

# Land Privatization and Conflict in Central Asia: Is Kyrgyzstan a Model?<sup>1</sup>

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In the summer of 1990 one of the most violent ethnic conflicts on the territory of the former Soviet Union exploded in the southern Kyrgyz town of Uzgen and spread from there to the neighboring villages that sit astride the Kyrgyz-Uzbek border. Lasting almost six days, 171 Uzbeks, Kyrgyz, and Russians were killed, and more than 5,000 assaults, rapes and robberies were committed.<sup>2</sup> In March 2002, five people were killed and as many as 62 wounded when police fired on a crowd protesting outside the city of Kerben, Kyrgyzstan.<sup>3</sup> At first look, these discrete events 12 years apart have little in common. One involves local citizens attacking each other based on their ethnicity; the other centers on government forces responding to political protests. While each event had multiple causes, one contributing factor in both instances was the dispute over the allocation and access to land.

With the breakup of the Soviet Union and subsequent independence of the Central Asian republics, large scale civil conflict was predicted by both regional scholars and State Department officials.<sup>4</sup> In Kyrgyzstan, after more than 10 years of independence, significant advances have been made toward privatization of land and the development of nascent land markets, without widespread civil violence. However, as the events of 2002 demonstrate, widespread inequities exist in the distribution of land, and tensions over these inequities can erupt without warning.

One of the difficulties in identifying indicators for conflict in Central Asia is caused by the extreme fragmentation of the region. Ethnic, religious, socio-political, economic and geographical fault lines exist, yet none of these is likely to cause conflict on its own. Rather, it is the interaction of these issues combined with other influences that could result in the

escalation or prevention of civil conflict. For example, existing ethnic tensions combined with the discrete event of a water scarcity could result in civil conflict, or concurrently, economic stagnation followed by the liberalization of the tax policy could prevent conflict through the increase in business and personal worth. One discrete influence contributing both to the current stability and to the potential for conflict in Kyrgyzstan is the privatization of agricultural land.

Each of the five Central Asian countries developed very different paradigms for conducting economic reforms. In comparison with its neighbors, Kyrgyzstan chose to move the quickest to a market economy. The actions and consequences of these efforts provide a unique opportunity to examine the entire process of land reform, as well as the impact of land reform on civil conflict and violence, within the setting of a fractious ethnic environment, poor economic growth, and a weak central government.

In its broadest sense, land reform can be defined as “agriculture policies designed to improve productivity and profitability of small farms.”<sup>5</sup> Often, the term land reform is used interchangeably with agrarian reform; however, land reform has a much broader context and is critical to ensuring full market reform. Two other types of reform—urban land reform and water law reform—are also necessary components of full market reform. However, for the purposes of this chapter, land reform will refer only to rural agriculture land.

This chapter provides a concise background on the benefits of land privatization for a rural society, examines the relationship between land reform and civil conflict, and presents a brief history and comparison of land reform in the Central Asian Republics. The primary goal is to examine the process of land reform in Kyrgyzstan and its relationship to civil conflict, with the purpose that lessons may be applied to other countries and regions.

In the context of this chapter, three broad analytic questions are raised:

- How has the land reform process in Kyrgyzstan affected its stability (or lack thereof)?
- What results has the land reform process had on the Kyrgyz citizens’ economic and social well being?
- Is the land reform process increasing the potential for violent conflict throughout the region?

## Benefits of Land Reform

Privatization of land is a vital component for the development of a functioning market economy. In classical economics, land is one of three necessary factors of production, and the only one that is naturally limited.<sup>6</sup> However, the value of the land is much more than simply the use gained from planting and harvesting; land has a “parallel life,” that is, its value as a market asset.<sup>7</sup>

According to legal scholars and land experts, multiple components are necessary for a functioning land market. At a minimum, a nascent legal land market must possess: simple land tenure and ownership laws; land registration with mapping; land evaluation; and markets with open price information; and transparent legal recourse.<sup>8</sup> These components provide a foundation for a legal land market that allows the owner to make informed decisions regarding the use of his land. This, in turn, encourages long-range planning and commitment to development of the land, which is of general benefit to society. The more people who are able to participate in the land market, the more the market’s benefits spread beyond the physical plots of land. But none of this is possible without private ownership and a legal structure capable of enforcing and recognizing this process.

## Conflict and Land Reform

The history of land re-distribution and privatization throughout much of the world has been marked by extensive bloodshed and violence. In the past century, unresolved issues over land rights and ownership were important components of revolutions in Mexico, Russia, Spain and China.<sup>9</sup> There are almost as many different theories about the causes of conflict as there have been instances of civil unrest, but the two primary theories of conflict are the greed-rebellion and the grievance models.<sup>10</sup> The greed-rebellion model is based mainly on economic considerations and supported by several different studies, which have concluded that economic performance is a statistically significant variable in predicting the potential for conflict.<sup>11</sup> The grievance model states that ethnicity or political tensions are the underlying cause of conflict, which also may be fueled by economic inequalities.<sup>12</sup> These models are not mutually exclusive, and understanding the causes of land conflict can be gained by recognizing the relationship between the two.<sup>13</sup>

Conflicts over land in Central Asia can be motivated by either ethnic or economic causes as well as some combination of both. One way to mitigate either cause is through an efficient and fair allocation of land re-

sources. The next sections look at the process of land reform in Kyrgyzstan and its results on mitigating or exacerbating the potential for conflict.

### **Land Reform in Central Asia**

The history of Tsarist Russia, the Soviet Union and now the newly independent Central Asian states is one of massive upheavals and numerous failed land policies that have left millions of people dead, starving or barely surviving. From the Stolypin Reforms of Tsarist Russia to the Bolshevik Revolution and Stalin's collectivization program, agricultural land reforms have a long and tumultuous history affecting the lives of millions of rural citizens.<sup>14</sup> In Central Asia, an average of 28 percent of each country's population is defined as agrarian; however, the real number of people who actually depend on agriculture for their primary livelihood is much harder to quantify. This number varies between countries; Kyrgyzstan is just below the average with 26 percent while Tajikistan has more than 33 percent.

The unique geography of Central Asia, with arid deserts in one country and 7000m mountain ranges in the next, has contributed to the unusual way in which agriculture and land policies have developed for that region. Central Asia encompasses a land area of 400 million square miles, with a population of 56 million people living within borders drawn as if the cartographer's eyes had been closed.<sup>15</sup> These geographical obstacles present natural difficulties which directly affect the allocation, management and economic benefit from the land.

One key indicator for measuring the economic benefit and dependence on the land is the amount of Gross Domestic Product (GDP) that is derived from agriculture. Table 12–1 shows some key economic and social indicators for all five Central Asian republics. Kyrgyzstan is distinct in having the greatest amount of agricultural production as a percentage of GDP along with the second smallest total land area and percentage of arable land. Yet in 2000, it was the only country to have surpassed its pre-1990 production levels. Another important variable for evaluating dependence on the land is the amount of agricultural production that is state owned, and the amount that is privatized. In Uzbekistan, almost all of the agriculture process is still controlled by the state, while in Kyrgyzstan the majority of all farm activity has been or is in the process of being privatized. Almost 100 percent of agriculture land in the south is in private hands.<sup>16</sup> The individual farmer in Kyrgyzstan has a much greater stake in obtaining the legal right to land, and in being able to use that land effectively and efficiently. Dependence on the land is cause for intense competition over the dwindling amount of land and water resources available. This increases

the need to protect and defend these scarce resources. If legal means are not viable, then physical force or violence may be used.

Table 12–1. Key Economic and Social Indicators.

	GDP, (millions US\$)	GDP growth, (annual %)	GDP deflator (annual %)	Agriculture, value added (% of GDP) <sup>iii</sup>	Population, ('000)	Surface area (sq km)	Agriculture Population <sup>iii</sup>
<b>Kazakhstan</b>	22,635	13%	13%	9%	14,825	2,724,900	20%
<b>Kyrgyz Republic</b>	1,525	5%	7%	37%	4,967	199,900	26%
<b>Tajikistan</b>	1,057	5%	32%	19%	6,223	143,100	34%
<b>Turkmenistan</b>	5,961	21%	12%	27%	5,293	488,100	33%
<b>Uzbekistan</b>	11,269	4%	44%	34%	25,100	447,400	28%

<sup>i</sup> Data from Food and Agriculture Organization of the United Nations (FAO) and World Bank Development Indicators (WDI) database.

<sup>ii</sup> All numbers for 2001, unless noted.

<sup>iii</sup> 2000 data.

## Land Policy Development in Kyrgyzstan

Writing in spring of 2002, long-time regional land researcher and scholar Peter Bloch stated, “If land reform is narrowly defined as an initial distribution of land and other assets from state-owned to private entities, then land reform in Kyrgyzstan is almost complete.”<sup>17</sup> If Bloch is right, how has this happened and what does it mean for the potential for civil conflict? Several excellent studies have been conducted which analyze the extent of land reform in the former Soviet Union and specifically Kyrgyzstan, therefore it is only necessary here to briefly summarize and comment on their findings.<sup>18</sup>

### *First Legal Conceptualization (1990-1995)*

In 1990, virtually 99 percent of all Kyrgyzstan land, as well as all other factors of production, were held by the state, and the parliament had passed laws regarding land ownership. The first law was passed in February of 1991, giving authority to local councils to create peasant farms.<sup>19</sup> The second important law was passed two months later and created a land fund comprised of “unutilized or underutilized land.”<sup>20</sup>

While many of the new farms were unprofitable, by the beginning of 1994 approximately 10,000 private farms existed, totaling 150,000 hectares of arable land.<sup>21</sup> From early 1994 through most of 1995, important events occurred in privatization and land reform. The government undertook

numerous activities and passed several laws. Foreign advisors began to work directly with the government to undertake the first of many extensive field research projects, and advisors from the Land Tenure Center were invited by the government to assist in the development of land reform. This began a process of a high degree of collaboration between foreign advisors, bilateral and multilateral donors, and the government on land reform.

### ***Passage of Modern Land Laws and Moratorium (1995-1999)***

In a November 1995 presidential decree, land use rights were extended to 99 years. This decree remained in place until 1998, when in a county-wide referendum, a constitutional amendment was passed which “converted all land-use certificates into ownership documents.” This was followed by the landmark new Land Code of 1999 which, while simplifying the process, contained some unusual and hotly contested provisions.<sup>22</sup>

One line in the 1999 Land Code stated, “Purchase and sale transactions of land are permitted, but in the case of agricultural land the right is delayed for five years.”<sup>23</sup> This “moratorium” on land sales was an unexpected consequence of the fierce debates in the parliament over moving land privatization forward. The exact reasons for the parliament implementing this change may never be known, but the reasons why they continued to support it for several years provide an important clue to the perceived and actual relationship between land reform and conflict.

Several different stated reasons were given for concern about complete land privatization. Among these were the fear of accumulation of land in the hands of a few wealthy individuals; the desire to prevent accumulation of land in the hands of foreigners; high levels of ignorance by rural population of land rights; and the lack of an existing registration and documentation process.<sup>24</sup> Politics is about perception, and at its root, so is conflict. The perception within the government was that immediate land privatization would spark civil unrest, leading to general violence.<sup>25</sup> Regardless of whether the government was right or wrong in their estimation, the important point is that fear of conflict was one of the motivating factors for many parliamentarians and government officials in delaying the lifting of the moratorium.

### ***Gradual Lifting of Moratorium (2000-2002)***

Even with the moratorium, the process of land reform did not stagnate, but moved forward substantially with a presidential decree issued in June 2000.<sup>26</sup> With this presidential decree, the moratorium was not overturned, but instead partially circumvented. The idea was that pilot areas

would move forward with complete registration and allow the possibility for the sale and transfer of land in discrete geographic regions. Because of the ambiguities of the law, the presidential decree provided a means for those that were pushing forward land reform.

Until this time, the public was largely ignorant of key policy decisions. On one side, the government of Kyrgyzstan had promised foreign donors and governments that they would move forward with broad land reform.<sup>27</sup> At the same time, many parliamentarians, administrative officials and foreign government representatives still were fearful of widespread conflict, based on the region's history and the potential for inequities in the process.<sup>28</sup>

In January 2001, the parliament passed a law *On Agricultural Land Regulation*, which stipulated the legal purchase and sale of land under the condition of lifting the moratorium. But the actual purchase and sale of lands did not go into effect until September 1, 2001. The new law outlined, that in addition to the state, only citizens of the Kyrgyz Republic who were at least 18 years old and had been residing in the rural area for at least two years, could own agricultural land. The law clearly delineated that no foreign citizen or foreign organization could own land. Many of the limitations on ownership were placed in the law out of fear of Uzbek or Chinese citizens buying land and driving off the local citizens.<sup>29</sup> Yet with the passage of the January 2001 law, it was finally accepted that barring any last minute legal maneuvering, private purchase and sale of agriculture land finally was going to become a reality.

### **Kazakhstan and Uzbekistan Reform**

For a comparison to the success of the Kyrgyzstan land reform it is useful to briefly look at the current status of reform in the other two countries in Central Asia attempting land reform, Kazakhstan and Uzbekistan.

Kazakhstan is an anomaly, in that it has the greatest amount of land area (two times more than the combined land totals of the other four countries), with the fewest number of citizens working on farms. The Kazakh economy does not depend on agriculture or the efficient use of land. Because of this, the country has been quite slow to implement land reform policies. However, in the summer of 2003, through a series of unusual events, the Prime Minister resigned ostensibly because of land reform issues. Whatever the behind the scenes machinations, the President and the Parliament wanted to send a message that privatization of land was now a key policy objective. In his 2002 address to the nation, President Nursultan Nazarbaev made the passage of a new land code a priority. In contrast to

the Kyrgyz land process, the Kazakh land reform process was less burdened by fears of ethnic and civil conflict. While there are significant policy differences on the best legal structure for the farms, the contentions are generally between large farmers and small farmers.<sup>30</sup> Because of a stable economic environment and the lack of historical ethnic strife, these problems likely will not result in conflict. Although the Kazakh land reform has started very quickly, one key problem is Kazakhstan's lack of institutional process for the registering, buying or selling of land. In addition, several local Non-Governmental Organizations (NGOs) and institutes opposed the law as a not very well hidden "land grab" by the ruling elite.<sup>31</sup>

Uzbekistan, on the other hand, has resisted efforts at privatization in any areas of production. While a few efforts have been made to break up collective farms, agricultural land reform is virtually non-existent, "with the result that the agrarian sector looks on the surface very similar today to what it looked like in 1991."<sup>32</sup> Accurate data is difficult to obtain on agriculture production, but through individual interviews, the conclusions are that individual workers on farms are much worse off than they were five or ten years ago, with no signs of future improvement. Anecdotal stories tell of entire farms not having received any type of payment—cash or in-kind—for several years. This severe economic decline is driving local Uzbek peasant farmers to go across the border into southern Kyrgyzstan and work illegally, exacerbating border tensions.<sup>33</sup>

### **Land Reform's Impact on Conflict**

The moratorium in Kyrgyzstan on land sales was finally lifted in September 2001. The change in law was not greeted immediately with widespread panic or conflict as had been feared. Yet given the expected potential, two central questions remain from the land privatization process: Are the farmers economically better off now than before the breakup of collectives? Has the tendency toward conflict increased or decreased? Both of these questions demand empirical data that is not available at this time; unfortunately, few field studies of the entire process have been conducted. However, some excellent field work has been done on the rapid rural appraisal technique, which provides significant insights into the current trends in development.

The first trend is toward smaller and smaller farms. As Malcolm Childress, a land researcher, commented, "There is currently no efficient rationalization of resources." Individual farmers are "moving back to farming their own strip of land."<sup>34</sup> This does not imply that it would be better for the farmers to still work on the collectives; however, most farm-



ers are worse off economically than eight or ten years ago. As the national economy continues to stagnate, and off-farm jobs are not available, the individual farmer believes that subsistence farming provides a better living. A very small percentage of farmers are starting to improve their individual situations, but most remain very poor. The second observation is that the majority of people, in spite of their small land plots, appear to accept the redistribution as equitable. (However, there have been some gross violations in the distribution of land). The third observation is that farmers would rather own their own land and be poor, than work on the collectives. As Renee Giovarelli points out the belief is that "there is greater security in owning your own land."<sup>35</sup> While some farmers may speak nostalgically of the stability and predictability of the collectives, when pressed, they admit to preferring their own plots.<sup>36</sup> The fourth observation is that there are few, if any, markets for farm products, so little incentive exists to increase productivity or enhance quality. Most farmers produce enough for themselves and sell any extra in small, local markets. There is little amalgamation or redistribution of produce.<sup>37</sup> As a result of these observations, it can be said that the individual Kyrgyz farmer is poor, getting poorer, but would rather have his own land, and views the process as relatively equitable.

From the greed model of conflict analysis, as individuals get poorer, the probability of conflict would seem to increase. But in Kyrgyzstan, this would-be trend is assuaged by the increase in personal security and independence gained from owning one's own land. At this time, it appears that the tendency towards conflict is diffused, as people focus on increasing and maintaining their small parcel of land.

The lack of significant internal conflict over land also raises the question of the impact of the grievance model or the ethnic disparity factor. It appears that while definite ethnic tensions exist, primarily between Uzbek land owners and Kyrgyz farmers, these have not yet resulted in conflict. However, these exceptions still could provide the impetus for conflict.

### **Unresolved Land Issues**

The primary unresolved issues facing the government of Kyrgyzstan are managing the economic failure in spite of land privatization and the ethnic polarization increased by land privatization. Within the broad themes of economic and ethnic problems, five specific ones come to mind: a scarcity of land in the south; an abundance of land in the north; Uzbeks moving to available land in the north; an overall lack of irrigated land; and the inequities of the land distribution fund. The agriculture land in the

south of Kyrgyzstan is almost completely in the hands of private owners. Most of the available arable land is being used, while land in the north, especially the Chi valley, has not been privatized and some available land is not being farmed or managed.<sup>38</sup> In addition, natural market forces cannot provide balance, since the current land law (*On Agricultural Land Regulation*, 2001) prohibits owning land which is more than 50 km from one's residence. This creates a natural tension between the north and the south: lack of resources in one region and the inefficient waste of resources in another. This dynamic is increasing since the southern farmers who want more land tend to be ethnically Uzbek, while the landowners in the north are ethnic Kyrgyz. According to Giovarelli's field studies, "some Kyrgyz say that they would rather have land sit unused than used by Uzbeks."<sup>39</sup> This situation grows more volatile each year as available resources decrease. Unless specific policy action is taken by the government, this is an ethnic and economic flashpoint which could lead to civil conflict.

Another resource problem is the overall lack of irrigated land. Unlike much of Central Asia, Kyrgyzstan is rich in water resources; however, the country lacks the financial resources to maintain irrigation systems. Because of poor or nonexistent management of water resources, land which could be irrigated and farmed is now unusable. The second issue with water is that irrigation lines run between borders. Due to the geographical fragmentation of the southern region, many villages receive their water from pipes which must cross portions of Uzbekistan or Tajikistan. Communities or individuals in one community divert water for their use and prevent the flow into the downstream communities. This situation exacerbates ethnic, regional and economic tensions.

The final unresolved land issue, which is a significant source of tension and potential violence, is the land distribution fund. The land distribution fund was cited by every international consultant interviewed as well as numerous local government officials as one of the most significant sources of tension and problems with current land distribution. The Land Fund consists of 20-25 percent of all arable land in the country, which is set aside to be privately leased through an auction process by the regional governments. In the south of the country, this land is the only new land available to farmers who want to expand their holdings.<sup>40</sup> One key problem has been that the process for allocating this land has not been consistent across regions, as each regional leader establishes their own process and the proceeds from the land sales go directly to the local government. In a time when allocations from the central government are decreasing, sales of land are often one of the few significant sources of income for a regional

government.<sup>41</sup> Cravens commented that farmers say that “they [the government] gave us this land, so they can take it away.” Because the land is only leased to the farmer and not sold, “it perpetuates the illusion that the government can seize the land, which discourages the development of land and increases waste.”<sup>42</sup> To diffuse latent attitudes toward conflict within the regions, the central and regional governments must be perceived as equitable and legitimate.

## **Lessons Learned and Steps Forward**

This chapter began by outlining the benefits and concurrent dangers of land reform, one of many variables which contribute to widespread civil violence and conflict. While it is a potential source of conflict, it is not the land reform per se, but the process of reform, which initiates unrest. This implies that it is both the process which has been successful in mitigating conflict, and the process which must be carefully monitored to prevent conflict in the future.

### **Lessons Learned**

What can be learned from the process of land reform in Kyrgyzstan, and applied to other countries in the region? Four general successful accomplishments should be noted: active internal political debate; a high degree of international assistance; the early creation of the mechanisms for land privatization; and an informed populace. The active internal discussion and debate over land reform policies provided a non-violent forum for resolving many disagreements on land reform in Kyrgyzstan. This does not imply that there was always a unified, clear voice within the government, but rather that the parliament and the President were forced to deal with the issue of private land through political debate. While many of the discussions were behind closed doors and a general lack of citizen involvement was noted, the process did allow disparate views to be heard. As noted earlier, for better or worse, the moratorium was put into place by the Parliament after extensive debate and heated disagreement.

The result of all the international assistance to the privatization process is difficult to quantify. However, the support from a wide range of international organizations and diplomatic missions has provided continued political pressure and financial assistance which has tended to move the reform process forward. Overall, international assistance was critical in the design of the original legal framework for the land laws. While not always in agreement, the international community consistently provided a reference point for the local government officials while they tackled the

tough issues of reform. It is unlikely that the land reform process would have succeeded without the international financial support for land registration, the legal advice for laws and amendments, and the training and funding for dispersing information.

Creating and implementing the mechanisms needed for efficient land transactions is still an ongoing process. But without starting this process in the mid-1990s, reaching the point of successful land transactions in 2003 would have been impossible. This is an issue that will affect the process in Kazakhstan. The Kazakhs want to move swiftly toward land privatization, but almost no mechanisms or safeguards are currently in place. In Kyrgyzstan the process is not complete, but it has a solid foundation of laws and practices.

Informing the populace of their rights and responsibilities with regard to land laws is also still ongoing. The information process, initiated and funded by international organizations, has now reached a critical mass, where the average citizen can obtain answers to general legal land questions through a variety of forums. Both foreign and local development workers in country have claimed that increases in information available could raise the possibility of conflict.<sup>43</sup> The argument is that people now know that some of their rights have not been honored. The relative dangers of increasing access to information begs a question too large for discussion here; however, it appears that the growth of legal material available has mitigated conflicts, by providing accurate, timely, and understandable land law answers.

### **Steps Forward**

Enforcement of a fair and equitable legal process and the removal of barriers in the land law which prevent economic rationalization are needed to move forward land reform and the wider development of Kyrgyzstan. While most of the key legal statutory components of the land privatization process are completed in Kyrgyzstan, this does not mean that the process is over or that the responsibility of the government is finished. In many ways, the most difficult part remains—making the new laws a reality. Granting rights is an easy step; enforcing, protecting and honoring these rights is much more difficult. Although Bloch and other land specialists have noted the need for several specific land reform steps to be completed, such as the need for the completion of the registry and functioning secondary markets, broader governmental steps still are required.<sup>44</sup>

If we accept that a fully functioning legal land market is greater than its separate laws, then the greatest need is for fair, impartial enforcement of

the current laws by judges and regional government officials. If the population does not believe that they will receive a fair and open hearing, then they will have no interest in pursuing a legal process for their grievances. The former director of the Legal Aid to Rural Citizens (LARC) project commented that in Kyrgyzstan, "only the people with no other alternatives use the law; people with power, money, or connections don't need the law."<sup>45</sup> Calculated arbitrary decisions will destroy any vestige of hope that the populace has in the legal process with the result that they will resort to other extra-legal means to present their grievances. In short, legal reform is as critical as land reform in moving the country forward. Open appointment processes, publicized decisions and accountable judges are but a few of the important steps critical for providing a legal system in which rural citizens feel that their rights are respected.

Agricultural land is being used inefficiently. The government should remove the barriers to efficient economic utilization of land including laws prohibiting certain sale transactions and the restrictions on ownership by region. One way to stimulate economic growth is to allow a broader movement by landowners and sellers to maximize their return and efficiency. Much of the responsibility now lies in the hands of the national and regional government officials. Laws have been implemented and the public's awareness of their rights is growing. Protests and marches increased in the spring of 2002 in the south of Kyrgyzstan, and while the primary concern was over broader political issues, such as support for local politicians, protesters are demanding more land and shouting that their rights have not been honored. A foreign worker living in the south stated that the current civil strife consists of "popular uprisings against years of arbitrariness."<sup>46</sup> The issue for Kyrgyzstan is not the speed of land reform, but the perceived equity of the process and its results.

Land reform historically and empirically has been correlated with civil conflict, and while Kyrgyzstan has been singed a few times, it has managed to avoid the fire of widespread civil conflict. This is a critical time for the government of Kyrgyzstan: They have successfully implemented wide reaching land reform and have catapulted themselves years ahead of their nearest neighbors. The population is learning about their rights and the structural reform process is moving forward. Failure to follow through with fair land allocations or judicial decisions will endanger the entire process.

In any society citizens will have grievances and will seek to express their displeasure with the government on these grievances. As long as government officials arbitrarily can affect the land tenure or security of

a rural landholder while the landholder believes they have no recourse to the legal process, land reform will be incapable of mitigating conflict. Land reform can only mitigate conflict if it provides a fair and equitable process for the farmer to increase or stabilize his personal welfare. This is perhaps the greatest lesson that needs to be learned throughout Central Asia.

## Notes

<sup>1</sup> Much of the information and data concerning events in Kyrgyzstan is based on interviews conducted by the author or from meetings and conversations where he was present. The author thanks those who agreed to be interviewed and to participate in discussions regarding these events and issues. Where possible, specific attribution is made; however, there were times when, for political or personal reasons, the individuals quoted wished to remain anonymous.

<sup>2</sup> Valery Tishkov, "Don't Kill Me, I'm a Kyrgyz!: An Anthropological Analysis of Violence in the Osh Ethnic Conflict," *Journal of Peace Research*, 32, no. 2, 1995, 133-149.

<sup>3</sup> RFE 21 March 2002, 2, no. 11. <<http://www.rferl.org/centralasia/2002/03/11-210302.asp>>.

<sup>4</sup> Strobe Talbott, "A Farewell to Flashman: American Policy in the Caucasus and Central Asia," speech delivered at the Central Asian Institute, Johns Hopkins University School of Advanced International Studies, Washington, D.C., July 21, 1997, <<http://www.sais-jhu.edu/pubs/speeches/talbott.html>>.

<sup>5</sup> John D. Montgomery, "Land Reform as an International Issue." *International Dimensions of Land Reform*, John D. Montgomery, ed. (Boulder, Colorado: Westview Press, 1984), 5.

<sup>6</sup> Capital and labor being limited through society's influence.

<sup>7</sup> For a careful analysis and empirical evidence on the amount of capital that is trapped in third-world countries, see Hernando de Soto, *The Mystery of Capital* (New York: Basic Books, 2000).

<sup>8</sup> For a comprehensive analysis of legal issues in land reform, see Roy Prosterman and Tim Hanstad, eds., "Legal Impediments to Effective Rural Land Relations in Eastern Europe and Central Asia," World Bank Technical Paper no. 436 (Washington, D.C.: The World Bank, 1999).

<sup>9</sup> See Roy L. Prosterman, and Jeffery M. Riedinger, *Land Reform and Democratic Development* (Baltimore: The Johns Hopkins University Press, 1987).

<sup>10</sup> Paul Collier and Anke Hoeffler, "Greed and Grievance in Civil War," World Bank Report, October 21, 2001, 3.

<sup>11</sup> The purpose here is not to present an exhaustive analysis of causes of civil conflict. Unfortunately, the literature is quite weak in identifying key causes through robust models. For a broad overview see Daniel C. Esty, Jack A. Goldstone, Ted Robert Gurr, Pamela T. Surko, and Alan N. Unger, *State Failure Task Force Report*, Working Papers, November, 30 1995 and Paul Collier and Nicholas Sambanis, "Understanding Civil War: A New Agenda," *Journal of Conflict Resolution*, 46, no. 1, February, 2002.

<sup>12</sup> Donald L. Horowitz, *Ethnic Groups in Conflict* (Berkeley: University of California Press, 1985).

<sup>13</sup> James Fearon and David Laitin, "Ethnicity, Insurgency, and War," unpublished manuscript, Stanford University, 2000, cited in Nicholas Sambanis, "Do Ethnic and Non ethnic Wars have the Same Causes?" *Journal of Conflict Resolution*, 45 no. 3, June 2001.

<sup>14</sup> For a brief summary of Russian land history see Stephen K. Wegren, *Agriculture and the State in Soviet and Post-Soviet Russia* (Pittsburgh: University of Pittsburgh Press, 1998) and Stephen K. Wegren and David J. O'Brien, eds., *Rural Reform in Post-Soviet Russia* (Baltimore, London: The Johns Hopkins University Press, 2002).

<sup>15</sup> All statistics from World Bank Development Index, 2001 or Food and Agriculture Organization, 2000.

<sup>16</sup> In the north of the country, especially the Chi valley, large enterprise reform has not occurred.

<sup>17</sup> Peter Bloch, "Kyrgyzstan: Almost Done, What Next?" *Problems of Post-Communism*, 49, no. 1, January/February 2002, 61.

<sup>18</sup> See the Land Tenure Center at University of Wisconsin and the Rural Development Institute for additional surveys and field research on land reform in the region.

<sup>19</sup> "Kyrgyzstan: Almost Done, What Next?" 54.

<sup>20</sup> *Ibid.*

<sup>21</sup> *Ibid.*

<sup>22</sup> *Ibid.*, 56.

<sup>23</sup> As quoted in *Ibid.*, 56.

<sup>24</sup> In several discussions with the author between 1999 and 2000, parliamentarians and government officials privately expressed many of these concerns, but some were hesitant at the time to publicly state their reasons.

<sup>25</sup> Author's interviews and meetings with government officials, 1999 and 2000.

<sup>26</sup> *On pilot projects on land market and registration of rights for agricultural lands.*

<sup>27</sup> Specifically, the President had committed to both the World Bank and the International Monetary Fund.

<sup>28</sup> Author's interviews and meetings Spring of 2000 with U.S. and other foreign officials.

<sup>29</sup> Views expressed to the author immediately after the passage in January 2001 by two senior government officials.

<sup>30</sup> Author's interview with Timour Otobekov, USAID, CAR, EDF, July 7, 2003.

<sup>31</sup> Medet Ibragimov, "Kazakhstan: Land Privatization Prompts Fears," Institute for War and Peace Reporting, RCA no. 142, August 30, 2002.

<sup>32</sup> Peter Bloch, "Agrarian Reform in Uzbekistan and Other Central Asian Countries," Working Paper, no. 49, Land Tenure Center (Madison, Wisconsin: University of Wisconsin-Madison, 2002), 1.

<sup>33</sup> Author's interviews with local farmers and workers along the southern Kyrgyzstan and Uzbekistan border, July and August, 2003.

<sup>34</sup> Author's interview with Malcolm Childress, World Bank, August 1, 2003.

<sup>35</sup> Author's interview, Brian Kemple, ARD/Checchi and Renee Giovarelli, World Bank, June 27, 2003.

<sup>36</sup> Author's interview, Kyrgyz farmers in Osh and Batkin, July and August, 2003.

<sup>37</sup> Author's interview, Richard Tracy, Pragma Southern Regional Director, July 28, 2003.

<sup>38</sup> Kemple and Giovarelli, 2003.

<sup>39</sup> Giovarelli, 2003.

<sup>40</sup> *Ibid.*

<sup>41</sup> Childress, 2003.

<sup>42</sup> Author's interview with Lamar Cravens, former senior legal advisor to LARC project, July 2003.

<sup>43</sup> Author's interview with local lawyers and two foreign aid workers, September and October, 2002.

<sup>44</sup> Bloch, "Kyrgyzstan: Almost Done, What Next?", 59, 61.

<sup>45</sup> Cravens, 2003.

<sup>46</sup> Author's interview with foreign aid worker, 2002.