 19th and earlier 20th century, there were two important factors which influenced Kyrgyz society and led to cultural and economical differentiation between the North and the South. These factors are sedentarization and geographical differentiation along cultural and economic-political lines: northern tribes around the Chui valley, and southern tribes around the Ferghana valley.

At the beginning of the 19th century, after several years of war with the Kokhand Khanate, most of the northern tribes concluded a pact of allegiance to Tsarist Empire.<sup>5</sup> Russia promoted a policy of sedentarization and created an administrative-territorial system based on *volost* (small rural districts), rather than on clan or tribal principles. The *volosts* were formed from mixed clans in order to avoid the rivalry between the *manapstvo* (traditional Kyrgyz administration) and the colonial administration. Thus, the impact of Russian policy was the territorialization of tribal allegiance.<sup>6</sup>

Southern tribes, on the contrary, remained linked to the Kokhand Khanate, and at the end of 19th and the beginning of 20th century, they fought against Tsarist army, which was supported by some representatives of the northern Kyrgyz tribes. During the Soviet conquest of the 1920s, the Kyrgyz part of the Central Asian resistance movement – *basmatchi* – was present mainly in the South of Kyrgyzstan; whereas Kyrgyz *bolsheviks* were mostly from the North.<sup>7</sup> Thus, the cultural divergence between northern and southern Kyrgyz was increased by the fact the two fought on opposing sides.

In the 1920s and 1930s, the Soviet administration territorialized the tribal allegiance of Kyrgyz people, by converting remaining nomads to sedentary life and by creating administrative-territorial units.<sup>8</sup> At this moment, collectivization integrated tribal structure into the state: members of tribes were put onto the same *kolhoz* or *sovkoz*, and formed a single tribe, a single administrative-territorial unit, and a single unit of agrarian production.<sup>9</sup>

During the Brezhnev era, when the political leadership lost much of its ideological basis and corruption became endemic across the USSR, this situation created so-called clan-based networks which penetrated the state structure and played a role in the distribution of resources. Integration of tribal structures into the state allowed it to persist and even to play a political role, despite the Soviet attempts to eradicate all traditional institutions. Due to the fact that the Soviet state structure was monolithic and vertically subordinated, this competition had a place within the republican state institutions from the bottom to the top.<sup>10</sup>

The historical divergence between the north and the south of the Kyrgyz Soviet Socialist Republic was increased further by differences in economical development, creating a situation of rivalry between the two regions. The rivalry was expressed in competition among the elites of two regions for access to resources and power. Clan-based networks played a principal role in this competition. This phenomenon was called *mestnichestvo*.

What was the basis of these networks? Are they tribe-based networks? Are they region-based networks? Certainly, they are both. The solidarity groups mobilized by these networks were based on common tribal identity on one hand and on ties to common administrative-territorial units and common units of agrarian production on the other. Therefore, the terms tribalism and clan are used in this article according to the following definitions: „Tribalism“ is an organizational form based upon strong ties to a relatively corporate family and then to a clearly defined clan. A „clan“, in this analysis, is a patrilineal unit in which the members of the clan descend from a common known ancestor. Clan members usually include all descendants in the male line from a forefather seven generations back. The clan members are connected to a village or an area, whether the members of the clan live there or not.<sup>11</sup>

The large scale fight against tribalism and clan networks came under the rule of Gorbachev, when it was viewed that this problem aggravated corruption and the shadow economy. However, during the last years of the Soviet Union, the importance of clan-based networks and tribal allegiance increased due to the spread of nationalism to the Kyrgyz SSR<sup>12</sup>, and the desire to „return to one's roots“. As was noted by Arici Bulent: „Pervasive clientelism in Central Asia, [...], was the mechanism through which local national cultures were reasserted, a process which culminated in independence.“<sup>13</sup> Thus, this legacy entered together with Kyrgyzstan into independence, and today comprises an important component of social and political life of the country.

## 2. Clan-based networks and the state structure

The Kyrgyz Republic is divided into seven oblasts and 39 rayons. The most important competition on the national level can be seen in relations between Kyrgyz of the North (Chui, Issikkul, Talas and Naryn oblast) and the South (Osh, Djalal Abad and Batken Oblast).<sup>14</sup> However there is also competition between inhabitants of different oblasts within these two regions. That is especially true for the northern region, where the division into the current oblasts occurred in the Soviet period; while in the South there was one big Osh Oblast, which was divided on three oblasts only at the time of independence.<sup>15</sup> Each oblast contains several rayons, which determine competition between the rayons at the oblast level. Each rayon contains several *uruks* (tribes or clans), which compete with each other at

the local level. Thus, three different levels of competition for access to resources can be identified. They are national, regional and local.

Furthermore, these horizontal levels are doubled by the vertical division of the power on legislative, executive and judicial branches. The next questions are: At what level is the competition amongst clan-based networks the most severe? In what branch of the state structure is this competition the most acute?

Article. 46, §1 of the Kyrgyz Constitution says: „The President of the Kyrgyz Republic: A) determines the structure of the government of the Kyrgyz Republic; B) appoints the Prime Minister of the Kyrgyz Republic with the approval of the Assembly of People's Representatives; C) appoints in consultation with the Prime Minister of the Kyrgyz Republic the members of the government of the Kyrgyz Republic and also the heads of administrative departments, and relieves them of their offices; [...]“<sup>16</sup> The government is almost totally dependent on the president. It is not a secret that the main principle at this level is loyalty to the president. Nevertheless, there is another important principle – balance among the northern and southern elites in the government. The absence of representatives of the South in key positions can provoke discontent among the population of this region which can lead to the loss of a huge part of electorate or even lead to destabilization. Therefore, the policy of appointment to government posts is stipulated by two main principles: loyalty to the president and regional balance. For example, one can find many cases when politicians who originate from the north, have been dismissed because of their oppositional political orientation;<sup>17</sup> on the other hand, many southern politicians occupy the highest positions in the government because of their loyalty to the current regime.<sup>18</sup>

Moreover, candidates in key positions of local state administration are not elected but are appointed by the president. Art. 46, § 1 (E) notes that the president „[...] appoints with the consent of the appropriate local *keneshes* the heads of state administration of oblasts, rayons and cities, and relieves them of their offices.“<sup>19</sup> That permits the president to place loyal people in key positions of the state administration of all levels. The president has an interest in appointing agents who are able to control people of the particular region, namely representatives from that region, tribe, clan, or someone who is able to use *adat*, *aksakal* institutions, and kinship networks on the local level. However, there is also another principle of appointment. This is the neutralization of clan competition within a particular region by the appointing to an influential position of a representative from another region.<sup>20</sup> It can be done with the aim of preventing the reinforcement of the position of a clan. The application of this strategy can be seen in the case of Osh Oblast where all five governors of the last decade originated from the North. Thus, the main principle of staff policy within the state administration is not allegiance to a particular clan or region, but loyalty to the president and capacity to control local people.

Concerning the judicial branch according to the same Art. 46 § 2: „The President of the Kyrgyz Republic: A) appoints, with the consent of the Assembly of People's Representatives, the Procurator General of the Kyrgyz Republic; appoints the deputy of the Procurator General, procurators of oblasts, the City of Bishkek and the military procurator of the Kyrgyz Republic; and relieves them of office; [...] E) appoints the chairmen, their deputies, and judges of the courts of oblasts, the city of Bishkek, rayons, cities, arbitration courts of the oblasts and the city of Bishkek, and also of the military courts of the Kyrgyz Republic, and relieves them of office [...].“<sup>21</sup> According to this point of the article the staff recruitment policy of the judicial branch of power is also dependent on the president, confirming once more the importance of the loyalty principle. However, the principle of regional balance is not important here, because the main part of the population does not meet judicial structures in their everyday life, and usually does not have any notion of the name of their district judge.<sup>22</sup>

Therefore, the main principle of nomination for the key positions of the government is loyalty to the president and keeping of regional balance, the main principle of nomination for the key positions of administration is loyalty to president and ability to control local people; and the main principles of appointment to key positions of the judicial branch of power is loyalty to the president. One can conclude that power is concentrated in the hands of the president, therefore officials do not risk to develop independent policies. Officials act in a constant fear of losing their positions and thus their livelihoods, and are not prepared to take risks. But in many cases they seem simply powerless. One villager commented: „We always told our problems to the *akim* and the governor, and they told us: we can't do anything about it. If you can't do anything, we said, – then leave“.<sup>23</sup>

The real battlefield for different clan networks and regional groups is, in fact, the legislative branch of power. For instance in the national parliament, most of the political parties do not have any definitive ideology or clear political program, but do have a narrow electorate, which is often limited to a certain region. This is one of the reasons for reform of the electoral process and cancellation of election by party list in 2003. Henceforward, the sole electoral list will be the constituency list, which reinforces the tribal and clan system of the Kyrgyz society.<sup>24</sup> This competition manifests itself in the political positions of deputies and in the appearance of parliament factions and groups based around regional/clan affiliation. Thus, in the current parliament, there are 6 groups and factions, 4 of them based on regional affiliation: 2 northern and 2 southern.<sup>25</sup> Thus, the authority/opposition struggle in 2002 can be also analysed from this perspective. One more indication that the power struggle between the government and opposition is partly the struggle between northern and southern clans, is the fact that many prominent opposition leaders and deputies are aligned with southern clans. Prominent public figures such as MPs Azimbek Beknazarov,

Absamat Masaliev, Adahan Madumarov, Omurbek Tekebaev, Dooronbek Sadyrbaev all have ties with clans based either in the Osh, Jalalabad or Batken regions in the south.

This active rivalry can also be observed in the elections to the institutions of local self-administration. The election of heads of village councils on 16 December 2001 clearly demonstrated the significance of tribal and clan identity in social life. As it was emphasized by Satybaldy Chirmashev, the deputy of the parliament: „[...] the negative moment of these elections was the fact that they divided the people on kins and tribes. All, including the elders, voted for candidate from their kin, considering that 'their own guy' is better“.<sup>26</sup> Thus, the following conclusion can be extracted – the struggle between clans is the most acute in the legislative branch, in both chambers of the national parliament, and in regional and local keneses.<sup>27</sup>

Thus, the clan competition is not so strong on the top level of executive branch, though it is relatively dynamic within different ministries, departments and institutions of administration. The rivalry is particularly weak in judicial branch. Nevertheless, it is the most acute and obvious in legislative branch of the power of all levels.

But how does this rivalry play out? What social institutions play a role in this process? What are the instruments contributing to the competition? And who are the main actors playing a role in this rivalry? Answers on these questions are considered in the next chapter.

### 3. Rivalry and traditional institutions

Kyrgyz traditional social structure is based on a set of rules and norms of customary law – *adat*, which acts as a system of social control. This system of social control takes the form of strict discipline which is based on respect toward parents, ancestors and elders in general.<sup>28</sup>

One of the basic postulates of *adat* is a concept that was elaborated during centuries of constant threats and warfare – *tooganchilik* (*uuruchuluk*, *djuruchuluk*) – that is the obligation of each Kyrgyz to be a soldier, to help and avenge his community members. This rule is a source of strong allegiance to a solidarity group and presents an essential principle of Kyrgyz tribal structure.<sup>29</sup> The social significance of this traditional solidarity has always been very important. The current solidarity among members of different clans can be partially explained by this concept. Relatives and kin maintain solidarity in their everyday life, showing that this rule has been internalized. It takes an obvious expression in such an institution such as *ashar*,<sup>30</sup> though the most important part of *tooganchilik*'s role is hidden. At the time of a crisis and danger, *tooganchilik* facilitates mass mobilization, which can be expressed through such institutions of *adat* as *aksakals* council, or, today as a tool of „big men“<sup>31</sup> and clan-based networks. Current examples of such a practice include the Aksy events 2002.

The concept of *tooganchilik* is a basis of *adat*. All other social institutions of the Kyrgyz are built around this principle. Thus, according to *adat*, the decision making role is given to *aksakals* (white beards) - elders of the community, which take decisions within a council. Nevertheless every member of the community can participate in an annual meeting of the community – *kurultai*<sup>32</sup>. These are the moments when social control is exercised. Social control is maintained via sanctions, such as punishment by shame (*uiat*) exclusion from society, or rewards, such as prestige or respect. The capacity to sanction is given to *aksakals*, who, imbued with prestige and deference of judgment, can mobilize communities for different collective actions. The social sanctions of *adat* can compel members of the community to support and even participate in collective violent action.<sup>33</sup>

Today, *adat* and other traditional institutions still play an important role in the social life of Kyrgyz society, especially on the local level. The founders of independent Kyrgyzstan took into account mistakes made by the Soviet Union and integrated traditional institutions into the state structure in order to increase the legitimacy of the state and enhance efficiency of the governance. Thus, Art. 85, § 1, of the constitution of the Republic of Kyrgyzstan includes the *aksakal* courts, which is the lowest level of judicial authority: „Pursuant to a decision of a gathering of citizens, [...], *aksakal* courts (courts of elders) may be organized by elders or other citizens who enjoy respect and authority.“<sup>34</sup> Thus, the *aksakal* courts have been formalized and integrated into the state structure. Moreover, according to the „Law of the Kyrgyz Republic on local governance and local state administration in Republic Kyrgyzstan“, „The system of Local Governance shall include local *keneshes*<sup>35</sup>, territorial local governance bodies [...] as well as local referendums, meetings of citizens, and other forms of direct democracy.“<sup>36</sup> This law creates a legal framework for such traditional institutions as *aksakal* council, *kurultai*, and *ashar*.<sup>37</sup> Hence, all important elements of traditional social control have been formalized and integrated into the state. Inclusion of these elements into the state structure contributes to the formation of the civil society, and also stimulates the development of democratic principles and foundations. On the other hand, inclusion of traditional institutions into the state structure creates auxiliary instruments for the control over the society, thereby providing additional means for the penetration of the governmental apparatus into the society. Control over the key traditional institutions permits the control of public opinion on the local level and potential collective action on the basis of tribal allegiance.

Naturally, these institutions can be used by the ruling elite, which keeps all keys of state policy and instruments of its realization in the hands. For instance, *aksakal* councils and tribunals are rewarded and then used by the ruling elite for creation of public opinion on the local and national levels. Using norms of *adat*, the *aksakals* persuade

the masses to support various causes, generally more loyal, and consequently less conflictive. Glaring examples of using *aksakals* to reduce escalation are the events in Kara-Buura 2000 and around Aksy in 2002. As noted by Adakan Madumarov, opposition deputy, „The White House (nickname of the government, AT) gives an order to seek out *aksakals* and leaders of the kin. They invite these people to the White House for discussions, thereby indirectly trying to influence the course of events [...].“<sup>38</sup> These *aksakals* received a sarcastic nickname from the people – „*aksakals* on duty“.

*Kurultais* are also organized with the aim of informing society about actual problems from the ruling elite's point of view and for the creation of public opinion. Oppositional elites also try to use these institutions for the mobilization of society. So, in the history of independent Kyrgyzstan, there are many examples of organization and attempts to organize oppositional *kurultais*, *aksakal* meetings, and public appeals for conscience and shame (*uiat*) of the ruling elite.<sup>39</sup>

As noted, the most obvious rivalry can be seen in the parliament of KR. The strategy of some southern deputies consists of criticizing the president's policy, discrediting the government, and attempts to capture power. The scandal over Uzengu Kuush can be cited as an example.<sup>40</sup> The ruling elite responds through cooptation, bribery, discrediting, and intimidation. Examples include the cooptation of such oppositional leaders as Melis Eshimkanov and Usen Sydykov; persecution of oppositional leader Daniar Usenov; intimidation and imprisonment of human rights defenders Topchubek Turgunaliev and Tursunbek Akunov; and of course the imprisonment of the famous General Felix Kulov.

There are also other institutions used for competition for access to resources that are at the disposal of different clan-based networks. Here, the description will be focused on more hidden and less transparent institutions that demand more empirical analysis. One of them is the personnel policy in state institutions. Bureaucrats often depend on personal ties to retain their positions. Those who do not have any high protectors (often kin or co-regionalists) and cannot pay bribes risk being discharged from office. Open positions are often given to kin or those who can afford a bribe. The widest application of this practice can be seen in such lucrative institutions as customs, fiscal administrations, and car-inspection. For instance it is not easy to find a representative of other ethnic groups than Kyrgyz in these institutions.<sup>41</sup> The explanation is not nationalism but a kin solidarity of Kyrgyz.

The reason of such a staff policy is the need to be secure at moments of potential crisis. A boss who has a kin affiliation with his subordinate can easily control him because of the norms of *adat* (especially *uiat*) and in the case of disloyalty, the chief can put pressure on the subordinate through common kin, friends, *aksakals*, etc. A middle-level boss of the customs department whom I

interviewed, explained, „When you work in such an institution as I do, you should keep in your mind that firstly your position is not stable, and secondly, your shadow income depends on your subordinates. Consequently you need informal means of control over your subordinates“.<sup>42</sup>

## Conclusion

Kyrgyz society today maintains features of traditional social organization, which still remains in operation after 70 years of Soviet rule. This traditional organization is a source of conflict between different regional/tribal groups and is considered one of the potential dangers for stability and state-building in general.

The conflict penetrates all state structure from the top to the bottom, greatly influencing politics and access to resources. Institutions of all branches of power are affected in different degrees by the impact of clan rivalries. This is especially true for democratic institutions such as parliament. The ruling elite does not tolerate challenges, and therefore keeps other institutions under strict authoritarian control.

The dynamics of the rivalry that has been discussed in this article reveals us an interesting case of the use of informal means of pressure and also of formalized traditional social institutions. The traditional institutions that have been formalized are used for consolidation of democracy, but also for control of public opinion. On the other hand, the situation of social insecurity brings people to use traditional means of social control for the creation of extensive patronage networks.

However, the rapidly changing economic and political context has an impact on social relations. A new mode of production and a new mode of socio-economical relations create new types of individual behavior and interpersonal relations. Thus, the old mode of behavior and interpersonal relations, which were conditioned by traditional social structure and traditional institutions, are being adapted as a result of new circumstances. This situation needs more in-depth investigation that takes into account the dynamics of the social evolution.

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<sup>1</sup> Aksy events in 2002 – the clash between Aksy inhabitants and the authorities where six demonstrators were reported killed by the police.

<sup>2</sup> For a detailed study on Kyrgyz traditional social structure, see: Israilova-Khariekhusen, Ch. R., Traditsionnoe obshestvo kyrgyzov v period russkoi kolonizatsii vo vtoroi polovine XIX- nachale XX v. i sistema ikh rodstva, Ilim, Bishkek, 1999.

<sup>3</sup> For detailed study on influence of *achabya* on societies of Central Asia see: Roy, Olivier, Group de solidarité au Moyen-Orient et en Asie Centrale. Etats, territoires et réseaux, Les Cahiers du CERI, no. 16 (1996), Paris, p. 6.

<sup>4</sup> Istoria Kyrgyzstana s drevneishih vremen do kontsa XIX veka, Fond Soros Kyrgyzstana, Bishkek, 1995, p. 212.

<sup>5</sup> For detailed study on Russian colonisation see Nishiyama, K., Russian Colonization in Central Asia: A Case of Semirechye, 1867-1922, Osaka, 1998.

<sup>6</sup> Israilova-Khariekhusen, Ch. R., *Op.cit.*, pp. 57-91.

<sup>7</sup> From the interview with Abdraeva Adjara, date of birth 1920, ex-journalist, place of interview Bishkek, date of interview 15/03/2004, fieldwork 2003-2004, fieldbook 3.

<sup>8</sup> Collins, Kathleen, Clans, pacts, and politics in Central Asia, Journal of democracy Volume 13, No.3, July 2002, p. 144.

<sup>9</sup> Djunushaliev, Dj., and Ploskikh, V., Traibalism i problemi razvitiya Kyrgyzstana, Izvestia Akademii Nauk Kyrgyzskoi Respublik, no., 3 (9), Bishkek, 2000, pp. 151-153.

<sup>10</sup> *Ibid.*, p. 152.

- <sup>11</sup> Sabour, M. and Vikor, K. S., *Ethnic Encounter and Culture Change*, Bergen/London 1997, 96-108.
- <sup>12</sup> For the tide of nationalism see Beissenger, Mark R., *Nationalist mobilization and the collapse of the Soviet State*, Cambridge University Press, Cambridge, UK, New York, 2002.
- <sup>13</sup> Bulent, Arici, *The State and civil society in Central Asia*, *Journal of international affairs*, June–August 1997, vol. II, no. 2.
- <sup>14</sup> The population of the southern region is 2,427.7 thousand people, the northern region is 1,882 thousand, Bishkek 762.3 thousand.
- <sup>15</sup> Djalal-Abad oblast was created in 1996, Batken oblast was created in 1999.
- <sup>16</sup> Constitution of the Kyrgyz Republic (As amended October 21, 1998, by the Law of the Kyrgyz Republic, no. 134), Article 46, § 1.
- <sup>17</sup> For example: Felix Kulov, Daniar Usenov.
- <sup>18</sup> For example: Kubanichbek Bakiev, Kubanichbek Djumaliev, etc.
- <sup>19</sup> Constitution of the Kyrgyz Republic (As amended October 21, 1998 by the Law of the Kyrgyz Republic, N134), Article 46, § 1, E.
- <sup>20</sup> This strategy was developed by Tabaldy Egemberdiev in his article „Traibalism ne tak strashen kak ego moluiut...“, *Komsomolskaya pravda*, 21 December 1993, p. 4.
- <sup>21</sup> Constitution of the Kyrgyz Republic (As amended October 21, 1998 by the Law of the Kyrgyz Republic, no. 134), Article 46, § 2.
- <sup>22</sup> Most of the respondents do not know their district judge. Information gathered at the fieldwork 2003-2004, fieldbook no. 1-3.
- <sup>23</sup> Kyrgyzstan's political crisis: an exit strategy, 20 August 2002 ICG Asia Report no. 37, Osh/Brussels, p. 7.
- <sup>24</sup> Constitution of the Kyrgyz Republic (As amended 18 February 2003 by the Law of the Kyrgyz Republic, q 40), Article 54, § 2.
- <sup>25</sup> Look Annex 1 for more detailed information.
- <sup>26</sup> Sergienko, V., *Zakonomernii itog, Kontinent* no. 7 (69), Almaty, 3–16 aprelya 2002 g. <http://www.continent.kz/2002/07/11.html>, translation by AT.
- <sup>27</sup> According to respondents in Batken, Naryn and Chui oblasts, kinship networks (*uruchuluk*) play a role in the elections to the local and regional kenesh. Information gathered at the fieldwork 2003-2004, fieldbook no. 1-3.
- <sup>28</sup> Kyrgyz have two distinct forms of *adat*: *urp-adat* – the real and pure practice of *adat*; and *kur-adat* – the pretended and sham practice of *adat*. Information gathered at the fieldwork in Batken oblast 2003, fieldwork 2003-2004, fieldbook no. 1 and 2. For more detailed study on traditional law see Sykiäinen, Leonid, „Shari'ah and Muslim law culture“, in Johnson, Lena and Esenov, Murad, *Political Islam and Conflicts in Russia and Central Asia*, Center for social and political studies (Sweden), [http://www.ca-c.org/dataeng/00.political\\_islam\\_and\\_conflicts.shtml](http://www.ca-c.org/dataeng/00.political_islam_and_conflicts.shtml)
- <sup>29</sup> Kyrgyzdar, T. 2, Bishkek, 1993, p. 530.
- <sup>30</sup> Ashar is a social institution of collective construction or of any other work for the community or an individual. This traditional institution, as others, is based on the rules and norms of traditional law – *adat*. Every family of the community has the right to be helped by the rest of the community in construction or other tasks; in its turn, every family has a duty to help the rest of the community in private and public projects. Normally, a refusal to participate in *ashar* can be punished by society through censure by *aksakals* and consequently shame (*uiat*). In order to mobilize people for collective works, the head of the family calls for *ashar*. Each family has to provide one man for this purpose. In the case of public works, the decision to call for *ashar* has to be taken by *aksakals*. Here also, each family has to provide one man for public works. A feast at the end of *ashar* is organised after the work. Information gathered from fieldwork in Batken Oblast 2003.
- <sup>31</sup> For the concept of „big men“ see Godelier, Maurice and Strathern, Marilyn, *Big Men and Great Men. Personifications of power in Melanesia*, Cambridge, Paris (CUP), 1991.
- <sup>32</sup> *Kurultai* is a meeting of all Kyrgyz people, taking place once every three years, or at moments of crisis. In the history of the independent Kyrgyz Republic four *kurultai* were organized by the Kyrgyz authorities. The opposition attempted to organize a *kurultai* in 2003, but failed.
- <sup>33</sup> Example: in 1989 land disputes between Kyrgyz and Tajik communities broke out into violent conflict by the Aksay village (KR) inhabitants. The conflict was generated by *aksakals* and led to several deaths. The information was gathered from fieldwork in Aksay village, October 2003.
- <sup>34</sup> Constitution of the Kyrgyz Republic (As amended October 21, 1998 by the Law of the Kyrgyz Republic, no. 134), Article 85, § 1.
- <sup>35</sup> Council (kyrg.).
- <sup>36</sup> Law of the Kyrgyz Republic on local governance and local state administration in the Republic of Kyrgyzstan, Art. 2, § 1.
- <sup>37</sup> Law of the Kyrgyz Republic on local governance and local state administration in the Republic of Kyrgyzstan, Art. 12, says that one of the responsibility of local state administration is to „[...] coordinate and regulate use of labor resources.“<sup>38</sup> Thus, in Batken Oblast labour groups have been officially created for the purpose of public works. Able-bodied males of villages are organised into groups of ten where the head of the group is called *onbashi* (The Head of 10). These groups of ten are organized into groups of 100, where the head of group is called *juzbashi* (The head of 100). Groups of 100, in their turn, are organized into group of 1000. The head of 1000 is called *minbashi* (The head of 1000). This is a traditional military organisation of Kyrgyz tribes. All public works, run by means of *ashar*, are conducted by these labour groups. From fieldwork in Batken Oblast, 2003.
- <sup>39</sup> Tesemnikova, E., *Vlast i oppositsia v Kirgizii*, Nezavisimaya Gazeta NG, # 06 (39) 27 Jun 2001, [http://cis.ng.ru/tribune/2000-05-31/3\\_akaev.html](http://cis.ng.ru/tribune/2000-05-31/3_akaev.html)
- <sup>40</sup> Example: the attempts to organize a *kurultai* concerning Aksy events, in November 2002. The *kurultai* was banned by the authority.
- <sup>41</sup> Scandal over *Uzengu Kush*: oppositional mobilization in 2001–2002 against the KR–China agreement on border delimitation.
- <sup>42</sup> None out of five officers of middle and low level of custom inspection could mention non-Kyrgyz officers. Information gathered at the fieldwork in Bishkek 2004, fieldwork 2003–2004, fieldbook no. 3.
- <sup>43</sup> The respondent preferred to remain anonymous. Bishkek 2004.

**Annex: Factions and groups of the Kyrgyz parliament's lower house, and the origin of their deputies.**

\* This information was taken from the bibliography of deputies presented to the apparatus of the legislative (lower) chamber of the Kyrgyz parliament.

<i>The deputy fraction</i> "-On ordo-""	<i>Kurmanov Z.K. – leader</i> <i>Baibolov K.K.</i> <i>Maliovannaia O.A.</i> <i>Karabekov K.Dj.</i> <i>Loboda A.Ju</i> <i>Imankulov B.A.</i>	<i>Bishkek (Chui oblast)</i> <i>Bishkek (Chui oblast)</i> <i>Russian</i> <i>North</i> <i>North</i> <i>North</i>
<i>The deputy group</i> " <u>Regiony Kyrgyzstana</u> "	<u>Moldotashev I.K. – leader</u> <u>Abdurashova T.</u> <u>Bakir uulu T.</u> <u>Baltabaev T.</u> <u>Djaparov A.U.</u> <u>Sarpashev T.D.</u> Shadiev A.A.	<u>Issikkul oblast</u> <u>Osh oblast (Nookat rayon)</u> <u>Osh oblast</u> <u>Batken oblast</u> <u>Djalal-Abad oblast</u> <u>South</u>
<i>The deputy fraction</i> "Edinstvo"	<i>Tokoev I. N. – leader</i> <i>Alymkulov K.A.</i> <i>Gogaev B.Kh.</i> <i>Kanimetov Dj.K.</i> <i>Kerimkulov A.K.</i> <i>Korkmazov Z.</i> <i>Kuchukov M.M.</i> <i>Raimkulov A.</i> <i>Tashtambekov A.D.</i> <i>Usubaliyev T.U.</i>	<i>Chui oblast</i> <i>Chui oblast</i> <i>Issikkul oblast</i> <i>Chui oblast</i> <i>Issikkul oblast</i> <i>North</i> <i>North</i> <i>North</i> <i>North</i> <i>North</i> <i>North</i> <i>North</i> <i>North</i> <i>North</i> <i>North</i>
<i>The deputy group</i> " <u>Kyrgyzstan</u> "	<u>Kadyrbekov I.D. – leader</u> <u>Abdimomunov A.</u> <u>Asanov B.J.</u> <u>Beknazarov A.A.</u> <u>Isakov I. I.</u> <u>Madumarov A.K</u> <u>Maliev A.K</u> <u>Pronenko A.P.</u>	<u>Naryn oblast</u> <u>Osh oblast</u> <u>Osh oblast</u> <u>Djalal-Abad oblast (Aksy rayon)</u> <u>Osh oblast (Alai rayon)</u> <u>Osh oblast (Uzgen rayon)</u> <u>Djalal-Abad oblast</u> <u>Russian</u> <u>North</u> <u>South</u> <u>South</u> <u>South</u> <u>South</u> <u>South</u>
<i>The deputy group</i> "Communist of Kyrgyzstan"	<i>Masalieva A.M. – leader</i> <i>Akunov B.A.</i> <i>Bailo N. I.</i> <i>Bekboev B.S.</i> <i>Duisheeve O.D.</i> <i>Karpasov A.V.</i>	<i>Osh oblast</i> <i>Issikkul oblast</i> <i>North</i> <i>North</i> <i>Russian</i> <i>Chui oblast</i> <i>Talas oblast</i> <i>North</i> <i>North</i> <i>Russian</i>
<i>The deputy group</i> "El uchun"	<i>Sultanov M.A. – leader</i> <i>Alimbekov B.M.</i> <i>Djoldoshev K.N.</i> <i>Juraev B.J.</i> <i>Mambetalieva A.U.</i> <i>Osmonov K.E.</i> <i>Sabirov A.A.</i> <i>Sarieva T.A.</i> <i>Tolokontsev V.G.</i> <i>Chekiev T.U.</i> <i>Chyrmashev C.</i> <i>Sharapov Z.E.</i>	<i>Bishkek (Chui oblast)</i> <i>Osh oblast</i> <i>Osh oblast</i> <i>Bishkek (Chui oblast)</i> <i>Djalal-Abad oblast</i> <i>Bishkek (Chui oblast)</i> <i>Djalal-Abad oblast</i> <i>Osh oblast</i> <i>Djalal-Abad oblast</i> <i>South</i> <i>South</i> <i>North</i> <i>South</i> <i>North</i> <i>North</i> <i>Russian</i>
Non-affiliated deputies	<i>Bulekbaev E.K.</i> <i>Borombaeva T.J.</i> <i>Kommisarova L.N.</i> <i>Sadyrbaev D.S.</i> <i>Subanov M.U.</i> <i>Sultanov A.A.</i> <i>Tekebaev O.Ch.</i> <i>Chotonov D.T.</i>	<i>Chui oblast (Sokuluk rayon)</i> <i>Djalal-Abad oblast (Nookenskii rayon)</i> <i>Talas oblast</i> <i>Talas oblast (Manaskii rayon)</i> <i>Djalal-Abad oblast (Bazar-Korgon rayon)</i> <i>Osh oblast (Sovetskii rayon)</i> <i>North</i> <i>South</i> <i>North</i> <i>North</i> <i>South</i> <i>South</i>

In *italics* – groups of deputies from the North. Underlined – groups of deputies from the South.

Unaltered – groups organised independently of regional identity.

# Understanding and Withstanding the ‘Stans’

*Scott Radnitz, Berlin*

## Tentative results

My research is intended to tackle a rarely asked but politically relevant question: what explains people’s participation in collective action in Central Asia? While accepted as a given that civil society is weak in the former Soviet Union, the assumption of a weak and battered society is partially belied in Central Asia. Despite the lack of overt opposition and weakness of political parties and interest groups, Central Asian societies have strong foundations. These potentials can be found in the form of dense networks, whether traditional, Soviet, or post-Soviet, in which people rely on each other, rather than the state, for the resources necessary for survival. People obtain from these networks a sense of sub-national identity, a cohort of like-minded people with which to air grievances, and a source of social insurance in the form of revolving credit or welfare. My research investigates under what conditions these networks of exchange can be also used for collective action in general, against the state, or not at all. I have selected three types of networks – *mahallas*, mosque/religious collectives, and villages – to study, which there is some basis to believe have the largest potential for collective action.

The question of collective action is not new, and is in fact one of the central questions in political science and sociology: why do people participate when it does not appear to be in their rational interest. The collective action problem, famously posed by Mancur Olson, states that people should not rationally invest their time in the production of a public good when they would receive just as much a share in the output if they did not participate. Yet people often do participate in various types of collection. Scholars have tried to explain the puzzle in various ways. One school of thought says that people must be offered selective incentives (private payoffs) by the organizers of the movement – in fact Olson’s solution to the collective action problem. Another set of theories argues that the emotional and psychological satisfaction that people get out of participation is sufficient motivation to join even if there are no financial benefits. A third school of thoughts involves social networks, arguing that people who share some identity of a collective tend to act likewise when some members of their group act. If a small number of actors participate for their own reasons, be they emotional or financial, others will be coaxed, coerced, or „guilted“ into joining as well.<sup>1</sup>

I am doing research in two republics of former Soviet Central Asia, Uzbekistan and Kyrgyzstan. Arguably the most inscrutable and least understood part of the USSR from the West’s point of view, the region’s social and political changes are only now being explored. These

two republics have gotten off to a difficult start since their independence in 1991. Both former recipients of generous subsidies from Moscow, the economies of these two republics were shaped to produce only one component of the USSR’s overall economy – cotton in the case of Uzbekistan and animal husbandry in Kyrgyzstan – with devastating results in the post-independence period. Yet though both poor and economically dependent, the two countries have taken different strategies toward economic growth: Uzbekistan has only partially privatized its industries, maintains centralized planning in agriculture, and pursues an import-substitution strategy of putting up barriers to trade in favor of developing its own industries; Kyrgyzstan liberalized much of its economy in the early 1990’s and threw its doors open to international investment and aid. These differences also parallel political reform (or lack thereof). Uzbekistan has concentrated all power in its executive branch, and there is neither a legal opposition nor an independent parliament. The state controls all media activity and an enormous police force keeps watch over its citizenry. Kyrgyzstan has made partial democratic reforms. An actual opposition exists that is challenging the presidency in 2005, the media is relatively free and often openly criticizes the regime, and people can legally organize demonstrations. In both countries corruption is pervasive, infesting the educational system and every level of the bureaucracy.

I have spent time in Osh, Kyrgyzstan, and Namangan, Uzbekistan, recently made a foray into Jalalabad Oblast in Kyrgyzstan. In Osh and Namangan I investigated the *mahalla* and the mosque, to understand what functions they perform and how they are used for collective action. The *mahalla* is a traditional institution, loosely defined as neighborhood, consisting of densely populated streets usually arrayed around a mosque and more recently with stores, clinics, and sports facilities. The people of the community both help each other and monitor one another to maintain order and traditional norms. In the Soviet period the *mahalla* was made part of the state, with local elites often co-opted into the party apparatus. In the post-Soviet period, the state has continued to rule through the *mahalla* as an official administrative entity, using it to distribute resources and collect taxes and information.

My respondents mostly cite the importance of the *mahalla* as a protector of traditional norms which they fear are eroding in society as a whole. They also speak of good neighborly relations and unity between members of the *mahalla*. At the same time, however, when pressed to cite concrete cases of sharing or trust within the *mahalla*, people find it difficult to give an example. As in any residential community, people know their close neighbors and associate with them, but rarely socialize with those

several streets away in the same mahalla. Many were hard-pressed to name the *rais* (head of their *mahalla*), who supposedly attains the office by being known and respected by the community. Most people always lock their doors or leave a family member home to guard against theft, and do not voluntarily give their time or money to help other members of the *mahalla*. Those who cite having participated in a *hashar* or doing voluntary work did so for a friend or relative and not simply for a neighbor. The *mahalla* is used for collective action, but top-down and state-led, rather than bottom-up, when, on order of the *rais* or *hokim* (mayor), people are told to clean their neighborhood or work on a public project.

The mosque, though containing historical roots in Central Asia, provided no function as a network for 70 years while the Soviet Union prohibited open worship. In the 12 years since independence, the region has seen a massive reawakening of interest in religion and mosque attendance. There are several reasons to believe the mosque may be a locus of opposition or collective action. First, mosques provide a basis of coordination for people with otherwise diverse social or economic social positions; the same people meet every Friday for noontime prayers, providing a forum for discussion or other social activity. Second, religion provides a source of authority separate from and greater than the state, which in an authoritarian country may be the only respite from state propaganda and policies that regulate daily life.

My research thus far indicates that the mosque has not been a source of collective action. Religion in Central Asia has for the most part remained separate from politics, both because of the lack of ideologies that in other countries have fused Islam and politics, and because the state, maintaining the Soviet practice of regulating mosques and Imams, has shaped the content of Islam being propagated. Respondents call themselves religious, and many do in fact attend mosque regularly, but with the exception of some underground oppositionists, whose numbers are difficult to discern, Islam has not been used as a vehicle for mobilization. During and after Ramadan, people are urged to give to charity, and some people actively proselytize, urging non-religious Muslims to give up alcohol and lead a pious life, but mosques are not used for any remotely political forms of collective action. One caveat that must be mentioned is that my research has only dealt with official, registered mosques. It may be that technically illegal mosques that evade the state's supervision have a greater potential for generating opposition.

One final type of network of great significance in Central Asia is villages. Villages often lie farther from the centers of state power and are predominantly rural, so their residents often have less interaction with the state. Additionally, unlike in cities, people in villages have much denser face-to-face contact with one another, where monitoring by other citizens (rather than the state) is easier, therefore the potential for shame to induce conformity is greater. A third consideration is that people in villages tend

to be related or at least believe that they are descended from a common ancestor. My research in Aksy (Kyrgyzstan), where sustained anti-regime demonstrations took place in 2002, supports the hypothesis of the internal pressures of village life. Protests arose when the district's deputy was arrested on dubious grounds. His native village and those nearby produced many more demonstrators than in farther villages. My research uncovered a strategy by unofficial leaders to organize people based on close (though not necessarily familial) relations and community pressures. I plan to compare this case with rural areas in Uzbekistan, to see whether the same potential for organization exists in that country. From my case studies I hope to reach some general conclusions about the mechanisms used in different types of networks, differentiating the traditional from the totalitarian, and about the potential for mobilization from below in Central Asia.

### **Secrets of Research**

While the products of our research are always presented in a clear-cut and logical fashion, the process is often much messier and more chaotic, especially in a region in transition (to what, still not clear), with decaying infrastructure and a declining economy, nostalgic about the Soviet welfare state and yet in the process of defining new national identities, becoming more acquainted with religion yet reluctant to part ways with its ever-faithful friend, vodka, stuck deep in Asia yet desperately searching for ways to move closer to the West, and where opposition presidential candidates openly vote for the sitting president. Though the complexity of the region creates too many variables to sort through and find order, it provides for good stories from the field.

One of the striking cultural aspects of Central Asia is the emphasis on treating guests well, which is a source of personal pride for the host as well as prestige in the community. Indeed, much of the difficulty of being a traveler in strange land is relieved by the great lengths people go to in order to provide for their guests. Hosts make sacrifices such as giving up their sleeping quarters and spending beyond their budgets to feed guests. Some customs, such as filling up the guest's tea cup with as little tea as possible, in order to fill it up as many times, are designed to show off the host's generosity. Likewise, at a major life-cycle event in which sheep are slaughtered, the guest is presented the choicest part – the head. At some point, as it should become apparent, an honor becomes a burden. At a gathering where there is alcohol, the guest is pressured to participate in and lead toasts, insulting others if he refuses, and ends up drinking more than anyone else. At an Uzbek wedding, guests are traditionally called to the stage to congratulate the bride and groom, then to dance solo in front of the head table. At the risk of insulting the people who try so hard to please you, you are often forced to choose between shirking your responsibility as a guest and humiliating yourself in public.

Like tradition, certain new behaviors that result from contemporary political and economic change repeat themselves with predictable frequency. People I have interviewed have an uncanny ability to turn any question into a lament about unemployment, impoverishment, and nostalgia for the Soviet system. In some sense, my subject matter, though important especially for predictive purposes, is hardly relevant in their daily lives. Who can think about politics when they live without heating or electricity and struggle simply to make ends meet? It is often said that all politics is local, and in Central Asia, politics is absent entirely, or at least participation in the process. Another common refrain is distrust of authority, which manifests itself in conspiracy theories of all types and degrees. Among those I have heard, at least several times, is that Gorbachev worked for the CIA, which is why he dismantled the USSR; the US never landed on the moon – it was a staged event to embarrass the USSR after launching the first man in space; gas prices rose in Kyrgyzstan because the president's son lost \$50 million while gambling; the president of Uzbekistan caused a commercial airliner to crash because a UN representative was on board; the Pentagon carried out the September 11, 2001 attacks in order to invade Afghanistan and have a pretense to place US bases in Central Asia; and everything governments do, anywhere, can be explained by their interminable lust for oil.

Finally, on the topic of distrust, one encounters a Soviet attitude toward social science which is very different from that in the West. Western academic institutions exist to provide resources for individual scholars to design research agendas and gather data to add to a stock of a social scientific knowledge. The information and insight acquired in the course of research provides no direct financial gain to the scholar and does not directly benefit any government or individual, yet we consider it a worthwhile investment for its overall contribution. This concept is completely lost in the post-Soviet region. In a region where teachers earn \$20 dollars a month and academics pay out of their own

pockets to publish their research, people cannot fathom the idea of institutions that fund scholars to go to Central Asia for a year to do pure research. Consequently, I have on several occasions been perceived by my respondents as a journalist or a spy. These professions are well known in the region and explain why a young man from the West would ask probing questions about political matters – he or his bosses must have some immediate financial or strategic interest. Cutting through suspicion and convincing people of my innocuous intentions (which include publishing interesting research and getting a job some day) requires an explanation of how Western social science functions and self-consciousness about how I am perceived – a simple introduction of myself and my research topic is not sufficient. All in all, these challenges make doing research more difficult, but the ironic result is that the process of doing research often turns out to be more educational for understanding the region than the results we came there to find.

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<sup>1</sup> For these three schools of thought, I name here only one work that is representative of the whole, and is considered a good example. For selective incentives, see Samuel L. Popkin, *The Rational Peasant: The Political Economy of Rural Society in Vietnam*, University of California Press 1979. For psychological mechanisms, see Elisabeth Jean Wood, *Insurgent Collective Action and Civil War in El Salvador*, New York: Cambridge UP 2004. For social networks, see Roger Peterson, *Resistance and Rebellion*, New York: Cambridge UP 2001.

# Tagungsankündigung: The Future of Intervention

*Kristóf Gosztonyi, Berlin*

Vom **16.–18.7.2004** findet in Berlin und auf Schloss Blankensee ein Internationales Colloquium zum Thema Staatsaufbau durch internationale Interventionen statt. Die Veranstaltung geht auf die Initiative der Forschungsdozentur **Konfliktforschung und Stabilitätsexport** am Osteuropa-Institut der Freien Universität Berlin zurück und wird vom Wissenschaftskolleg zu Berlin gefördert. Eingebunden in das Projekt sind weiterhin relevante Institutionen der Humboldt-Universität zu Berlin und der Technischen Universität Berlin, die Berlin-Brandenburgische Akademie der Wissenschaften sowie das Wissenschaftszentrum Berlin für Sozialforschung (WZB).

Das Thema des extern geleiteten Staatsaufbaus ist nach wie vor aktuell und seit dem 11. September sogar ganz besonders akut. Denn zerfallene Staaten bilden Basen und Rückzugsgebiete für Terrorgruppen wie Al Qaida und können zudem benachbarte Staaten destabilisieren. Extern geleiteter Staatsaufbau erscheint als die einzige nachhaltige Antwort auf die Bedrohung, die von solchen Gebieten mit verlorener Staatlichkeit ausgeht. Denn Staatlichkeit bietet die billigste Form von *Governance*, nachhaltiger Stabilität und Entwicklung und gewährleistet das nicht-gewaltförmige Management von Konflikten.

Trotz der längeren Erfahrung der internationalen Gemeinschaft mit Interventionen in zerfallene Staaten zum Zwecke des Staatsaufbaus sind tatsächliche Erfolge in diesem Bereich bisher eher rar gesät. Gelegentlich brach der Konflikt nach der Intervention erneut aus (wie zuletzt in Haiti), und auch in Fällen, in denen dies nicht geschah, sind die Ergebnisse oft nur suboptimal: Bosnien ist nach fast zehn Jahren Intervention noch immer kein lebensfähiger Staat, und die jüngsten Unruhen im Kosovo zeugen ebenfalls von andauernder Instabilität in der Provinz. Es scheint, dass die Empfängerstaaten von internationalen Interventionen sich zu neuartigen politischen Gebilden entwickeln, die weder funktionierende Demokratien sind noch im Weberschen Sinne tatsächliche Staaten, da sie viele Staatsfunktionen gar nicht selber ausüben. Insbesondere zwei Formen fehlgeschlagenen Staatsaufbaus fallen hierbei auf:

- Der „ewige Patient“. Bei massiven internationalen Einsätzen entsteht sehr leicht ein Abhängigkeitssyndrom. Politische Systeme entstehen, die sich weder selber verwalten können, noch überhaupt den Willen haben, souverän und unabhängig ihre Angelegenheiten zu regeln (z.B. Bosnien, Kosovo). Sie verlassen sich stattdessen auf die Unterstützung der internationalen Interventen.
- Das „minimalstaatliche Gleichgewicht“. Bei weniger massiven internationalen Staatsaufbaueinsätzen wird nicht genügend „Staat aufgebaut“. Die internationale mate-

rielle und politische Unterstützung wird schnell zurückgezogen. Zurück bleibt ein Gebilde, das die notwendigen staatlichen Funktionen zu erfüllen nicht in der Lage ist. Der erneute Zusammenbruch ist vorprogrammiert (z.B. Haiti, Mali).

Dieses sind Problematiken, die bei der im Juli stattfindenden Tagung erörtert werden sollen. Das Interesse der Veranstalter ist keineswegs nur wissenschaftlich. Zentral ist die Fragestellung, wie Staatsaufbau effektiver betrieben werden könnte. Zu diesem Zweck werden nicht nur quantitativ vergleichend und eher theoretisch ausgerichtete Wissenschaftler eingeladen, sondern auch empirische Forscher aus dem Feld sowie – zur definitiven Verankerung der Tagung in der Praxis – auch aktive Praktiker des Staatsaufbaus (Diplomaten, UN-Mitarbeiter usw.).

Die Eröffnungsveranstaltung des Colloquiums findet am Abend des 16. Juli, 18.00 Uhr, im Informatikhörsaal der Freien Universität Berlin (Takustr. 9) statt. Sie ist als Podiumsdiskussion gedacht, deren Hauptredner Michael Steilner (UN-Botschafter in Genf) und die Diskutanten Paul Collier (Oxford University) und Anatol Lieven (Carnegie Endowment) sein werden. Diese Eröffnungsveranstaltung ist öffentlich. Alle Interessenten sind herzlich eingeladen.

Nach der feierlichen Eröffnung und dem Empfang wird das Colloquium auf die Tagungsstätte Schloss Blankensee („Ein Schloss für die Wissenschaften“) verlegt, wo am Wochenende vom 17.–18. Juli internationale und deutsche Experten und Praktiker über den Stand des extern geleiteten Staatsaufbaus diskutieren werden sowie über Möglichkeiten, wie die Nachhaltigkeit solcher Projekte erhöht werden kann.

Als Ertrag der Tagung soll ein durch Drittmittel finanziertes Forschungsprojekt am Osteuropa-Institut zum Thema des nachhaltigen Staatsaufbaus entstehen. Das geplante Projekt ist als Fortsetzung und organische Ergänzung der schon laufenden Konfliktdozentur (Leiter: Dr. Christoph Zürcher, Projektdirektor: Jan Koehler) gedacht. Diese konzentriert sich auf Bedingungen des Staatszerfalls bzw. der Erhaltung der Staatlichkeit in Zentralasien und im Kaukasus. Das geplante Projekt soll einen Schritt weiter gehen und gezielt nach Möglichkeiten des nachhaltigen und stabilen Staatsaufbaus fragen.

Weitere Informationen finden Sie auf der Homepage des Projekts: [www.oei.fu-berlin.de/~blankensee](http://www.oei.fu-berlin.de/~blankensee)

*Kristóf Gosztonyi*

## Die unsichtbare russische Demokratie

### 4. Deutsch-Russisches Studentenforum im TRIALOG, 30.3.–8.4.2004

*Philipp Casula, Katharina Hoffmann und Robert Kindler, Berlin*

Blättert man neuere westliche Artikel über Russland in Zeitungen wie in der Fachliteratur durch, so scheinen sie einhellig die Meinung zu vertreten: Um die russische Demokratie ist es schlecht bestellt. Diskussionen mit VertreterInnen Russlands ergeben hingegen ein anderes Bild, denn manche von ihnen verteidigen leidenschaftlich vermeintliche und tatsächliche Errungenschaften in ihrer Heimat, besonders seit Beginn der Amtszeit Putins. Der westliche Blick sei arrogant, selektiv und vorurteilsbehaftet – die Emotionen kochten hoch während des letzten Berliner Besuchs von Studierenden des MGIMO (Moskauer Staatsinstitut für Internationale Beziehungen) und der SPGU (Staatliche Universität Sankt Petersburg) im Rahmen des Studentenforums TRIALOG vom 30. März bis 8. April diesen Jahres.

Der TRIALOG ist eine studentische Initiative, die mit Unterstützung des Osteuropa-Instituts seit 2001 studentische Begegnungen in Berlin, Moskau und Petersburg ermöglicht. Die Studierenden finden sich in gemeinsam konzipierten und organisierten Seminaren zusammen und treffen Entscheidungsträger aus Politik, Wirtschaft und Gesellschaft, um aktuelle Themen der russischen und deutschen Realität zu diskutieren. Während des Frühjahrszyklus versuchte die Seminarreihe einen Bogen zu spannen von der deutschen Perspektive auf die ökonomische und politische Situation Russlands über die Diskussion einiger Kernthemen der deutschen Innenpolitik bis hin zu einer Betrachtung der Entwicklung der Beziehungen zwischen der Russischen Föderation und der EU.

Aus der Fülle der hochinteressanten Veranstaltungen sollen hier stellvertretend einige Höhepunkte erwähnt werden, wie die Auftaktveranstaltung mit dem Schirmherrn des TRIALOG, Gernot Erler. Er gewährte am Beispiel der deutsch-russischen Beziehungen einige tiefe Einblicke in die verschiedenen Ebenen diplomatischer Praxis. Unter den deutschlandspezifischen Themen empfand die russische Seite besonders die Diskussionsrunde „Die neuen Bundesländer – perspektivlos?“ als sehr anregend. Nachdem wir uns in Moskau vor allem den Folgen der Transformation in Russland zugewandt hatten, eröffnete die Analyse der ostdeutschen Transformationsdefizite den russischen TeilnehmerInnen Einsichten in ein in ihrem Land wenig beachtetes Themenfeld. Ihre für uns neue Herangehensweise an dieses Problem forderte zu einem Überdenken eingefahrener Argumentationsmuster heraus. Als ähnlich unkonventionell erwies sich die Diskussion mit Alexander Rahr (Deutsche Gesellschaft für Auswärtige Politik), der mit seiner kühnen These eines EU-Beitritts der Russischen Föderation innerhalb der nächsten 20 Jahre durchaus zu

provozieren wusste. Ebenfalls viel diskutiert wurde seine Anmerkung, dass das heutige „nahe Ausland“ Russlands nach der EU-Osterweiterung gleichfalls das „nahe Ausland“ der EU sein wird: Dies wird seiner Ansicht nach beidseitiges Umdenken erfordern. Schließlich kam es im Panel Wirtschaft zu einer Kontroverse zwischen den Gastreferenten aus dem Auswärtigen Amt und vom Ostausschuss der Deutschen Wirtschaft, welche die ökonomischen Potentiale Russlands nicht immer gleich einschätzten.

Alle Begegnungen verliefen in einem sehr freundschaftlichen, angeregten und ungezwungenen Klima. Der eingangs erwähnte Konflikt verdeutlicht aber auch ein Problem: Besonders während der ersten Tage unseres Programms fühlten sich die russischen TeilnehmerInnen durch den kritischen Blick der deutschen Studierenden und Referenten auf Russland in eine Art Rechtfertigungsposition gedrängt. Das fühlten und äußerten die Studierenden des Moskauer Instituts stärker als die Petersburger, die in höherem Maße zu Konzessionen bereit waren als ihre Moskauer Komilitonen. Die zeigte sich in einer Diskussionsrunde, zu der keine externen Referenten eingeladen waren. Vom ursprünglichen Thema abweichend, wurde auf sehr gefülsbetonte Weise angemerkt, dass der Blick der deutschen Studierenden auf Russland sehr festgelegt und selektiv sei. Dieser Vorwurf ist sicher nicht gänzlich von der Hand zu weisen. Doch eine Ebene, auf der eine konstruktive Diskussion und ein sachlicher Austausch von Argumenten möglich ist, konnte an dieser Stelle leider nur partiell gefunden werden. Diese Erfahrung konnte aber für den weiteren Verlauf der Woche sowie auch für den Verlauf des gesamten Studentenforums durchaus als positiv gewertet werden, da alle drei Seiten für die Problematik sensibilisiert wurden. Eine Gesprächsebene zu finden, die wechselseitig offen und allseitig gewinnbringend ist, stellt eine Herausforderung für zukünftige Begegnungen dar.

Insgesamt kann man von einer gelungenen Themen- und Referentenwahl sprechen, die viele inhaltliche Anregungen für die einzelnen Studierenden, aber auch für das Weiterarbeiten in unserem gemeinsamen Projekt boten. Für die Zukunft wurde von mehreren Seiten angeregt, den Schwerpunkt unserer Treffen von einer Hospitationswoche hin zu einer Kombination aus Arbeit in gemeinsamen Workshops und Expertengesprächen zu verlagern. So könnte kooperatives wissenschaftliches Arbeiten weiter gefördert werden und von den unterschiedlichen Herangehensweisen profitieren. Dadurch erhoffen wir uns eine vertiefte Diskussion mit den eingeladenen Referenten. Im Hinblick auf die Woche in St. Petersburg im kommenden Herbst wurden bereits erste Themenvorschläge gesammelt,

darunter: Deutsche Unternehmen in Russland, interethnische Beziehungen in Russland und Deutschland, der Stellenwert des Militärs in der Gesellschaft, Wertewandel, deutsche und russische Positionen zum Bologna-Prozess. Und sicherlich werden wir uns auch wieder auf die Suche nach der „unsichtbaren“ – aber offensichtlich irgendwo in den Weiten Russlands versteckten – russischen Demokratie machen.

Wir danken besonders dem Osteuropa-Institut für die tatkräftige Unterstützung, ebenso unserem Schirmherrn Ger-

not Erler, der Friedrich-Ebert-Stiftung Moskau, der ZGG-Zarubezhgaz-Erdgashandelsgesellschaft sowie dem Petersburger Dialog.

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## Konferenzbericht

### „Closed Society and Open Society: Conflict and Dialogue“ Moskau, 24.–28.11.2003

*Florian Mühlfried*

Durch Mailinglisten im Internet und private Quellen verbreitete sich im Herbst 2003 unter mit Postsozialismusstudien befassten EthnologInnen die Kunde, dass im November in Moskau eine Konferenz zur Ethnologie des Kaukasus abgehalten werde. In Erstaunen versetzte vor allem die Aussage in der Ankündigung: „All travel and lodging expenses will be paid by the Organizing Committee of the Conference“ (im Original fett gedruckt). Diese für wissenschaftliche Konferenzen leider alles andere als gängige Praxis warf sogleich die Frage nach den Organisatoren und Geldgebern der Konferenz auf. Bei den Veranstaltern handelte es sich laut Ankündigung um „The International Research Institute of the Peoples of the Caucasus (IRIPC)“, über das im Internet keine Informationen zu finden sind. Ebenfalls beteiligt war die Abteilung für Kaukasus-Studien am Institut für Ethnologie und Anthropologie der Staatlichen Universität Moskau. Vorsitzender des Organisationskomitees war der bekannte russische Kaukasiologe Arutjunov. Finanziert wurde die Veranstaltung durch die „Open and Closed Society“, über die ebenfalls im Vorfeld keine Informationen ausfindig zu machen waren.

„Offene“ und „geschlossene“ beziehungsweise „moderne“ und „traditionelle“ Gesellschaftsformen sollten auch während der Konferenz schwerpunktmäßig diskutiert werden. Im Vordergrund standen dabei die Fragen nach der Zukunft „traditioneller“ Gesellschaften im Kaukasus und nach der Bewahrung von kultureller Identität in einer globalisierten Welt.

Ort der Konferenz war das Golfhotel „Le Meridien“ in der Moskauer Peripherie. In diesem Hotel waren alle etwa 200 Tagungsteilnehmer untergebracht, und hier fand auch die Konferenz statt. Die Teilnehmer stammten meist aus Russland, Dagestan, Tschetschenien, Georgien und Armenien. Dazu kamen ca. 20 Wissenschaftler aus den USA, Kanada, Japan, Frankreich, Holland, England, Polen und Deutschland. Wegen der Vielzahl der Vorträge, die meist auf Russisch gehalten und synchron ins Englische übersetzt wurden, kann im Folgenden nur exemplarisch auf einige Redenbeiträge eingegangen werden.

Am ersten Konferenztag wurden in den einführenden Ansprachen einige inhaltliche Ausrichtungen deutlich: Die Vorsitzende des IRIPC Melikischwili betonte, dass es für alle Angehörigen kaukasischer Ethnien angesichts der Bedrohung durch den Globalismus darauf ankäme „to maintain and sustain who we are“. Der folgende Beitrag von Alexandre Dugin, einem der wichtigsten Vertreter der russischen Neuen Rechten, griff die Gefahr eines Verlust-

tes von Identität in einer globalisierten Welt auf. Dazu unterschied er idealtypisch „offene“ von „geschlossenen“ Gesellschaften: In „offenen“ Gesellschaften gehe kulturelle Identität verloren, während in „geschlossenen“ Gesellschaften die wesentlichen Merkmale von Identität bewahrt blieben. Auf dieser Grundlage kam Dugin zu dem Schluss, dass das Konzept der „offenen“, also an zivilen und demokratischen Strukturen ausgerichteten Gesellschaft für die Kaukasusländer inadäquat sei. Der Kaukasus gehöre zu Eurasien, und eurasisatische Gesellschaften seien „anders“ als westliche. Russland als herausragende Macht in Eurasien komme dabei eine besondere zivilisatorische Aufgabe zu: „Russians should be present in the Caucasus. We have a mission. This is what the idea of Eurasia is about.“

Der Beitrag von Porochova sprach sich ebenfalls gegen die Verbreitung globaler Strukturen in der Russischen Föderation aus („We are very specific!“), und ein Nachredner versuchte den Begriff des Kollektivismus durch eine Abgrenzung zur Sowjetpraxis zu re-establieren und positiv zu konnotieren. So viel wurde am ersten Tag deutlich: Eine fiktive „traditionelle“, „geschlossene“ Gesellschaft sei einer auf Individualität beruhenden Gesellschaft unbedingt überlegen und müsse angesichts von Globalisierung verteidigt werden.

Der Auftaktvortrag des zweiten Konferenztags von Weinberg thematisierte die Folgen der Globalisierung in Russland. Aus diesem Beitrag wurde deutlich, dass Russland *nolens volens* in globale Prozesse eingebunden ist. Die folgenden Beiträge versuchten sich an einer Bestimmung von „kaukasischer Identität“: Cesnov stellte besonders die Gastfreundschaft in den Vordergrund, die als Grundlage für eine universale Ethik dienen könne. Gajdar beschrieb den Kaukasus als „center of a new technology of thinking“. In seinem Beitrag über das georgische Bankett (*supra*) versuchte Mühlried zu verdeutlichen, dass Tradition keine feste Bezugsgröße darstellt, sondern fundamentalen Wandlungsprozessen unterliegt, die durch Kulturkontakte geprägt sind. Diese durchaus kritisch gemeinte Anmerkung verhallte im Leeren.

Im Zentrum der dritten Konferenztag stand das Thema Religion, besonders der Islam. Die Leitung oblag Yarlikapow und Bobrovnikow, zwei jüngeren Wissenschaftlern. Die Vorträge waren insgesamt deutlich informativer und sachbezogener als in den letzten Tagen; Fakten und nicht Ideen standen im Vordergrund. Die Themen der Vorträge reichten von Sufismus, Renaissance des Islam im Kaukasus, internationalen muslimischen Netzwerken bis zu

„Wahabismus“ in Dagestan, Tschetschenien, Karatschais-Tscherkessien und Georgien (Pankisi). Nachmittags sprachen Dragadze [sic] (England) und Goziridse (Georgien) über rituelle Mahlzeiten in Georgien.

Der Vormittag des vierten Tages war ausländischen Referenten vorbehalten: Przeslakievicz sprach über die polnische Diaspora in Georgien, und Companjen (Holland) verdeutlichte ebenfalls am Beispiel von Georgien, dass NGOs sich zwar die Förderung von Toleranz auf ihre Fahnen schreiben, aber in manchen Fällen das Gegenteil erzeugen. Kosack, Krasberg und Kunze (Deutschland) zeigten anhand von Fallbeispielen aus Afrika die Einbindung von „traditionellen“ Gemeinschaften in nationale und transnationale Zusammenhänge auf. Graburn (USA) sprach über das Verhältnis von Tourismus und Tradition.

Am Nachmittag stand neben einigen Vorträgen ein holländischer Film auf dem Programm. Im Zentrum dieses Filmes standen der Krieg in Tschetschenien und der ehemalige Vize-Premier von Tschetschenien, Chos-Ahmed Nuchaev. Eingebettet in antiglobalistische Statements westlicher Vordenker wie Manuel Castells übte Nuchaev massive Kritik an der „offenen“, „globalen“ Gesellschaft, die Vereinzelung, Identitätsverlust, Verbrechen und Drogensucht zur Folge hat. Laut Nuchaev führt die globalisierte Welt einen Krieg gegen „geschlossene“, also noch intakte „traditionelle“ Gesellschaften, um die ganze Welt den Gesetzen des Marktes untertan zu machen. Nuchaev und die von ihm gegründete „Closed Society“ haben sich der Verteidigung der „geschlossenen“ Gesellschaft besonders in Tschetschenien verschrieben.

Am nächsten Tag wurde vom Präsidenten des Organisationskomitees, Arutjunov, ein Brief Nuchaevs verlesen, in dem er seine Ideologie bekräftigte und einen Vorschlag zur Lösung des Tschetschenienkonfliktes präsentierte: Tschetschenien solle aufgeteilt werden in das Flachland, das dem russischen Gesetz unterliegt, und Berg-Tschetschenien („Nochtschi“), das von den Gesetzen der Scharia und der „traditionellen Stammesgesellschaft“ bestimmt wird. Im Anschluss an die Verlesung des Briefes kündigte Arutjunov die gemeinsame Verabschiedung einer Erklärung aller Konferenzteilnehmer an. Grundlage sei die scheinbar von allen geteilte Bevorzugung von „traditional decision making“. Wer gegen die Erklärung war, wurde aufgefordert, seinen Widerspruch öffentlich zum Ausdruck bringen – was niemand tat. In der anschließenden Diskussion wurde Nuchaevs Plan für Tschetschenien unterstützt und angeregt, sein Konzept als Modell für weitere Länder des Kaukasus und der Russischen Föderation zu betrachten (Gabelaschwili, Mamukaschwili). Lediglich ein Redner aus Dagestan stellte konkrete Fragen zu dem Lösungsvorschlag: Wer soll die Grenzen Berg-Tschetscheniens schützen? Wie sieht es aus mit der medizinischen Versorgung, mit Strom und Kommunikation?

Werden die jungen Kämpfer sich der Autorität der Stammesältesten beugen?

Schließlich legte Alexandre Dugin in einem längeren Redebeitrag erneut sein Konzept des „Eurasismus“ dar. Der „Eurasismus“ sei als postmoderne Idee zu begreifen, die die Vielgestaltigkeit von Gesellschaftsformen anerkenne. Positiv bezugnehmend auf den von Nuchaev vorgeschlagenen Tschetschenienplan sprach sich Dugin jedoch für eine Unabhängigkeit Tschetscheniens innerhalb des russischen Machtbereichs aus. Wesentlich am Plan Nuchaevs sei die Maxime: „No international control, but Russian influence“.

Offensichtlich findet zur Zeit eine Annäherung rechts-nationalistischer Zirkel aus Tschetschenien und Russland statt. Die Konferenz, von Nuchaev durch die „Closed Society“ finanziert, diente dem Zweck, Unterstützung und wissenschaftliche Legitimation für die Ideologie der „geschlossenen“, also anti-demokratischen Gesellschaft zu erzeugen. Nuchaev, der von Russland mit internationalem Haftbefehl wegen möglicher Verstrickungen in die Moskauer Geiselnahmen gesucht wird, schreibt dazu auf seiner Internetseite <http://www.noukhaev.com> in aller Deutlichkeit: „This was precisely the function of the scholarly research and educational initiatives (conferences, symposia, ‚round tables‘, publications, documentary films, etc.) realised over the past year in Amsterdam, Warsaw, Poznan, Tbilisi, St. Petersburg, Moscow and Tokyo by the Closed Society Fund, which I head.«

Alexander Dugin seinerseits versammelt in der Gesellschaft *Evrazija* (Eurasien) zunehmend muslimische Gegner einer „offenen“ Gesellschaft. Das einende Band besteht in der antiwestlichen Ausrichtung. Unter dem Schlagwort „Eurasien“ wird an einer breiten antiliberalen Front gearbeitet, die sich zunehmend erfolgreich um Einflussnahme auf die russische und internationale Politik bemüht. Dabei dienen rhetorische Rückgriffe auf die Konzepte Postmoderne und Antiglobalisierung als legitimisierende Faktoren. An dieser Stelle wird sehr deutlich, dass in postsozialistischen Gesellschaften der antiglobalistische Diskurs vorwiegend von rechtsextremen Kreisen vertreten wird. Hier besteht die Gefahr, dass westliche Wissenschaftliche oder Intellektuelle unreflektiert und frohen Mutes in den Chor der Kritiker des freien Weltmarktes einstimmen – wie auf der Konferenz geschehen. Ebenfalls überdeutlich wird der Versuch der Instrumentalisierung von Wissenschaftlern für ideologische und politische Zwecke.

**Florian Mühlfried** promoviert zur Zeit am Institut für Ethnologie der Universität Hamburg über „Die wahre Akademie“ – Bankette und die Konstruktion nationaler Identität in Georgien“.

# Stabilität exportieren? Die Institutionalisierung von Frieden

**Universitätsvorlesung Sommersemester 2003 – organisiert von der Forschungsdozentur „Konflikt und Stabilitätsexport“ am Zentralinstitut Osteuropa-Institut**

(Konzeption: Jan Koehler, Gwendolyn Sasse, Christoph Zürcher)

*Jenni Winterhagen, Berlin*

Seit dem Ende des Kalten Krieges hat eine spannungsreiche Tendenz an Bedeutung gewonnen: Die Zahl innerstaatlicher Konflikte ist angestiegen, während zugleich die Internationalisierung von Konflikten zugenommen hat. Politische, wirtschaftliche und völkerrechtliche Entwicklungen haben internationaler Intervention und Vermittlungsversuchen eine qualitativ neue Legitimität verschafft. Konfliktforschung und Medienberichterstattung beschäftigen sich nach wie vor in erster Linie mit den Ursachen von Konflikten und der Konfliktodynamik. Die Universitätsvorlesung „Stabilität exportieren“ setzte einen neuen Akzent, indem sie gezielt die Institutionen, Strukturen und Akteure thematisierte, die an der Regulierung von Konflikten sowie dem Wiederaufbau und dem Erhalt von Stabilität beteiligt sind. Ziel dieser Vorlesung war es, durch die Kombination von theoretischen Überlegungen und praxisbezogenen Einblicken eine Grundlage für die Bewertung von Stabilisierungsversuchen zu schaffen. Die Frage nach konkreten Stabilitätsmodellen, die sich verallgemeinern und exportieren lassen, zog sich wie ein roter Faden durch diese Vorlesung, die sich sowohl an die universitäre als auch die außeruniversitäre Öffentlichkeit wandte. Das Profil war multidisziplinär und global; unter den Beteiligten waren deutsche und internationale Experten und Expertinnen aus Wissenschaft und Praxis. Das Programm begann mit einer Reihe von Vorträgen über die juristischen, politischen und praxisorientierten Kontroversen über die internationalen Parameter der Konfliktprävention und Stabilisierung. Die Vorträge über diverse Versuche, „alte“ europäische Konflikte (Nordirland und Spanien) zu regulieren, eröffneten eine vergleichende Perspektive für die anschließende Diskussion über eine Reihe von aktuellen Konflikten (Bosnien, Makedonien, Kaukasus), in denen verschiedene institutionelle Modelle zur Anwendung gekommen sind.

## Versuche einer Definition

Der Begriff Stabilität wurde während der Ringvorlesung meist durch Abwesenheit bestimmter Faktoren beschrieben. Auf der einleitenden Podiumsdiskussion bezeichnete Holm SUNDHAUSSEN, Prof. für Südosteuropäische Geschichte, Stabilität als die Abwesenheit von Faktoren, die ein System handlungsunfähig machen. Nach Georg ELWERTH, Prof. für Ethnologie und Sozialanthropologie, besitzt eine stabile Gesellschaft Steuerungsfähigkeit und in ihr besteht Konsens, dass Gewalt als Lösung für Konflikte ausge-

schlossen ist. Dabei sei, so ELWERTH, ein stabiles System ständig im Werden begriffen, um sich reproduzieren zu können. Deswegen, so stimmten alle Gäste auf dem Podium überein, sei der Begriff Stabilisierung dem der Stabilität vorzuziehen.

## Wege zur Stabilität

Fielen die verschiedenen Definitionsversuche von Stabilität noch ähnlich aus, so war die Frage nach der Art ihrer Herstellung umstritten. Während vor allem ELWERTH und Ulrich PREUSS, Prof. für rechtliche Grundlagen der Politik, im Verlauf der Podiumsdiskussion betonten, dass es möglich sei, eine Gesellschaft von außen zu stabilisieren, zeigte sich SUNDHAUSSEN sehr skeptisch. Seiner Ansicht nach lassen sich einzelne Institutionen, von denen man sich stabilisierende Wirkung erhofft, exportieren, doch wie effizient diese in einem neuen institutionellen Kontext funktionieren, bleibt fraglich.

Natascha ZUPAN, die in ihrem Vortrag über die Krisenbewältigung in Makedonien zwei Jahre nach dem Ohrid-Friedensabkommen berichtete, kam in ihrer Analyse zu einem ähnlichen Schluss: Die internationale Gemeinschaft kann, wenn sie die gleichen Interessen teilt, gewaltsame Auseinandersetzungen durch gezieltes Konfliktmanagement erfolgreich beenden. „Eine Konflikttransformation aber“, so ZUPAN, „die darauf zielt, strukturelle Konfliktursachen zu bekämpfen und eine verlässliche Basis für eine langfristig stabile Gesellschaft zu legen, scheint durch Hilfe von außen schwierig zu erreichen, wie sich in Makedonien zeigt.“

Gudrun KRÄMER, Prof. für Islamwissenschaften, wies auf einen weiteren Aspekt hin: die Art und Weise, wie Stabilität „exportiert“ wird. „Geschieht dies während einer Besetzung und unter starkem Druck, so ist das Misslingen relativ wahrscheinlich, weil die ‚Exportiere‘ dann im Konflikt selbst gewaltsam involviert sind und ihre Neutralität verlieren.“

## Stabilität durch internationale Strafjustiz

Das ganze Semester hindurch wurde wiederholt die Herstellung von Gerechtigkeit durch Justiz als wichtige Voraussetzung von Stabilität und als Mittel von Konfliktprävention und Konfliktlösung erwähnt.

ELWERTH beispielsweise betonte, dass „das Empfinden für Recht und Unrecht durch Krieg und Gewalterfahrung in der Bevölkerung nachhaltig zerstört wird.“ Um dies wieder-

herzustellen, sei es wichtig, in den symbolisch bedeutsamen Bereichen einer Gesellschaft das Legalitätsprinzip durchzusetzen. „Der Machtmissbrauch der Mächtigen muss rechtlich geahndet werden“, betonte ELWERT, der hier eine konkrete Möglichkeit von externer Stabilisierung sah.

In diesem Sinne bekam das internationale Strafrecht als ein Instrument der Aufarbeitung von Konflikten in den 90er Jahren eine immer größere Bedeutung. Nach den Nürnberger Prozessen hatte es während des Kalten Krieges ein Schattendasein gefristet, da die Versuche, einen ständigen Strafgerichtshof der UNO einzurichten, durch die Blockkonfrontation scheiterten.

Caroline FETSCHER, Redakteurin des *Tagesspiegel*, berichtete in ihrem Vortrag vom Internationalen Kriegsverbrechertribunal für das ehemalige Jugoslawien (ICTY). Die UNO richtete es 1993 – hilflos angesichts der Kriege und Menschenrechtsverletzungen im ehemaligen Jugoslawien – als Mittel ein, um Frieden wiederherzustellen und zu sichern. Obwohl anfangs niemand glaubte, man könne der Hauptverantwortlichen habhaft werden, sitzt es heute u.a. über den ehemaligen Präsidenten Jugoslawiens Slobodan Milošević zu Gericht. Fetscher beschrieb, Welch große Bedeutung die Prozesse in Den Haag für die Opfer haben. Unruhen, wie sie manchmal in Serbien oder Kroatien entstehen, wenn vom ICTY angeklagte mutmaßliche Kriegsverbrecher nach Den Haag überstellt werden, solle man nicht überschätzen. Wichtiger als dieser kurzfristige Unwillen sei die Arbeit, die das Gericht zur Wahrheitsfindung beitrage. „In Den Haag werden Fakten geschaffen, die niemand mehr leugnen können und damit bildet das Gericht eine wichtige Grundlage für ein künftig friedliches Zusammenleben.“

Kurz nach der Einrichtung des ICTY wurde – ebenfalls als UN-Hilfsorgan – ein weiteres Tribunal für Ruanda aufgebaut. Beide Tribunale sind in ihrer Zuständigkeit regional und zeitlich beschränkt. Ihre Einrichtung gab den seit dem Zweiten Weltkrieg bestehenden Plänen Auftrieb, einen ständigen Strafgerichtshof einzurichten. Nur wenige Jahre später wurde in multilateralen Verhandlungen in Rom ein Konsens über sein Statut erzielt, das im Juli 2002 in Kraft trat.

Bernhard BRAUNE, Referent im Arbeitsstab Internationaler Strafgerichtshof des Auswärtigen Amtes, berichtete von Problemen und Erfolgen beim Aufbau des Internationalen Strafgerichtshofes (ICC). Den Erfolg des ICC sah Braune zum einen schon dadurch als gesichert an, dass die Straftatbestände des Römischen Statuts wie Völkermord oder ethnische Säuberung in die nationalen Gesetzbücher der Unterzeichnerstaaten implementiert werden, wie es auch in Deutschland durch das Völkerstrafgesetzbuch geschehen ist. Das ICC werde internationale Standards im Strafrecht setzen und im materiellen wie im Prozessrecht vor allem für junge Staaten eine Vorbildfunktion haben. Als am wichtigsten aber bezeichnete BRAUNE „die durch das ICC verkörperte Erkenntnis, dass auch für Makrokriminalität

individuelle Verantwortliche identifiziert werden können.“ Diese Einsicht fördere die Stabilisierung einer Gesellschaft, denn „die Idee der Kollektivschuld ist der wirkliche Feind von Gerechtigkeit und Frieden.“ BRAUNE räumte jedoch ein, dass ein rigides Beharren auf der Durchsetzung rechtlicher Normen eventuell dem Frieden und der Stabilität in einer Region auch schaden könne, weswegen im Römischen Statut vorsorglich das Opportunitätsprinzip verankert sei. Dadurch wird für eine andere, nichtjuristische Aufarbeitung von Schwerstverbrechen, wie zum Beispiel Wahrheitskommissionen nach südafrikanischem Vorbild, Raum geschaffen und berücksichtigt, dass eine juristische Verfolgung nicht immer stabilisierende Effekte haben muss.

Während internationale Strafjustiz Instrument einer rückwärtsgewandten Aufarbeitungspolitik ist, wurde im Laufe der Ringvorlesung die Bedeutung internationaler Rechtsnormen als Möglichkeit der Konfliktprävention unterstrichen. Alexander MORAWA, Mitarbeiter am European Centre for Minority Issues (Flensburg), berichtete über die Entwicklung des rechtlichen Minderheitenschutzes durch UNO, Europarat und OSZE. Wie im Bereich des internationalen Strafrechts lässt sich auch dort eine zunehmende Aktivität seit den 90er Jahren beobachten. Man hofft, dass einzelne Staaten sich an den von internationalen Organisationen entwickelten Standards orientieren und internationale Gesetze implementieren, um so langfristig einen sehr viel besseren Minderheitenschutz zu gewährleisten. Oft wird in diesem Bereich die Unbestimmtheit der Normen kritisiert, auch besteht noch keine allgemein anerkannte Definition, was eine Minderheit ausmacht. „Erstaunlicherweise aber“, so MORAWA, „haben sich insbesondere die vagen, nicht verbindlichen Rechtsdokumente wie die Empfehlungen der OSZE als wirkungsvoll erwiesen.“ Diesen überraschenden Umstand begründete er damit, dass sehr weiche und flexible Normen eine ebenso flexible Handhabung erlaubten. „Eine progressive Fortentwicklung ist so gut möglich, vorausgesetzt, die mit der Durchsetzung der Standards Betrauten streben eine Fortentwicklung an.“

### **Stabilität durch Minderheitenschutz**

Auf andere Art und Weise mit dem Schutz von Minderheiten betraut, berichtete John PACKER über seine Arbeit für den Hohen Kommissar für Nationale Minderheiten. Dieses Amt wurde ebenfalls in den 90er Jahren als Institution innerhalb der OSZE eingerichtet. Die Aufgabe des Kommissars ist es, drohende Konflikte, bei denen es um Minderheitenfragen geht, zu erkennen und präventiv einzuschreiten. Der Kommissar versucht, Kommunikation zwischen den Konfliktparteien herzustellen, ihre Probleme und Forderungen festzustellen und Lösungswege zu vermitteln. PACKER betonte, dass es sich „bei widersprüchlichen Interessenlagen selten um ein Nullsummenspiel handelt.“ Oft seien Einigungen möglich, von denen beide Seiten profitierten. Wichtig sei es vor allem, pragmatische Lösungswege anbieten zu können, wobei es möglich ist, auch unorthodoxe Partner, wie private Unternehmen mit

Interessen in der Region, in den Vermittlungsprozess zu involvieren. PACKER zog eine sehr positive Bilanz der ersten Dekade dieser Institution. Vor allem in Rumänien und in Estland habe der Minderheitenkommissar vermittelnd eingreifen können, das Kommissariat arbeite sehr effektiv und verursache relativ geringe Kosten.

Minderheitenschutz sahen MORAWA wie PACKER als ein in jedem Fall sinnvolles Mittel an. Nur wenn die „essentiellen Dinge des täglichen Lebens noch nicht geordnet funktionieren“, räumte MORAWA ein, könne Minderheitenschutz nicht implementiert werden. Dann habe die Bevölkerung oft kein Verständnis für positiv diskriminierende Maßnahmen, welche die Situation von Minderheiten verbessern sollen.

Nur ZUPAN betrachtete den zunehmenden Minderheitenschutz auch kritisch. Sie wies darauf hin, dass die erfolgte Stärkung des Minderheitenschutzes in Makedonien zwar wichtig sei, insbesondere zur Erhöhung der staatlichen Legitimität, aber letztendlich Symptombekämpfung darstelle. „Die Konzentration auf Minderheitenschutz“, so ZUPAN, „spiegelt den vorherrschenden Trend wieder, Konflikte im ehemaligen Jugoslawien durch die ethnische Brille zu betrachten.“ Zu hoher Minderheitenschutz könne außerdem ethnische Grenzen festigen und die Entwicklung einer BürgerInnengesellschaft und die Entstehung eines Staatsvolks verhindern.

Aus theoretischer Perspektive betrachtete Brendan O'LEARY, Direktor des Solomon Asch Center for Study of Ethnopolitical Conflict an der University of Pennsylvania, die Prävention von Minderheitenkonflikten. In seinem Vortrag stellte er *consociation* als Modell der Konfliktprävention vor. Ihr Grundgedanke ist die Akzeptanz von nationalem und ethnischen Pluralismus im Gegensatz zu integrativen Strategien, welche die Gemeinsamkeiten verschiedener Gruppen betonen. Der Ansatz der *consociation* versucht nicht, so O'LEARY, Gruppen zu vereinheitlichen, sondern ein Management der Unterschiede zu betreiben. Davon ausgehend beruht das Modell auf dem Prinzip der Teilung der Regierungsmacht nach bestimmten Proportionsregeln. Spannungen zwischen den ethnischen Gemeinschaften werden vorgebeugt, indem sich die Gruppen jeweils selbst verwalten und gemeinsam die Gesamtregierung ausüben. „Diese Regierungsform“, so O'LEARY, „verbindet Autonomie in Form von Selbstverwaltung mit Integration durch eine gemeinschaftliche Regierung.“ Als Beispiele nannte er den Libanon, Bosnien-Herzegowina, Südtirol und die Schweiz. „Allerdings“, schränkte O'Leary ein, „ist dieses Modell nur für Gesellschaften sinnvoll, in denen die Kluft zwischen Minderheit und Mehrheit nicht zu tief ist und politische Akteure vernünftigerweise wirtschaftliche Stabilität einem Bürgerkrieg oder einer Sezession vorziehen.“ Zusätzlich sollten die politischen Eliten einen sicheren Führungsanspruch innerhalb ihrer Gruppe haben, damit sie auch ‚unpatriotische‘ Kompromisse schließen können.

### Stabilität durch Staatlichkeit

Voraussetzung für einen mehr oder minder starken Schutz von Minderheiten ist die Existenz eines Staates. Auch wenn der Ständige Strafgerichtshof vor allem bei der Beschaffung von Informationen verstärkt auf die Zusammenarbeit mit Nichtregierungsorganisationen setzt, bleiben es doch Staaten, die das Römische Statut unterzeichnen. So stellte ein funktionierender Staatsapparat für die meisten Referenten eine unabdingbare Voraussetzung von Stabilität dar.

Der Afrikaexperte ELWERTH, der den Begriff der Gewaltmärkte prägte – ein Konzept, das lang andauernde Bürgerkriege aus den wirtschaftlichen Interessen von *warlords* zu erklären sucht – bezeichnete den Wiederaufbau eines staatlichen Gewaltmonopols als die wichtigste Maßnahme, um Gewaltmärkte zu beenden. „Jeder Bürgerkrieg hat in Afrika mit dem Zerbrechen des legitimen Gewaltmonopols durch die herrschende Klasse von innen begonnen. Militärs missbrauchten das Gewaltmonopol zu ihren Zwecken und bewirkten damit, dass die Bevölkerung Gewaltexperten als Beschützer anheuerte, die sich später ideologisch legitimierten und langfristig etablierten.“ Um das staatliche Gewaltmonopol wiederherzustellen, müsse das internatio-



Mitrovica, Kosovo Frühjahr 2004

nale humanitäre Engagement seine scheinbare Neutralität aufgeben und Partei ergreifen. Die internationale Gemeinschaft solle konsequent ein System positiver Maßnahmen (Eröffnung von Handelsmöglichkeiten, Bau von Straßen, Aufbau eines Gesundheitssystems, Investitionen) und negativer Sanktionen (Stopp des Missbrauchs des Gewaltmonopols, Einsatz von Gewalt) durchführen. Katastrophen- und Entwicklungshilfe sowie Truppenpräsenz müssten an den Aufbau von Rechtsstaatlichkeit gekoppelt werden. Damit Belohnung und Bestrafung als solche für die Akteure erkennbar seien, müsse eine extrem hohe Zeitnähe zu den Handlungen, auf die sie Reaktionen darstellen, gegeben sein.

ELWERT, selbst seit 1989 Mitglied des wissenschaftlichen Beirats des Bundesministeriums für wirtschaftliche Zusammenarbeit, kritisierte in diesem Zusammenhang die westliche Entwicklungshilfe. Sie habe lange Zeit Willkürsysteme unterstützt und damit Staatseliten durch die europäische Hilfe unabhängig von heimischen Steuerzahlungen gemacht.

Afghanistan ist eines der aktuellen Beispiele, in denen die großen Schwierigkeiten deutlich werden, die sich beim externen Aufbau von Staatlichkeit ergeben. Anatol LIEVEN, Senior Associate am Carnegie Endowment for International Peace in Washington, berichtete über die aktuelle Situation, in welcher der ‚Staat‘ nur geringe Teile des Landes kontrolliert. Er sprach das Problem des Misstrauens an, das weite Teile der afghanischen Bevölkerung gegen zentrale Staatlichkeit hegen, da es noch nie einer Regierung gelungen sei, alle Teile Afghanistans zu integrieren. LIEVEN riet zu sehr vorsichtigen und geduldigen Schritten der internationalen Gemeinschaft, die nicht glauben solle, dass man eine zentrale Autorität schnell etablieren könne. „Die Internationale Gemeinschaft muss mit den bestehenden regionalen Autoritäten zusammenarbeiten und die Verhandlungen zwischen diesen fördern.“ Zusätzlich müsse die Infrastruktur des Landes verbessert werden, um die Kommunikation zwischen den einzelnen Parteien zu erleichtern. Von Wahlen riet LIEVEN zunächst ab und warnte, dass verfrühte Wahlen zusätzliche Unruhe stiften könnten.

### **Stabilität durch Rechtstaatlichkeit**

Innerhalb der aufzubauenden Staatlichkeit stellt das Rechtssystem eines der wichtigsten Subsysteme dar. Bei seinem Aufbau, so ELWERT, „kann man an die in jeder Gesellschaft existierende Suche nach Recht und Gerechtigkeit anknüpfen.“ Die Islamwissenschaftlerin KRÄMER unterstrich diese Aussage und betonte, dass islamische Gesellschaften über ein ausgeprägtes Rechtsverständnis verfügten. Dieses sei uns in manchem fremd, doch beständen auch innerhalb der so genannten westlichen Länder erhebliche Unterschiede im Verständnis von Recht und Unrecht. Die gängige Auffassung, dass „wir, denen das

Recht bringen müssen“ ist vollkommen falsch und führt zu der irrgewissen Annahme, man exportiere rechtliche Normen in ein Rechtsvakuum.“ ELWERT betonte, wie wichtig es sei, interne rechtliche Konfliktlösungsinstitutionen wie Schiedsstellen und Gerichte zu stärken. Bewertungsinstitutionen zur Festschreibung aller bodenbezogenen Rechte, wie die Nutzung von Wasserstellen oder Viehweiden, müssten eingerichtet werden.

In Bezug auf die Frage nach dem Umgang mit Korruption und ihrer Bekämpfung stellte Robin BHATTY, ehemaliger Berater der Weltbank, die interessante These von der Unterscheidung zwischen guter und schlechter Korruption auf. In vielen Fällen seien staatliche Stellen zwar korrupt – so BHATTY auf der Podiumsdiskussion zum Thema „Technical Assistance, Crisis Prevention and Conflict Transformation: The Caucasian Perspective“ –, ermöglichten aber dennoch die Überwindung von Entwicklungsblockaden, die durch zu starre, unwillige oder handlungsunfähige bürokratische Apparate verursacht werden. Es sei wichtig, dass der Westen zwischen dieser Form von Korruption und einer solchen, die jegliche Prozesse blockiere, zu unterscheiden lerne, um effektive Entwicklungszusammenarbeit zu betreiben.

### **Stabilität durch Wirtschaft**

KRÄMER warnte davor, Konflikte in fremden Regionen zu exotisieren: „Kultur ist selten Ursache, sondern meist nur Fassade für handfeste, uns allen bekannte und nachvollziehbare Interessenkonflikte.“ Ähnlich beklagte ZUPAN in ihrem Vortrag über Makedonien, dass die Konflikte auf dem Gebiet des ehemaligen Jugoslawiens zu stark ethnisch begründet würden. In Makedonien haben der Zusammenbruch der sozialistischen Staatswirtschaft und die daraus folgende Transformation des ökonomischen Systems – Öffnung des Marktes, Privatisierung, Handelsembargos – zu einem deutlich gesunkenen Lebensstandard, Armut und hoher Arbeitslosigkeit geführt. Die schlechte wirtschaftliche Situation ist ein gesamtgesellschaftliches Problem, das zur sozialen Fragmentierung beiträgt. Doch der eigentliche Ressourcenkonflikt, so ZUPAN, wurde ethnisiert. Dies folge aus einer ökonomischen Situation, die sich für die ethnischen Gruppen unterschiedlich darstelle: Minderheiten waren vom offiziellen Arbeitsmarkt weitgehend ausgeschlossen und fanden ihr Einkommen in der Regel in Kleinbetrieben, in der Landwirtschaft und im Ausland. „Die fortschreitende Deindustrialisierung betrifft deswegen vor allem Makedonier, deren negative Wahrnehmung der vergangenen Jahre durch den relativen ‚Wohlstand‘ des mehrheitlich von Albanern bewohnten Westmakedoniens verschärft wird, die über eine große Diaspora im westlichen Ausland verfügen und diese Netzwerke zu ihrem Vorteil nutzen können.“ Auch die als ungerecht empfundene Verteilung der Privatisierungsgewinne und die allgegenwärtige Korruption in der Verwaltung haben zum Ausbruch von Gewalt beigetragen, nicht zuletzt, weil sich auf albanische

scher Seite kriminelle Kreise bedroht fühlten. Neben Problemen bei der Umsetzung des Friedensvertrages und bei der Entwaffnung seien es, betonte ZUPAN, vor allem die schlechten Lebensbedingungen, die eine erneute Gewaltescalation ermöglichten. „Der Kampf in Makedonien ist vor allem ein Kampf um Ressourcen, und dass die Fronten in diesem Kampf mit den ethnischen Grenzen in eins fallen, verführt dazu, Ursachen und Symptome zu verwechseln.“

Insgesamt nahmen wirtschaftliche Fragen erstaunlicherweise einen eher geringen Raum in der Ringvorlesung ein. SUNDHAUSSEN, nicht umsonst Wirtschafts- und Sozialhistoriker, verwies als einziger während der Podiumsdiskussion explizit auf die Bedeutung der wirtschaftlichen Lage eines Landes. Die Thesen von ELWERT hingegen wandten sich direkt gegen die kausale Verbindung zwar nicht unbedingt von Prosperität und Stabilität, wohl aber von Prosperität und Frieden. Gewalt und Krieg seien Mittel, „deren Einsatz sich für die Akteure lohnen muss“, wozu ein gewisser gesellschaftlicher Reichtum vorhanden sein müsse. In absolut verarmten Regionen verfügten die Akteure zudem nicht über die Ressourcen, Gewalt effektiv auszuüben, wozu Waffen, ein Söldnerheer und sonstige Ausrüstung notwendig sind. ELWERT erklärt die Existenz von Gewalt in ökonomischen Terminen. Aus dem Bereich der Wirtschaftslehre entlehnt er den Begriff des Marktes und entwickelt das Konzept der Gewaltmärkte, in denen physische Stärke die Bezahlung ersetzt und Unternehmer sich auf diese Weise Güter aneignen, bestimmte Handelsgüter favorisieren und Gewinne maximieren. Zwar könne Gewalt anfangs durchaus ideologisch begründet sein, aber über einen längeren Zeitraum rückten die wirtschaftlichen Motive in den Vordergrund. So begreift er das Handeln der *warlords* im Sinne der wirtschaftswissenschaftlichen Vorstellung vom *homo oeconomicus* als rationales, von Prioritäten geleitetes Vorgehen. Diese Erkenntnis, so zynisch dies scheinen mag, macht ihn zuversichtlich hinsichtlich der Beendigung von Gewalt. „Ist Gewalt rational begründet“, so ELWERT, „öffnet sie sich unserem Verständnis und lässt sich durch rationale Maßnahmen beenden.“ Aus dieser Erkenntnis heraus stellt er die Frage, ob die traditionell ökonomisch ausgerichtete Entwicklungspolitik auch wirkliche Friedenspolitik sei.

### **Stabilität durch Demokratie?**

Demokratie ist ein Stichwort, dessen Nennung man im Laufe der Veranstaltung häufiger hätte erwarten können. Einzig SUNDHAUSSEN interessierte sich gesondert für die Bedeutung von Stabilität in einer demokratischen Gesellschaft. Für ELWERT schließt Stabilisierung nicht Demokratisierung mit ein, auch wenn das demokratische System momentan, so ELWERT, „am besten Herrschaft legitimieren kann, was wiederum stabilisierende Effekte hat.“ In Hinblick auf Afghanistan sah LIEVEN Ansprüche wie Demokratisierung oder die Gleichstellung von Mann und Frau als illusorisch, wenn nicht sogar gefährlich an. Im Moment ersetzten traditionelle Sicherheitsmechanismen das staatliche Gewaltmonopol und der Versuch, westliche Werte und Vorstel-

lungen zu implementieren, könne diese außer Kraft setzen, ohne dass sich schon eine Alternative etabliert habe.

Neben den ‚formalen‘ Voraussetzungen für Stabilität wie Staatlichkeit, Recht und Gewaltmonopol wurden relativ unkonkret die Bedeutung einer Zivilgesellschaft (ZUPAN), der „Abbau von dualistischen Denkstrukturen in den Kategorien ‚Entweder-Oder‘“ (SUNDHAUSSEN) und ein „Sinn für das Gemeinwohl und die Öffnung einer Gesellschaft nach außen hin, um mit Fremden umgehen zu lernen“ (PREUSS) erwähnt.

Der Export‘ von Stabilität durch internationale Polizeiarbeit wurde von Polizeikommissar a.D. HENSCH, der in verschiedenen Polizeimissionen auf dem Balkan arbeitete, beschrieben. Internationale Polizeikräfte werden innerhalb der UN-Friedensmissionen immer häufiger eingesetzt, da sie gleichzeitig ein Instrument des kurzfristigen Konfliktmanagements und der Konflikttransformation darstellen. Gerade um langfristige Ergebnisse zu erreichen, liege die Hauptbedeutung dieser Einsätze in der Ausbildung der lokalen Polizisten. Um Vertrauen in Staatlichkeit allgemein wiederherzustellen, sei es wichtig, dass die Bevölkerung Polizei als zivilen Dienst an der Öffentlichkeit und nicht als Staatschutz wahrnimmt. Hierzu kann die internationale Gemeinschaft durch Schulung und Beobachtung beitragen.

### **Fazit**

Als Mittel der **Konfliktprävention** wurde Minderheitenschutz als besonders wichtig und erfolgreich beschrieben. In diesem Bereich lässt sich eine zunehmende Aktivität während der 90er Jahre sowohl in der Erstellung internationaler Standards als auch durch die Einrichtung des Minderheitenkommisariats der OSZE feststellen.

Im Bereich des **Konfliktmanagements** gewinnt man den Eindruck, dass Gewalt durch ein koordiniertes Vorgehen der Internationalen Gemeinschaft relativ schnell eingedämmt werden kann. Ist der Wille vorhanden, so kann mit diplomatischen wie auch mit militärischen Mitteln Sicherheit wiederhergestellt werden. Jahrzehntelang existierenden Gewaltmärkten stehen wir nicht hilflos gegenüber, sie lassen sich durch gezielte Maßnahmen außer Kraft setzen. Diese Feststellung bedeutet jedoch nicht unbedingt, dass dies auch geschieht, wenn es nicht im Interesse der internationalen Akteure liegt.

Auf die Frage aber, wie Konfliktregionen auf lange Sicht hin eine friedliche Perspektive gegeben werden kann, also für den Bereich des so genannten **Post-Conflict Peacebuilding**, gibt es wenig Antworten. Relativ ratlos steht die internationale Gemeinschaft vor den sozialen und wirtschaftlichen Problemen der Postkonfliktgesellschaften beispielsweise auf dem Balkan und in Afghanistan.

Die **juristische Aufarbeitung** von Kriegsverbrechen weckt große Hoffnungen auf die Förderung eines gesellschaftlichen Versöhnungsprozesses. Doch allein durch die Bestrafung der wenigen wichtigsten Hauptkriegsverbrecher – und nur das kann eine internationale Institution wie der Internationale Strafgerichtshof leisten – wird keine Gesell-

schaft stabil. Auch bleibt abzuwarten, ob es den Mitgliedstaaten des ICC gelingen wird, sich auf eine Definition des Straftatbestandes der Aggression zu einigen. Dies wurde während der Verhandlungen in Rom noch aufgeschoben. Blickt man indessen auf die Ergebnisse der letzten serbischen Parlamentswahlen, aus denen die Partei des in Den Haag inhaftierten Vojislav Šešelj als stärkste Partei hervorging, so stellt sich die Frage nach den Auswirkungen internationaler Strafprozesse erneut. Allerdings scheint es, als ob die rechtliche Verfolgung von Kriegsverbrechern auf die Rückkehr von Flüchtlingen beispielsweise in Bosnien-Herzegowina einen positiven Einfluss hat.

In Bezug auf langfristige Erfolge schien die Stimmung nach 13 Jahren zunehmenden UN-Engagements in Konfliktregionen eher gedämpft und die Erwartung niedrig. Rechtsstaat, Gewaltmonopol, wirtschaftlicher Wohlstand und

eventuell Demokratie sind die eigentlich wenig originellen Antworten, die gegeben wurden. Ob sich diese Ziele in die Realität umsetzen lassen, müssen die nächsten Jahrzehnte u.a. im Kosovo, in Afghanistan und im Irak zeigen.

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**NIKOLAI GENOV (ed.)**  
**Advances in Sociological Knowledge**  
**over Half a Century**  
Leverkusen: Leske + Budrich, 2003, 426 S.

## **SPB.BILDENDE.DISKURS.FILM.ROCK – Aktuelle Kunst aus Petersburg**

(Hg. Herwig Höller, Judith Schwentner, Bernhard Wolf), Forum Stadtpark Verlag Graz, Graz 2003

*Nele Saß, Berlin*

Anlässlich des 300-jährigen Jubiläums der Stadt Petersburg veranstaltete die Partnerstadt Graz in diesem Jahr einen der umfassendsten Kulturtransfers, einen Stadtraum-Transfer zwischen Petersburg und Graz quasi, welcher die meisten heutigen Petersburger Kulturschaffenden dazu veranlasste, ihren Tätigkeiten aus den Bereichen Architektur, Film, Comic, Hiphop, Literatur, Philosophie, Performance, Video, elektronische Musik und Photographie vom 10.1.–15.2.03 nun im Grazer Stadtraum und Kulturbetrieb nachzugehen.

Der veritable Kulturtransfer á la russe, der anstrehte, aus der Melange langjähriger Kontakte und neuer Entdeckungen „nur“ eine Momentaufnahme Petersburger Kunst in Gemeinschaftsproduktion mit den beteiligten Petersburgern zu zeigen, bot einen ziemlich einzigartigen Einblick in das gesamte aktuelle Kulturschaffen der Stadt Petersburg mit vielen Ausblicken auf Neues und zentrierte sich um die beiden Hauptprojekte „Tod im Venedig des Nordens“ und „Live“. Während sich das erstere – um den Geschmack der hiesigen Slavisten nicht zu enttäuschen, wie eine Rezension im *Komersant Daily* kommentierte – um die Petersburger Mythologie sowie die lange Zeit prägende Kunstrichtung der Nekromantik gruppierter (hier fanden neben Kustovs nukleiden Phantasmasagorien und dem nekrorealistischen Film auch Dmitrij Šubins Photographien von Tatorten ihren Platz), unterstrich „Live“ zusätzlich den Querschnittcharakter des Ganzen, indem hier Mitschnitte „dynamischer und performativer Facetten der aktuellen Petersburger Kunst“ im Vordergrund standen, die ihrerseits bestrebt sind, einen Beitrag zur Funktion von Kultur im Post-Katastrophenzeitalter zu leisten. („Live“ stand in Olesja Turkinas Projekt als Metapher für unzensierte Übertragung und für die den Kunstströmungen des 20. Jahrhunderts eingeschriebenen „direkten Reaktionen“.) Maslov Kuznecovs Neoakademismus, die freudianischen Gespräche im Videokabinett von Julia Strauss (psychoanalytisch inspirierte Diskurswetterberichte), die spielerischen Installationen, Performances und Videos der „Weißen“ Caplja und Gljuklja um die Thematik der Bekleidung sowie Bugaevs Verteidigung des Unbewussten und viele andere Projekte künden von den Interventionen in das Alltagsbewusstsein, mit denen viele Petersburger Künstler zwischen Performance, Film und Bildender Kunst sich in den letzten Jahren hervortaten.

Der Monat war auch bestimmt von Konzerten, Filmreihen, Diskussionen. So waren sowohl die neuesten Produktionen aus dem Hause Balabanov zu sehen, die kritisch begleitet wurden, als auch die weniger bekannte Filmszene geladen.

Auch ein impliziter Kommentar zur Konkurrenzstadt Moskau fehlte nicht, denn die Petersburger Vielfalt im Grazer Potential diesen Jahres stand in deutlichem Kontrast zu der Nicht-Realisierung des lange geplanten bombastischen „Terminator-2“ Denkmalprojekts der Moskauer,

was etwas zur diesjährigen Aufwertung der Stadt an der Newa im westlichen Bewusstsein beigetragen haben mag. Für Gesamtschauen dieser Art muss man sich auskennen – offensichtlich lassen sich dann über gewachsene Netzwerke Veranstaltungen diesen Ausmaßes in Österreich realisieren. Vielleicht hilft es auch, wenn nicht wie in Berlin gilt, dass, wer Kulturprojekte organisieren kann, nicht für die vertiefte akademische Beschäftigung mit Kulturphänomenen taugt und umgekehrt. Man wird dann eben in Berlin noch etwas warten müssen, bis Ähnliches passiert.

Der zu der Veranstaltung vom Kuratorenteam erstellte Katalog dokumentiert diesen Querschnitt – und bietet damit auch selbst Material für mehr als eine Dissertation.

Gesamtüberblicke dieser Art führen in Russland häufig zu dem sicher berechtigten Vorwurf, die westliche Art der Gesamtschau vernachlässige die Möglichkeit, von einem einzelnen Gegenstand ausgehend zu einer exakteren Beschreibung des Ganzen zu gelangen.

Dennoch werden ohne Anspruch auf Vollständigkeit hier so viele Seiten Petersburgs aufgedeckt, dass der Katalog beispielhaft für ein Kulturhauptstadt- und russisches Begegnungsjahr ist. Der Katalog eignet sich damit – ähnlich den vom findigen Galeristen Marat Gel'man in den letzten Jahren erstellten Sammelbänden über Moskau, Petersburg und die Regionen (um den Dschungel der Aktivitäten durchschaubarer und vermarktbare zu machen) – als Nachschlagewerk und Überblick in Sachen aktueller russischer Kultur.

Aufgeteilt in die Rubriken „bildende.diskurs.film.rock“ werden nach einleitenden Worten alle für wichtig gehaltenen „Kulturschaffenden“ der letzten Jahre mit Kommentaren oder Einzelpräsentationen vorgestellt, begleitet von kurzen Essays über die Petersburger Philosophie, das Jubiläumsjahr oder den Untergrund, die zum Teil von weiteren Stadtliebhabern, auch von außen, verfasst wurden; immer wieder entsteht der Eindruck, hier werde an jedem Punkt den Spezifika einer Stadt nachgespürt – gleichzeitig sind die Einzelthemen natürlich viel zu wichtig und das versammelte Material zu reich, als dass es hier nur um Petersburg gehen könnte. Die Rubrik „diskurs“, die unter anderem verschiedene Petersburger Zeitschriftenprojekte vorstellt, vermittelt die mitgedachte Suche nach einer aktuellen kritischen Position am deutlichsten, während übergreifende Fragen an anderer Stelle oft in der Fülle des Materials versteckt scheinen.

Der Band ist mehr als ein Begleitheft, geizt an keiner Stelle mit Informationen und Adressen und lädt den Russlandinteressierten ein, weiterzuforschen – und entspricht damit auch der enzyklopädischen Vorliebe, die er selbst der Petersburger Kultur an vielen Stellen zuschreibt.

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## Veröffentlichungen von Mitarbeitern des Osteuropa-Instituts

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# A Young Bulgarian Lawyer's Experience of Scientific Research in Berlin

*Elena Todorova, Sofia*

As a scholar of the Alexander von Humboldt Foundation and participant of the Fritz Thyssen Special Programme for South-Eastern Europe I got the chance to visit Germany for the purpose of scientific research. During the five months of my stay in Berlin (from April to September 2003) I have been working on „Special features of the European Court of Justice as an international jurisdiction“. Due to the rich documentation and literature I found in the German libraries and with the helpful scientific advice of my mentors Prof. Herwig Roggemann (Centre for German, Croatian, European and Comparative Law at the Institute for East European Studies, Free University of Berlin) and Prof. Emil Konstantinov (Institute for Legal Studies of the Bulgarian Academy of Sciences, Sofia) I achieved a considerable progress in my work. In the course of my research I analysed the special features in legal nature, jurisdiction, and procedure of the European Court of Justice (using primarily the method of comparison) and compared the European Court of Justice to other international courts such as the European Court of Human Rights, the International Court of Justice, and the International Tribunal for the Law of the Sea. The goal of these comparative studies is to prove the thesis that the Court of Justice of the European Union is not an ordinary judicial body, but an institution *sui generis*.

Prof. Herwig Roggemann was my German host at the Free University. He provided me with excellent facilities for my work. I was given free access to the office of the Centre for German, Croatian, European and Comparative Law at the Institute for East European Studies which was supplied with all necessary equipment for scientific work. Prof. Roggemann and Prof. Konstantinov have always been open to my questions and provided me with academic advice regarding the technical and methodological aspects of my work. Both my advisers also contributed to the establishment of contacts with a lot of colleagues from the Free University. For all these reasons I wish to express my deep gratitude to Prof. Roggemann and Prof. Konstantinov.

As a result of the contacts made by my advisers I had the chance to discuss interesting opportunities for collaboration with my German colleagues from the Institute for East European studies (particularly from the Centre for German, Croatian, European and Comparative Law), primarily concerning the participation in seminars and conferences. I was invited to a conference about the problems of South-Eastern Europe and cooperation under the Stability Pact for South-Eastern Europe (DAAD-Tagung „Hochschulkooperation und Krisenbewältigung“, September 26–28<sup>th</sup>, 2003).

The time spent in Germany was also very useful for the improvement of my proficiency in German language. Thanks to the Fritz Thyssen Special Programme for South-Eastern Europe I was given the opportunity to attend an extensive German language course at the Goethe Institut, Berlin. The participation in this course facilitated my everyday life in Germany and helped me to gain a greater benefit from my research trip to Berlin. Part of the German language course was also a cultural excursion programme.

In the Berlin libraries (State Library, Free University's Central Library, libraries of the following institutions: Humboldt University's Law faculty, Free University's Law faculty, Free University's Institute for East European Studies, and Institute for Political Sciences) I found many useful books and journals providing me with abundant information about my topic. The Fritz Thyssen Special Programme for South-Eastern Europe gave me access to the newest books and articles regarding the Court of Justice of the European Union, the International Court of Justice, the European Court of Human Rights, and the International Tribunal for the Law of the Sea. This circumstance strongly upgraded the conduct of my research work since a lot of the contemporary literature on these judicial institutions is not available at the Bulgarian libraries at present (because of the lack of funds).

It was an honour and a pleasure for me to get in contact with the Alexander von Humboldt Foundation. I am sure that the Fritz Thyssen Special Programme for South-Eastern Europe will have a very positive impact on my future development as a young researcher at the Institute for Legal Studies at the Bulgarian Academy of Sciences. The Programme gave me the chance to visit Germany which was in fact my first contact with Germany and with German culture. I would like to thank also Mrs. Gülay Sağırlı for providing me with useful information before my travel to Germany as well as for her support during my stay in Germany.

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