

FADING SOVEREIGNTY AS A SECURITY PROBLEM

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1. Introduction

There may be no better instruments of misrepresentation of political reality than maps of the world, dividing its terrestrial 149,000,000 sq. km into alike units – differing only in size – with neat boundaries. When those units, the nation states, are metaphorized as houses, touring the landscape of the world one encounters diversity of those edifices indeed, and not a few “unordinary” ones; from those whose interior has collapsed and which feature only outside walls – however splendid they may look to a passer-by – to those with good fences (even if not so good neighbours), mailboxes and electricity that seemingly lack but “official approval”.

It is with the former ones, results of the process of fading internal sovereignty, conceived as a supreme authority over a spatial unit (house) delimited by international borders (fences), that this

paper is concerned. It notes that such fading sovereignty, bringing about ruins and even entire slums of weak and failing states, and their groupings to the world landscape challenges – besides numerous other “anomalous” units such as neutral territories, dependencies, enclaves, condominiums etc. – the neat representation of the political map as a mosaic of realms of sovereign governance of states’ institutions. It also challenges the dividing line between international politics characterized by anarchy, and the domestic politics characterized by hierarchy – a line which many claim to define the international relations as a discipline. Most importantly, it is argued here that albeit these areas, resembling as they may post-modern versions of Thomas Hobbes’ state of nature, are not to spread and change the face of the international order in the near future, they – by limiting political possibility of traditional sovereign actors and removing from a political agency a potential for responsibility – represent a serious security problem or, in the terms of the contemporary security theory, sound “facilitating conditions” for the process of sovereignty deficit’s securitization. The roots of this limitation, it is argued below, lie in the complex double causal relationship between the phenomenon termed here “fading sovereignty” and other “new” security threats – organized crime, drug traffic, regional conflict, or transnational terrorism.

Before this argument is pursued in the fourth section, it seems requisite to define the way in which it is to be followed, i.e. the general theoretical and methodological points of departure. Then it will be clarified what is meant by sovereignty and security, as both terms have become intensely contested in the contemporary discourse. This paper refrains from a merely technical concept of internal sovereignty as *potentia*, capacity of action, one that could be separated from the constituted polity; on the other hand, while granting security intersubjective character, it does not exclude entirely the objective element, even if in a weaker form of “facilitating conditions” of securitization as a speech act. After the thrust of the argument, outlining a scheme of the double causal or even constitutive relations between various securitized contemporary phenomena listed above is presented, these relations are illustrated at cases of two Central Asia’s states, Tajikistan and Kyrgyzstan. The conclusion summarizes the argument and proposes some policy prescriptions to deal with the failing state, assuming a critical stance towards the dominant contemporary theory of internationalized statebuilding.

Some justification on the selection of cases besides the author’s personal preference should be provided as they are not commonly listed among the notorious cases of state failure or collapse. Firstly, in both cases many if not all of the security issues listed above are present at the same time, even if

neither one is materialized to supreme extent, and thus they present a convenient choice for the initial account of the theory. Secondly, both states, with their communist yet non-colonial heritage¹ are currently in the process of transition from their communist, yet non-colonial past. Thus they are found in the process of “housebuilding” where numerous policy choices need be made, and the analysis of these cases may be of considerable practical relevance. Thirdly, it is suggested that the empirical research of sovereignty tends to focus predominantly on the cases in Africa – starting with Jackson (1990)’s seminal analysis of “quasi-states” – while abounding, similarly interesting cases in Central Eurasia or Latin America receive comparatively less attention. The present paper’s intent is thus to contribute to a more balanced state in the field.

The last remark concerns theory and method. In this paper it is assumed – without declaring allegiance to any particular research programme in IR, e.g. “Post-structuralism” – that materiality is constituted in discourse. This discourse is considered all-encompassing in the sense there is no “reality” *beyond* discourse, which would enable stable point for verification of causal relationships. By no means, however, is materiality denied by such assumption. In fact, it is given prominence here in the convenient form of “facilitating conditions” introduced in J.L. Austin’s theory of speech acts and recast into security discourse by the authors of the Copenhagen School in the 1990s. Its meaning, nonetheless, is constituted and reconstituted solely in the realm of discourse, of which this paper is inevitably part. “We are of such stuff that dreams are made on,” in Prospero’s words,² with no ladder which we could climb (or descend) to “reality”.

2. Narrowing the Problem: Which Sovereignty

Sovereignty, an intensely contested concept subjected in recent accounts to a genealogical treatment (Bartelson, 1995), deconstruction (Ashley, 1988; Walker, 2002), moderate questions of relevance (Lake, 2003; Ed. Krasner, 2001), refusal by the critical theory (Booth, 1995), designation as archaism (Strange, 1997; Held, 2003; Ed. Ilgen, 2003), and rehabilitation (Eds. Bickerton, Cunliffe and Gourevitch, 2007) indeed deserves a close scrutiny. Not in order to pass judgments on its

¹ Despite the fact that raw materials exploitation was the core of the economic relations with the center in the Soviet period, the republics were included as proper elements of the Soviet ethnofederal structure.

² *The Tempest* IV, i, 156-7.

ontological character, which is likely to remain a bone of contention for the rationalist and the reflectionist authors alike; but rather to enable a grounded argument that the fading of sovereignty conceived *at least* in one particular way indeed is a prime security concern.

Sovereignty in political theory has been commonly conceived as a right and a capacity of a collective agency to exert supreme authority over a spatial unit delimited by national boundaries. Traditionally, it has been linked to indivisibility and discreteness (Bartelson, 2006, p. 464). Whereas the former characteristic has been questioned in the contemporary discourse – particularly in relation to various kinds of intervention under international law and the concept of global governance – the latter has become more pronounced, albeit rather in the form of detachment of sovereignty from the polity (or society), implicit e.g. in Krasner’s case for shared sovereignty (2005), Jackson’s seminal analysis of “quasistates” (1990) and recent literature on statebuilding, criticized by Bickerton (2007, pp. 93-109). Such detachment is, Bartelson argues (2006, p. 472), made possible when sovereignty is perceived from a “nominalist” point of view, as opposite to the “realist” one. Whereas the latter one tends to see sovereignty as a *condition* of possible agency, “ultimately being constitutive of both political entities and the larger society of which they form part”, the former consider it rather an *attribute* derived from their inclusion in a certain legal framework (Ibid.).

It is the “realist” position that this paper assumes. Sovereignty is here conceived as a manifestation of collective political agency, including objective (*potentia*) and subjective (*voluntas*) element of action. Such concept transcends the mere capacity of action (*potestas*; even if defined as a capacity of not the individual, but of the collectivity, cf. Arendt, 1969 [1995], p. 34), which may become property of other actors under (and above) the level of state.³ The absolute character of the sovereign agency, including the Weber’s monopoly on legitimate use of violence, which is however manifestation of subjective will of the individual citizens, enables them to realize their freedom. Since the individual citizen and the sovereign political agency represented by the state may be theoretized in this line of argument to find themselves in a relationship of mutual constitutiveness (cf. Hegel, *Grundlinien der Philosophie des Rechts*), sovereignty cannot be separated from the state – as the manifestation of the people’s will – and conferred to other, substate actors.⁴ There may be various relations of power, as

³ The collective character of power, in contrast to the instrumental “making people do what one wills” is a stance assumed also e.g. by Michel Foucault or Gilles Deleuze (cf. Agnew, 1999, p. 500).

⁴ The sovereign agency exercises power from concrete spatial – hierarchical, but also geographical – perspectives (cf. Agnew, 1999). Even in the strong sovereign states there are transmission mechanism in place to exercise power in more peripheral sites implying that if sovereignty reach even within the state borders is not identical everywhere. From the spatial perspective, it

indicated above, recognition and perhaps even authority (in Arendt's terms, recognition without neither coercion nor persuasion; cit. d., p. 35) among these agencies and communities within the state. However, these actors, lacking the constitutive element of sovereignty (*voluntas*), can but imperfectly substitute the capacity of the state as a political agency. What stems from the process of fading sovereignty, or internal "state failure", is a situation for which the metaphor of Hobbes' state of nature (*Leviathan* I, 13) seems rather pertinent.⁵

Before pursuing the metaphor of the state of nature further, it should be noted that the element of indivisibility should not imply that the concept of sovereignty is not multifaceted. Indeed, the common distinction between the internal and external dimension may be instrumental in the attempt to conceptualize it. Sovereignty *inside* is the product of the subjective will of members of the constituent community and involves the legitimate monopoly on violence. In Hobbes' terms, by waiving their natural rights to defend themselves, individuals enter into a covenant, "having made themselves every one the author..." by virtue of which those natural rights are conferred onto a sovereign, enabling him "to use the strength and means of them all, as he shall think expedient, for their peace and common defence" (*Leviathan* I, 18). Sovereignty outside then involves both the negative element of "exclusion of external actors from domestic authority" (Krasner, 1999, p. 9) and the recognition element of "sovereign equality" of nation states as constituent units of the international order (UN Charter, Art.2)⁶ that effectuates the general rule of non-intervention into another state's affairs. The recognition element is not of particular concern here – it is, however, crucial e.g. for Wendt, who focuses on the intersubjective process in which social constructions, such as the particular interpretation of international anarchy, emerge (1992, pp. 391-425).⁷ Finally, it is worth mentioning

could thus be argued that sovereignty's power is always fading to some extent. This is however not the same as saying that sovereignty *per se* is fading.

⁵ The social contract coined by Hobbes in *Leviathan* and *De Cive* of course contrasts with the later concept of mutual constitutiveness of a citizen and the state. Yet various ideal foundations of state need not concern us here; rather than the moment of establishment of commonwealth, a natural *telos* of people because of the law of nature, in Hobbes' *Leviathan* it is the state of nature preceeding it that is of concern.

⁶ Even if the same international agreement stipulates that under certain conditions, the domestic sovereign's rights may be infringed from the outside in order to "restore international peace and security" (Chapter 7, Art. 39).

⁷ With respect to the border between the absolute legitimate coercive power inside and no, or very limited, coercive power outside in the conditions of mutual recognition among various sovereignties in the world (containing the external threats), the consensus that this border coincides with the boundaries of *nation* states is commonly related to the "Westphalian order" enacted by Münster and Osnabrück Treaties in 1648, albeit this standard narrative has been exposed to criticism on the grounds that such order is to great extent a construct of Vattel and Bodin (Beaulac, 2004) or even of a discourse in 19th and 20th centuries (Oslander, 2001, pp. 251-287).

that both the concept of sovereignty *inside* and sovereignty *outside* are intrinsically related to the concept of security as tackling of existential threats.⁸

In Hobbes' state of nature, there is no sovereign political agency providing for such security. The stage is not set for indiscriminate slaughter, however; rather, the war as a structural feature of this human situation "consisteth not in actual fighting, but in the known disposition thereto during all the time there is no assurance to the contrary." That is, until a common power is established (*Leviathan* I, 8). The human insecurity under such conditions derives from "continuous fear and danger of violent death (*Leviathan* I, 13). Indeed, there can be cooperation in the state of nature. People are able to unite against common enemy, however in balancing the enemy numbers on both sides constantly increase to the point when such security community becomes distracted in opinions and vulnerable both to external invasion and internal discord (*Leviathan* I, 13).⁹ Thus there can be, it may be suggested, providers of social goods such as physical human or economic security in the state of nature. However, the question whether they can achieve the efficiency of a sovereign political agency within the national borders – albeit their capacities, however limited, may lend them some legitimacy *vis-à-vis* the communities demanding those social goods – is a pertinent one. For Hobbes, the answer is negative.

In the contemporary security studies studies, a situation closely resembling the state of nature is thoroughly discussed in Buzan's treatment of weak states, i.e. those that "either do not have, or have failed to create, a domestic political and societal consensus of sufficient strength to eliminate the large-scale use of force as a major and continuing element in the domestic political life of the nation" (1991, p. 99). Buzan speaks also about the role of the substate actors in these states, whose weakness is characterized not by a lack of power, but of cohesion and whose idea and institutions are internally contested (p. 98): "In states where the structure of government is weak, and the state itself is not pervasive in the society, pre-state social structures such as families, clans, tribes and religious organizations also play a central role in relation to individual security needs" (p. 52). Yet general implications of security are grave: weak states "define the conditions of insecurity for most of their

⁸ In Hobbes' version, not only for the polities and state institutions, but also for the individuals whose consent legitimises those institutions and conveys sovereignty upon them; because the common power, Hobbes contends, is established to "defend [the people] from the invasion of foreigners, and the injuries of one another" (*Leviathan* I, 18).

⁹ "For if we could suppose a great multitude of men to consent in the observation of justice and other laws of nature without a common power to keep them all in awe, we might as well suppose all mankind to do the same; and then there neither would be, nor need to be, any civil government or commonwealth at all, because there would be peace without subjection." That people will be without subjection "distracted in opinions concerning the best use and application of their strength" is in direct contrast to the state, where one man or one assembly of men "reduce all their wills, by plurality of voices, unto one will... it is the real unity of them all, in one and the same person" (*Leviathan* I, 7).

citizens, ” national security ceases to be a meaningful concept, because the referent object is absent; finally, weak states erode the international security, exporting domestic instabilities (p. 106).

The absence of identifiable political agency – substituted by groups with various, but limited capabilities (clans, militias, organized crime networks, *jamaats* etc.) and increased sense of human insecurity is the reality in many parts of the world, where fading sovereignty, i.e. manifestation of collective political agency including objective (*potentia*, capacity) and subjective (common will) element of action, is on the rise. The result even in almost “perfect” cases (Somalia, Democratic Republic of Kongo, Iraq, or Afghanistan) is not a power vacuum, as various substate actors assume the roles performed by the state. Yet their capacities are limited, their legitimacy questionable, and no one is responsible for the common political order within the state borders. The state of nature metaphor for such situation seems pertinent, not least because Hobbes’ immediate inspiration for the “natural condition of mankind”, i.e. state of nature was not an idea of some primordial situation in which people would be found at the dawn of time, but rather England of his own time, consumed by a miserable civil war. Before proceeding to the question why *fading sovereignty poses a security problem* – the case being to some extent outlined above by Buzan – it is requisite to refine the idea of security contained in this assertion.

3. Narrowing the Problem: Which Security

Security too is a contested, and moreover, in Buzan's words, an “intensely political concept” (1991, p. 12), containing numerous ambiguities related to its ontological status, content, boundaries and referent objects. Therefore, some fundamental questions must be answered before pursuing further the argument that *fading sovereignty is a security problem*. Namely, 1) what security is meant in such statement (ontological character), and 2) for whom is this phenomenon a security concern.

Fading sovereignty as a security “problem” does not stand here for a purely (inter)subjective construction, or a product successful process of “securitization” as a speech act, in which certain issues are framed as existential threats to the referent object, thereby legitimizing the use of extraordinary means to tackle the issue (cf. Buzan, Wæver and de Wilde, 1998). It is not to say that fading sovereignty would instead be an objective security threat, inevitably perceived as such by all. Rather, the situation that it effects and which is observable – if indeed difficult to measure – around the world

is considered as an objective element of security, or sound “facilitating conditions” for the securitization – of particular failing states or the state failure in general – which may take place, but does not have to.

The former description invokes classical Wolfers' distinction between objective and subjective sense of security: “[Security, in an objective sense, is] the absence of threats to acquired values, in a subjective sense, the absence of fear that such values will be attacked” (1952, p. 485); the latter relates to Austin's theory of speech acts (1962), which underlines the concept of securitization as developed by the Copenhagen school of security studies and which postulates that the following conditions ought to be met in order to complete the speech act – in general terms, *doing something with words*, successfully – e.g. the pronouncing person must be of certain status, or the others are required to say something in response (the relational element). There must exist a conventional procedure for the performance of the action, the persons and circumstances must be commensurate, the procedure must be performed successfully and completely and the participants must intend to behave in a certain manner and subsequently hold to that intent (Austin, 1962 [2000], p. 31). Buzan, Wæver and de Wilde (1998), inspired by this Austin's initial theorization of speech acts (which he quite dialectically refused, it ought to be mentioned, in the latter part of the book focused on the so-called illocutionary acts) adjust these conditions to attune it to the security discourse. In their view, “grammar of security”, or the rules used in the process is proposed to include definition of the existential threat, the worst-case scenario and a road plan to tackle the issue pertinence of the actor performing a speech act is e.g. measured by a social capital. However security in these terms is informed – as Austin's theory of speech acts – by the linguistic turn, the facilitating conditions (e.g. the 9/11 attacks on the securitization of al-Qaeda) as material gleams into the realm of discursive formation of meaning play a rather important role.

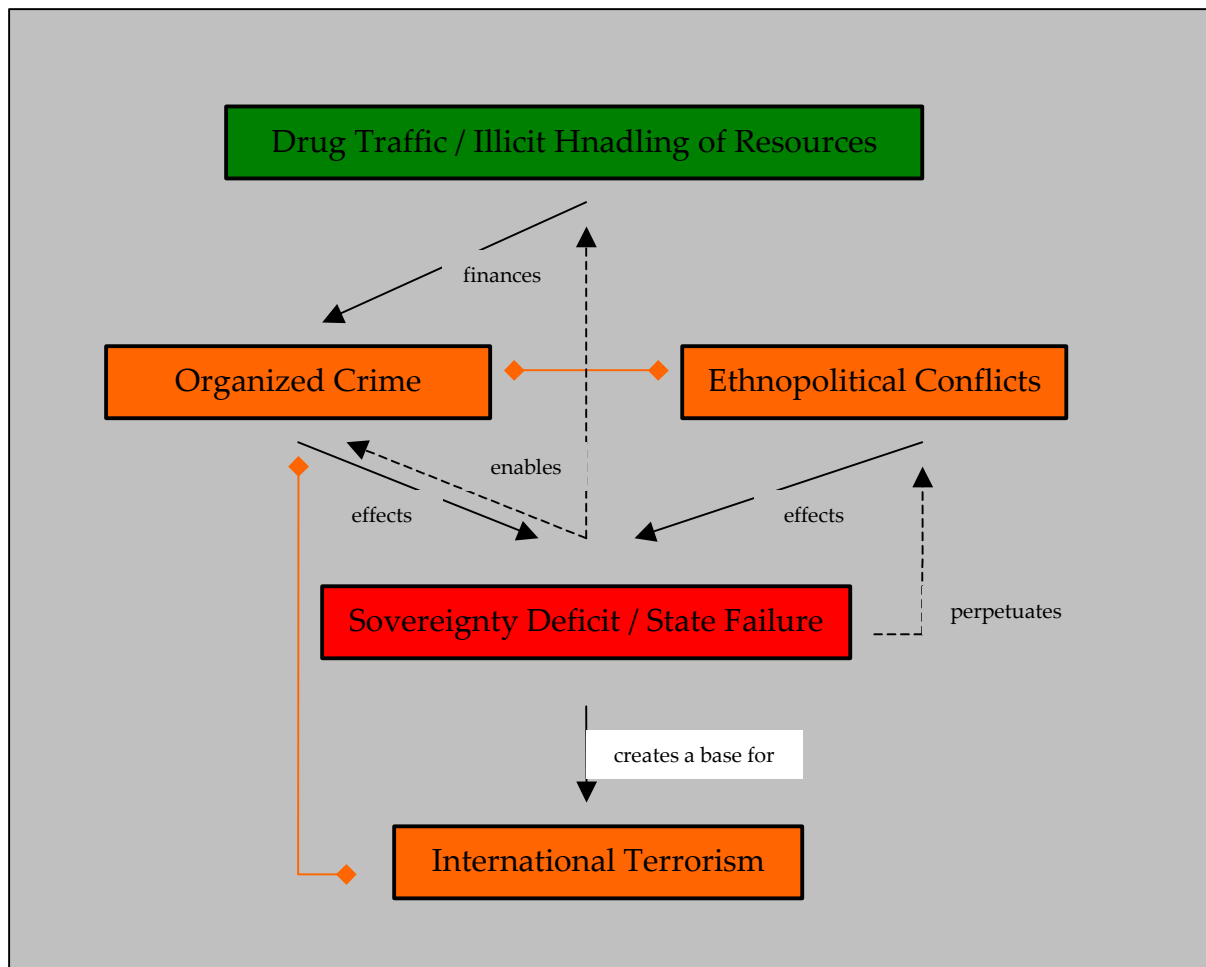
Referent objects to the concept of fading sovereignty as a security problem may be both the polities deprived of the supreme political agency, with the ramifications outlined in the previous section, and external agencies and societies, or even “international security” in general, if that relates to securing of the status quo of the international order. The connection to the first referent object seems not require much elaboration; the final reference to “international order” easily falls pray to deconstruction. *Fading sovereignty as a security problem* in the next section thus chooses deliberately to refer exclusively to other sovereign agencies and polities around the world.

4. Fading Sovereignty and Security

There is a qualitative difference in the nature of the security problem for the polity in which the collective agency has been debilitated, and for the external actors. Whereas in the former case the problem is endogenous to the community of individuals within the national borders by virtue of their constitutive role in enacting the sovereignty, the sovereignty deficit for the world outside is not considered to represent the problem *in itself*, but rather in the interplay with other “new threats” such as transnational (or global) terrorism, drug traffic and organized crime, and regional armed conflicts. By virtue of their being more tangible than the negative notions of sovereignty “deficit” or “fading”, these phenomena may be, and indeed are, better securitized; however, it is proposed in the following lines that it is the fading sovereignty that underlines if not the generation, then persistence and thriving of those new threats' manifestations in the international realm.

The point of departure may be a modified version of a scheme first proposed as the theoretical framework for analysis of EU's security concerns in Central Asia and the Caucasus (Ditrych, 2006):¹⁰

¹⁰ The modification involves expansion of the illegal activities facilitated by the sovereignty deficit which finance organized crime networks; the original version featured only drug traffic, but in order to accommodate the scheme also to the situation of failing states in Africa, illicit handling of (precious) resources is also included. Both types of activities are in fact recognized by the ESS (see below).



Selection of the phenomena included in the scheme reflects the attempt to securitize certain issues – termed “key threats” – in EU’s security strategy (*A Secure Europe in a Better World*, 2003, pp. 3-5). Proliferation of weapons of mass destruction (WMDs) is deliberately excluded because a securitization of this instrument of violence with relation to terrorism and nuclear arsenals of irrational “rogue states” often includes the worst-case scenarios, but the facilitating conditions, e.g. previous experience of terrorist incidents using WMDs, are limited and the threat is thus more “imagined” than the rest, for which abundant empirical evidence can be found (an interesting question in this context is to what extent apocalyptic images in art, e.g. film, narratives may substitute the facilitating conditions and contribute to the success of the securitization act);¹¹ a separate question is

¹¹ “Terrorists’ actual capabilities, ambitions, and fantasies blur with our own speculation and fears to create what the terrorists want: an atmosphere of alarm,” Jenkins remarks (2006, p. 120).

whether proliferation of WMDs, instruments of violence, can indeed be constituted as a problem *itself*, without relation to terrorism or conflicts between state and nonstate entities.

Whereas the authors of the ESS content themselves by arguing that “taking these different elements together... we could be confronted with a very radical threat indeed” (2003, p. 5), the scheme above attempts to outline the complex relationship between those elements. Drug traffic and illicit handling of resources such as energetic fuels, diamonds and other precious raw materials provide funding for organized crime networks; their untaxed economic activity and more importantly, erosion (or even privatization) of the institutions of state by corruption to facilitate their business activities and provide themselves with “security” then effects sovereignty deficit. This deficit is, however, also effected by ethnopolitical conflicts – both contained within the state territory and spilling over the national boundaries. In case of (at least tactical) separatist success, the territorial sovereignty is infringed. The situation of the conflict *in itself* limits the capabilities of the state as a collective political agency irrespective of the fortunes at the battlefield, too and can even be utilized by external actors aiming at exerting pressure vis-a-vis the state in order to pursue their interests, as has been the case of Russia in relation to Georgia’s frozen conflicts in Abkhazia and South Ossetia.

Yet the relationship, it is suggested in the scheme, is not of a simple one way causality. The sovereign agency whose capacity of action have been limited as a result of thriving of organized crime activities ceases to be able to check the further expansion of their activities and erosion of the state; inasmuch as the state institutions are privatized by the organized crime networks they even contribute to the further state failure from the inside. Similarly, the sovereign agency whose capacities of action have been infringed due to the involvement in an armed conflict has limited potential to effect conclusion to such conflict either by force of arms *and* peaceful means as various peace spoilers (both internal and external) are more difficult to be tackled with.

Any treatment of terrorism requires much restraint. The phenomenon in the contemporary world serves as a powerful instrument of delegitimation of the opponent’s cause and endeavour, since “conveying criminality, illegitimacy, and even madness, the application of terrorist shuts the door to discussion about the stigmatized group or with them, while reinforcing the rightness of the labelers, justifying their agendas and mobilizing their responses“ (Herbst, quoted in Schmid, 2004: 397). But the empiric evidence shows that transnational terrorism, now often assumed to be almost

equivalent with the global *jihadi* network's activities¹² has thrived in countries whose sovereignty faded such as Afghanistan, Iraq or Somalia. To complicate the matter, the phenomenon of *crime-terror* nexus in relation to shift of motivation patterns from ideological objectives to greed in course of securing funds for the former activities has been receiving more academic attention (Makarenko, 2002; Cornell, 2005) notwithstanding earlier linkages in the 1980s U.S. administration rhetoric of the "war on drugs" in Latin America – the recent cases include PKK, Islamic Movement of Uzbekistan (IMU) or Colombia's FARC. The final relationship included in the scheme is the *crime-conflict* nexus, pointing both to the "greed" motivation in armed conflicts – again indicating a possible shift of motivational patterns from "grievance" (for the juxtaposition of greed and grievance as motivations of armed conflicts with the inclination to the former cf. Collier and Hoeffler, 2004).

Both the scheme as such and some of its component parts are resilient to quantitative analysis which would allow both for their measure and verification of causal relationships. Indeed, procedures to measure e.g. intensity of armed conflicts have been proposed (cf. statistical projects such such e.g. *Uppsala Conflict Data Project*, UCDP). However, to find proxies for sovereignty (and the other components)¹³ seems much more difficult, their nature being in many aspects intangible and the relations among actors resisting capturing; and even if those proxies are established, as may be the case at least for the "technical" aspect of sovereignty conceived as administrative capacity over a territory, collecting reliable data may prove an insoluble task. Buzan's analysis of weak states proposes some likely features of weak states such as high levels of political violence or lack of a clear hierarchy of political authority, but provides no suggestion how these indicators could be assessed (1991, p. 100). The joint *Foreign Policy* and Fund for Peace project of Failed States Index, on the other hand, uses 12 distinct indicators: mounting social pressures, massive movement of refugees and IDPs, grievance or group paranoia, chronic and sustained human flight, uneven economic development, sharp and/or severe economic decline, criminalization and/or delegitimation of the state, progressive deterioration of public services, suspension or arbitrariness of the rule of law / widespread violation of human rights, autonomy of the security apparatus, rise of factionalized elites, and intervention of other states or external political actors. The evaluation is performed on the basis of computerized textual analysis.

¹² Therefore, terrorism as a tactics e.g. of national liberation movements is not what is meant in the scheme; or better, could be subsumed under the phenomenon of conflict.

¹³ It may be instrumental to remark here that illicit trade activities and organized crime ought not be confused with shadow economy – "economic activities that would generally be taxable were they reported to the state (tax) authorities" (Schneider and Klinglmair, 2004, p. 4) – for which methods of measurement indeed have been proposed, e.g. surveys, comparison between national income and expenditure statistics, transactions analysis, currency demand analysis, international comparison of participation rates, electricity consumption method etc. (Schneider and Klinglmair, 2004, pp. 31-37; Frey and Weck, 1981).

The method used to calculate values of the individual indicators (analysis of articles and reports using Boolean logic) – and the very ability to measure them in a reliable and comparable way – may however be questioned, and not all indicators may be found relevant in respect to the notion of *sovereignty*. These include e.g. mounting demographic pressures or outflow of human capital.¹⁴ The first critical point may be raised also against the recently published World Bank Governance Indicators including the categories of voice and accountability (i.e. participation and transparency), political stability, government effectiveness, regulatory quality (vis-à-vis the private sector), rule of law and control of corruption.

Rotberg (2003) proposes the following criteria for failed states, e.g. states where sovereignty has significantly faded: human and economic security, rule of law, free participation, healthcare, education, transportation and communication systems or stable national currency as a medium to attainment of goods. In his view, the failed state – as its extreme version, the collapsed state – is defined by the lack of territorial control, criminal violence, alternatively provided political goods, dominance of the executive power vis-a-vis the legislature and the judiciary, deteriorated infrastructures, corruption and privatization of the state agencies (Rotberg, 2003, pp. 3-9). There all are observable phenomena, yet – few exceptions like corruption excluded – difficult to quantify and measure on a comparative scale. Proxies proposed by Rotberg that could be used to indicate the level of sovereignty include GDP – but rather in a historical comparison than in a relation to other states – or the data provided by e.g. UNDP Human Development Index, Transparency International, or FreedomHouse's *Freedom in the World* publication (2003, p. 4). However reliability of some of these data may be questionable and they cannot provide but a part of the picture, they – along with the Failed States Index and World Bank Governance Indicators and the Heritage Foundations' index of economic freedom are used as for illustration in the analysis of the Tajikistan and Kyrgyzstan cases below.

For the time being, the argument about the (complex, double causal) relationship between the phenomena listed above remains essentially speculative. However, if the speculative and intuitive concept of interconnectedness of the “new threats” outlined in this section is nonetheless – albeit provisionally – accepted, an important conclusion that may be drawn from the scheme is the

¹⁴ In the most recent edition of the Index, the front places are occupied by Sudan, Iraq, Somalia, Zimbabwe and Chad. For comparison, a year before the top of the index read as follows: Sudan, Democratic Republic of Kongo, Cote d'Ivoire, Iraq, Zimbabwe.

centrality of sovereignty deficit vis-a-vis the other phenomena. If the *crime-terror* and *crime-conflict* nexi, which involve mutual convergence rather than either causal or constitutive relationship, are excluded, it is the lack of sovereignty that becomes the central hub for various relationships included in the scheme. Thus fading sovereignty could be considered as a structural condition underlying and influenced by the other “new threats” or, in other words, creating sound facilitating conditions for their – and by extension its own – securitization by external actors, with important ramifications for the security discourse and policies countering security issues such as ethnopolitical conflicts or organized crime. Before proceeding with discussion of some of these implications in the concluding section, short case studies of Central Asia’s republics of Tajikistan and Kyrgyzstan are presented first to better illustrate the interplay between fading sovereignty and other “new threats” in two particular instances.

5. Short Case Studies

Empirical study of sovereignty meets with a number of methodological difficulties. Pitfalls involving establishing proxies for governmentability have been mentioned in the previous section. A second major obstacle in the particular cases of Kyrgyzstan and Tajikistan – an obstacle which is however likely to be encountered in many weak states around the world – is the absence of reliable data, comparable in chronological perspective. A historical narrative is therefore the predominant method used in this section, only occasionally supplemented by the statistical data. First, a general introduction for both countries is provided, followed by an account of the proposed double causal relationships between drug traffic, organized crime, ethnopolitical conflict, transnational terrorism and the sovereignty deficit peculiar to each individual case.

Both Kyrgyzstan and Tajikistan were part of the Soviet ethnofederal structure on the level of SSR (Soviet Socialist Republic), i.e. with presumably the most extensive autonomy. In theory, SSRs were established for the titular *nacionalnosti* (ethnicities) that had witnessed the development of capitalism (cf. Roy, 2000, p. 64-67), and they featured their own Head of Government, Ministry of Foreign Affairs (after 1944), a communist party chapter, academy of sciences or university. In reality, however, Soviet republics of Central Asia including Kyrgyzstan and Tajikistan emerged as artificial creations in traditional, non-industrialized societies situated in the borders arbitrarily drawn in the 1920s and 1930s on the Kremlin’s tables, and they contained a number of ethnicities carved from the

continuum of local dialects and substate identities on various levels.¹⁵ The location of various minorities located at the borders with the titular republics of their kin (“nationalities”) or the complex territorial division of Ferghana valley featuring numerous enclaves continue to present a challenge to their independent statehood in the post-1991 period.¹⁶ Despite the formal ethnofederal structure, no autonomous decisions were passed at the local level in the decades of the Soviet rule, and the economies displayed limited autarky, instead serving as providers of raw materials manufactured in the centre, which in turn provided them with substantial subsidies. Furthermore, in spite of the declared *homo sovieticus* project, the ethnofederal structure reified identities recast into *nacionalnosti* across the USSR. Moscow also perpetuated the clan and regional factions’ politics in Central Asia’s republics by often playing these substate communities and their political representations against one another.

When Central Asia’s republics were granted independence with the demise of the USSR in 1991 – without, unlike the Baltic or the South Caucasus’ republics, particularly asking for it – their new sovereign agencies were thus faced with immense challenges. These included no tradition of independent statehood and a limited notion of shared identity; complex interstate borders; economic dependence; or institutions of state unqualified for formulating and implementing state policies. Together with the consensual and informal character of the local politics – and e.g. the absence of armed forces in the case of Tajikistan – this inherent state of affairs accounted for their initial weakness and contested the internal sovereignty of the governments, which suffered no problems with the (external) recognition – albeit in the course of the 1990s this too was challenged in the case of Tajikistan due to Russia’s and Uzbekistan’s interventions into Tajikistani politics.

The remedy to the weakness of the government chosen by the leaders – former members of the communist *nomenklatura*, political and social elite – has been the turn to authoritarianism. Yet as Chelabi and Linz (1998) argue, the activist state is not identical with the strong state, and the politics of repression of opposition and disenfranchising some regional factions from the decision-making process in the centre in fact increased social radicalization and facilitated emergence of alternative

¹⁵ This process provides a neat illustration how a map and a popular census – in this case with closed questions and mutually excluding options – may be used in “serializing” identities described by Benedict Anderson (cf. 1991, p. 185).

¹⁶ According to *CIA World Factbook* (2007), Kyrgyz form 64.9% of the population of Kyrgyzstan, followed by Uzbek (13.6%) – living predominantly in the southern part of the country close to Uzbekistan – Russian (12.5%) and other nationalities (9.2%). Tajikistan’s population is composed of Tajiks (79.9%), Uzbek (15.3%) and other nationalities (3.6%), with Uzbeks inhabiting mainly Khojand in Ferghana valley. This decomposition does not recognize the division of Tajik population into regional factions – see below – with strong ethnical elements, e.g. Pamiri, which were recognized in the Soviet censuses as a peculiar ethnicity until 1937.

power structures within the state borders, further enfeebling the central sovereign agency. The process of “democratic” participation by means of popular elections was in fact inherited from the Soviet period, yet the *mode* of participation has not changed significantly in the 1990s and the 2000s as no truly pluralist polities have emerged in Central Asia (the civil society in Kyrgyzstan is some exception in this respect) and the elections have served only as legitimization of decisions taken at the informal level.¹⁷ Both Kyrgyzstan and Tajikistan turned in the early 1990s to liberal economic policies, however the privatization and emergence of the market economics led to empowering the close circle of corrupted elites and/or the champions of the informal economy who were in the privileged position to attain the offered economic goods. The inability of the government – functioning in the Soviet period as a corrupt “governorate” distributing the subsidies from the centre – to provide social (education, healthcare) and economic (e.g. sustaining the labour market) goods in the capitalist environment, and the increasing social and economic inequalities in effect furthered the radicalization and discontent in the society.

The governments’ weakness manifested in the effective lack of power projected to the peripheral areas (countryside) created favourable conditions for the emergence and/or flourishing of organized crime structures predating on the state. In Kyrgyzstan and Tajikistan, the organized crime structures tended to operate according to different patterns, which can be theoretized following Bailey and Godson’s typology (2000; on the application to those particular countries, cf. Marat, 2006). Whereas in Tajikistan in the 1990s the organized crime structures functioned in parallel to the severely contested state institutions and tended to establish favourable relationships with the government bodies while not privatizing most of them, following the effective “portioning” of the state institutions by local factions’ elites involved in the organized crime as a consequence of the 1997 peace accord, a second model started to dominate in which in fact all state institutions are involved in the organized crime and corruption has a vertical hierarchy. The development in Kyrgyzstan was to significant extent reversed, closely resembling the second model under the presidency of Askar Akyev until the Tulip revolution (2005), then shifting towards the first (Marat, 2006, pp. 21-24.).

¹⁷ As early as 1861, J.S. Mill noted in the essay *Representative Government*: “Representative institutions are of little value, and may be a mere instrument of tyranny or intrigue, when the generality of electors are not sufficiently interested in their own government to give their vote, or, if they vote at all, do not bestow their suffrages on public grounds, but sell them for money, or vote at the beck of some one who has control over them, or whom for private reasons they desire to propitiate.”

Some general remarks should be made in relation to the state-crime relationship. Firstly, the models presented above should be considered “ideal types” and elements of both have been constantly present in the examined period. Secondly, in theory organized crime structures in general do not tend to threaten the political security of the state regimes since for their operations they demand a fundamental political order – Bayman Erkinbayev (a drug kingpin from Southern Kyrgyzstan assassinated in 2005)’s role in financing the Tulip revolution in 2005 seems an exception to the rule. However, those structures seek to undermine the efficiency of the sovereign agency in order to secure themselves and expand their operations, either by privatizing state institutions, or by striking deals with the regime. Thirdly, in analyzing sovereignty (deficit) it does not seem to matter which of the two models of state-crime relationship is in place. In both scenarios, political sovereignty as envisioned in the first part of this paper is contested either by the presence of alternative nonstate actors parasiting on the state and influencing the policies to suit their particular interests, or by the government not acting essentially in the common interest, but rather in its own, thus effectively becoming only one faction among many within the given state’s borders.

The emergence of organized crime and informal economies generating incomes untaxed by the government has been facilitated both in Tajikistan and Kyrgyzstan by the important role these countries have had as transit territories for opium and heroin from Afghanistan – currently producing 90% of world opium – to the Western markets via the so-called “Northern Route”. The importance of the route – crossing Afghan-Tajik border in Pamir, Khatlon or Parkhar and Shurabat (Marat, 2006, p. 44) and then winding via Tajikistan’s Gorno Badakhshon to Osh or Khojand in Ferghana Valley – increased in the 1990s as Iran and Pakistan implemented strict policies against drug traffic, and sovereignty deficit in Central Asia’s states created favourable conditions to transport the narcotics this way instead. The policies against drug traffic are currently in general not coordinated and due to the links of the organized crime structures and the government both in Tajikistan and Kyrgyzstan, only small catches (couriers) instead of the major benefactors end are in general targeted.

The following tables provide figures of recent seizures of opium and heroin according to UNODC and the author’s computation. Unfortunately, the organization does not disclose any earlier statistical data for comparison.

Recent seizures of opium

	2000	% Central Asia and the Caucasus	2005	% Central Asia and the Caucasus
Tajikistan	4778.448 kg	44	1104.375 kg	38
Kyrgyzstan	1405.232 kg	13	261.456 kg	9

Recent seizures of heroin

	2000	% Central Asia and the Caucasus	2005	% Central Asia and the Caucasus
Tajikistan	1882.929 kg	54	2344.633 kg	60
Kyrgyzstan	216.780 kg	6	259.659 kg	7

The evidence in the cases of Kyrgyzstan and Tajikistan is also in concordance with the recent research on the nexus between crime involving looting and illicit transport of resources and conflict between various state and nonstate actors (cf. Makarenko, 2002; Makarenko, 2004; Cornell, 2007). There is a link between the activity of hostile factions in the Tajikistan’s civil war and the drug traffic, effectively creating opportunities for these actors to be explored in the “state of nature” that the country witnessed in the 1990s (for the argument of “greed” motivations of parties in armed conflict, see Collier and Hoefler, 2004). Also the activity of radical Islamic movements such as Islamic Movement of Uzbekistan (IMU) and Hizb-ut-Tahrir has been influenced by narcotics trade.

Drug traffic in Central Asia and more particularly in Kyrgyzstan and Tajikistan influences both the thriving of organized crime networks, empowers radical forms of political opposition to the state sovereignty including Islamist terrorist organizations, and perpetuates effective “state of nature” in the peripheral areas beyond the government control (particularly in Tajikistan’s Gorno Badakhshon). These phenomena, facilitated by the weakness of the political sovereignties in the early 1990s due to the factors inherited from the past, further corrode the governments and contribute to the increasing of sovereignty deficit in these countries. Before pursuing with peculiarities of each selected case, some

statistical data that attempt to capture the state of governance in Kyrgyzstan and Tajikistan are provided.

Failed States Index ranks the countries in the following way, using a composite score of the 12 indicators listed in the previous section, where higher score indicates more inclination of the state towards failure (e.g. Cote d'Ivoire reached 106 in 2005 and Sudan 112.3 in 2006). Unfortunately, no earlier data for comparison are published by the Fund for Peace. Interestingly, Kyrgyzstan seems to be assuming a significant downward trend in the wake of the Tulip revolution (2005), which supports a point made in 5.1.

	2005	Rank	2006	Rank	+/-
Tajikistan	86.7	49	87.7	42	-7
Kyrgyzstan	80.4	65	90.3	28	+37

According to the data published by FreedomHouse, the state of political rights and civil liberties¹⁸ that may with reserve be considered as limited indicators of governance, Kyrgyzstan's situation following the revolution has neither improved, nor worsened, while Tajikistan fares somewhat better than in the 1990s (which proves the intuitive assumption). The two variables are rated on the scale 1-7, where higher score indicates a worse status:

	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Tajikistan	3/3	6/6	7/7	7/7	7/7	7/7	6/6	6/6	6/6	6/6	6/6	6/5	6/5	6/5	6/5	6/5
Kyrgyzstan	5/4	4/2	5/3	4/3	4/4	4/4	4/4	5/5	5/5	6/5	6/5	6/5	6/5	6/5	6/5	5/4

¹⁸ "Political rights enable people to participate freely in the political process, including the right to vote freely for distinct alternatives in legitimate elections, compete for public office, join political parties and organizations, and elect representatives who have a decisive impact on public policies and are accountable to the electorate. Civil liberties allow for the freedoms of expression and belief, associational and organizational rights, rule of law, and personal autonomy without interference from the state" (*Freedom in the World 2007*, available at <<http://www.freedomhouse.org>>).

The deteriorating state of governance in Kyrgyzstan and a slow improving trend in Tajikistan are recognized also by World Bank Governance Indicators, where the results for each of the variables are recorded on the scale ca. -2.5 (worst)/+2.5 (best):

Tajikistan

	1996	1998	2000	2002	2003	2004	2005	2006
Voice and Accountability	-1.63	-1.66	-1.38	-1.32	-1.28	-1.30	1.17	-1.27
Political Stability Government Effectiveness	-2.59	-2.26	-1.86	-1.42	-1.41	-1.41	-1.33	-1.30
Regulatory Quality	-1.61	-1.49	-1.24	-1.13	-1.11	-1.12	-1.10	-1.06
Rule of Law	-2.26	-1.99	-1.28	-1.29	-1.12	-1.06	-1.02	-0.98
Control of Corruption	-1.55	-1.74	-1.52	-1.30	-1.09	-1.14	-1.00	-1.06
	-1.74	-1.33	-1.20	-1.03	-1.02	-1.16	-1.07	-0.91

Kyrgyzstan

	1996	1998	2000	2002	2003	2004	2005	2006
Voice and Accountability	-0.71	-0.71	-1.18	-1.00	-1.08	-0.96	-0.80	-0.70
Political Stability Government Effectiveness	+0.57	+0.01	-0.48	-1.18	-1.25	-1.16	-1.14	-1.20
Regulatory Quality	-0.49	-0.28	-0.49	-0.64	-0.65	-0.72	-0.89	-0.86
Rule of Law	-0.46	-0.49	-0.33	-0.19	-0.25	-0.16	-0.66	-0.57
Control of Corruption	-0.64	-0.72	-0.88	-0.77	-0.82	-0.82	-1.07	-1.18
	-0.85	-0.70	-0.89	-0.85	-0.85	-0.98	-1.06	-1.09

UNDP Human Development Index confirms similar trends in composite scores for human development, life expectancy and literacy rates proxies, which may be assumed to represent some indications of government socioeconomic effectiveness:

	1985	1990	1995	2000	2004	Rank (2006)	Rank Change (2003-2006)
Tajikistan	0.700	0.697	0.631	0.627	0.652	122	0
Kyrgyzstan	-	-	-	-	0.705	110	-1

In contrast, according to World Bank Development Indicators (2006) the GNI computed by the Atlas method in current U.S. dollars has recorded a stable increase in both countries. It may be tentatively assumed that the profits from growing economy in Kyrgyzstan do not project into improved quality of life of ordinary citizens (see above, Human Development Index):

	2001	2002	2003	2004	2005
Tajikistan	280	290	340	400	450
Kyrgyzstan	170	180	210	280	330

Heritage Foundation's Index of Economic Freedom too indicates stable increase in this proxy, a composite score of business freedom, trade freedom, monetary freedom (price stability), investment freedom or autonomy of the bank sector (the value is given in % where 100 indicates absolute "freedom"):

	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
Tajikistan	-	-	-	39.2	39.2	42.9	44.8	44.2	43.1	44.8	49.9	55.8	56.9
Kyrgyzstan	-	-	-	49	52.2	53.2	52.2	50.5	54.7	55.7	54.7	62.8	59.9

A certain positive trend is observable also in the decrease of corruption, according to Transparency International's Corruption Perception Index (CPI), based on multiple expert opinion surveys:

	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Tajikistan	-	-	-	-	-	-	-	-	1.8	2.0	2.1	2.2
Kyrgyzstan	-	-	-	-	2.2	-	-	-	2.1	2.2	2.3	2.2

Asia Development Bank provides in Key Indicators (2005) the following figures of % of people living under \$1/day. It should be added to the seemingly positive trend that in 2003, in Central Asia 6.4% lived under \$1 /day while in 1990, according to the bank's information, the number was only 1.9%. Nonetheless, due to the fact that the figures are computed based on the data provided by the governments, their reliability is questionable.

	1995	1996	1997	1998	1999	2000	2001	2002	2003
Tajikistan	-	-	-	10.3	-	-	-	-	5.9
Kyrgyzstan	-	-	-	-	-	2.0	-	-	0.4

5.1 *Kyrgyzstan*

Great expectations were invested in Kyrgyzstan, for which an old denomination "Switzerland of Central Asia" was even revived in the 1990s. Indeed, it did not refer only to the topographical situation of the small mountaineous republic on the foothills of Tian-Shan, geographically and politically divided between the northern and the southern part – liberal economic policies instituted upon the counsel of IMF/WB (1991), development of civil society and moderate leadership of Askar Akayev, former President of Kyrgyz Academy of Sciences – thus not a typical member of Communist political *nomenklatura*, but rather a compromise candidate with no strong territorial or clan base (yet

possibly, according to some accounts, the backing of KGB) – promised a successful transition to democracy. However, the decreasing effectiveness of the government, corruption and clientelism (materialized in *semya*, close circle of President’s family operated by his wife, Mariam Akayev) and illiberal policies of the government struggling against the influence of the informal political structures, radical forms of political opposition and drug cartels in the South led to a state of enfeebled political agency and popular discontent with the government, which properly became only one faction among many.

As such, the former political elite was dethroned during in the West was termed Tulip Revolution following the Parliamentary election in 2005. However, this political turnover – the only one of the kind in Central Asia since 1991¹⁹ – filled the expectations of those who hoped in a radical improvement even less than the other sequels of the revolutions in the post-Soviet area, i.e. Georgia’s “Rose Revolution” in 2003 and Ukraine’s “Orange Revolution” in 2004. The new elite, composed mainly of former Akayev’s Southern allies such as the incumbent President Kurmanbek Bakyev, joined forces with the drug barons from the South as Bayman Erkinbayev or prominent organized crime personages from the North as Rysbek Akmatbayev to effect the revolt, which has arguably both decreased the possibility of sovereign political agency in Kyrgyzstan due to the empowering of organized crime structures and increased human insecurity of the country’s population.

Besides the immediate effects organized crime structures have had on Kyrgyzstan’s politics, the other peculiar factors worth mentioning with respect to the sovereignty deficit in the country are the ethnical tensions and the thriving of the radical political opposition in southern Kyrgyzstan. The latter is represented above all by Hizb-ut-Tahrir, albeit the activity of IMU, peaking in the late 1990s, has also left a significant mark. Hizb-ut-Tahrir, a global movement, has one of the strongest bastions in Central Asia – according to International Crisis Group (ICG), the movement’s membership here reached 15,000-20,000 in 2003. Favourably inclined towards the ideas of global jihad and establishment of khalifate, which it declares to pursue by non-violent means, one of Hizb-ut-Tahrir’s tactics includes infiltration of the state structures (Cohen, 2003), and prior to the Tulip Revolution, the movement indeed had celebrated some success in penetrating the Kyrgyzstani Parliament. More

¹⁹ If the death of Sepurmarat Niyazov (*Turkmenbashi*) in Turkmenistan in 2006, which resulted only in a personal change in the high echelons of the obscure totalitarian sultanistic regime, currently headed by Gurbanduly Berdymuammedov, Turmenbashi’s former dentist, is not counted.

significant, however, has been its influence in the areas under weak government control, in particular the southern part of the country partly including Ferghana valley. ICG estimates that as much as 10% of local population, of which some 26,7% are Uzbek, are linked to the movement in this region, and it is here that most of the propaganda materials distributed in the entire Central Asia are printed (*Radical Islam in Central Asia: Responding to Hizb-ut-Tahrir*, 2003, pp. 20-21).

The radicalization of the local population should be attributed partly to the weak performance of the government and persistent human insecurity, but also to the ethnical tensions and marginalization of the Uzbek minority. The communal violence in 1990, which left hundreds dead in the cities Osh and Özgön and which occasionally reemerged, e.g. in relation to the conflict over water in the enclaves of Isfara and Batken (1996), has not escalated to the state of armed conflict. Yet it has testified to the persistent ethnical tension and deprivation of the local Uzbek population, which has no means of political representation on the regional and state level, and perhaps more importantly finds itself beyond the traditional “patronage networks” mediating the group interests on the level of the informal politics. In consequence, it loses in the battle for scarce resources, which in Central Asia’s context may mean water, but also e.g. lucrative areas in the bazaar.

5.2 *Tajikistan*

The armed civil conflict between regional factions from Kulyab, Gharm, Gorno Badakshon – a distant mountaineous autonomous area covering 51% of the country, inhabited by the distant ethnicity of Pamiri – and Leninabad/Soghd, located in Ferghana valley, which raged with the greatest intensity in 1992-1993, featured instances of ethnical cleansing of which Gharmi and Pamiri populations were the main victims, and was concluded by a consensual agreement on the distribution of power only in 1997, was the most significant factor of Tajikistan’s state failure in the 1990s. The deficit of the formal sovereign political agency compared to none of Central Asia’s republics, and Emomali Rakhmonov’s government was long been able to retain even limited political control over Dushanbe and the immediate vicinity only thanks to the presence of Russia’s 201st Rifle Division. The intensity of the conflict measured by UCDP was as follows (“War” value indicates more than 1,000 battle-related deaths, “Minor” 25-1,000 recorded deaths per annum):

	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Tajikistan	-	War	War	Minor	Minor	Minor	Minor	Minor	-	-	-	-	-	-	-	-
Kyrgyzstan	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

Together with the variables mentioned in the general introduction, the conflict produced structural circumstances for the magnification of organized crime structures profiting from the drug traffic from Afghanistan, and the emergence of radical Islamist movements as part of the United Tajik Opposition (UTO), most notably Islamic Movement of Uzbekistan (IMU) founded in Kabul, Afghanistan (1998) and based in Gharm's Tavildara and Karategin valleys. The movement, led by Yuma Namangani – killed at Kunduz, Afghanistan during the U.S. operation in 2001 – and Tohir Yuldashev, has been linked to the global jihad and “organizations” as al-Kaida. However, IMU has also been one of representative examples of the shift of motivational patterns towards the organized crime. It is estimated that in the late 1990s it controlled ca. 70% of the drug traffic on the Northern Route, and the notorious incursions to Uzbekistan (and some of its enclaves: Varukh, Batken and Sokh) and Kyrgyzstan in 1999-2000, interpreted by the governments of those countries as attempts to instigate revolution and establish a khalifate in Central Asia, were most likely motivated by the need to secure routes for the traffic between the period of harvest and the seasonal closure of mountain passes (Cornell, 2006). The sovereign agency's weakness due to the conflict has also served as a legitimation for the interventions by Russia and Uzbekistan into Tajikistani politics, in the latter case represented by bombing of Tajikistani territory where Islamist guerillas were to be located in the late 1990s, unilateral “demarcation” of disputed territories in Ferghana valley, or support for the insurgencies in 1996-1998 in the northern Khojent/Soghd province with a significant Uzbek minority (31.3%), instigated by Mahmud Khudoberdayev, a veteran mujahid from the Afghanistan war.

The peace treaty signed in Moscow provided for the distribution of power, i.e. state institutions, between the warring parties, many of whom had links to organized crime, profiting as warlords from the “state of nature” that ruled the country for most of the 1990s – one notable illustration was appointment of Mirzo Ziyoev, a former commander-in-chief of UTO, linked both to drug traffic and Islamist elements in the opposition (to whom he was supposed to guarantee security even in the post-war years) to the position of Minister for Emergency Situations. The “portioning” of

the government, in which the former elite led by President Rakhmonov secured the major piece – in the following years moreover increasing the relative power by elimination of some of the criminal figures such as Ghafar Mirzoyev, sentenced to life in prison in 2004 – however petrified the situation in which “the government” remains but one faction among many, exercising limited control over substantial proportion of the state territory. Moreover, one of the regional factions – the formerly prominent Leninabad/Soghd represented by Abdumalik Abdullajanov, remained initially excluded from the agreement, a situation that has only somewhat improved in the subsequent years. The lack of political representation in the centre, a reduced amount of resource distribution and marginalization of the local Uzbek population, not dissimilar to that in Kyrgyzstan, have been the main factors effecting the increasing tension between the province and Dushanbe. Despite the improving indicators of governance and socioeconomic effectiveness, it may thus be concluded that Tajikistan today remains an essentially contested state.

6. Conclusion

Fading sovereignty is an observable – if hardly measurable – reality in many parts of the world. Manifested as the decrease of possibility of collective political agency involving objective (*effective capacity*) and subjective (*common will*) element of action, which results in an absence of governance and political responsibility for the order within territorially defined political units, it enacts a state in which various substate actors assume the role formerly performed by the state. However, their capacities are limited, their legitimacy questionable and the intrinsic conflict between them effects the situation for which Thomas Hobbes’ “state of nature” metaphor is pertinent.

The ramifications of this dynamics for security of both referent objects *within* and *without* the spatial unit in question are vast. Inside the state borders, depending on the extent to which the sovereign agency has been enfeebled, the fundamental physical security of the members of the polity may be at stake due to the absent political order and rule of law or as a result of communal violence, armed internal conflicts etc.; or – in a broader perspective – economic, societal, or environmental security may decrease in consequence. In this paper it is argued, however, that the implications for the security of external referent objects may be equally negative – if in a qualitatively different way – due to the double causal relationship between the fading sovereignty and other “new” threats securitized

on the international level: drug traffic and illicit handling of resources; organized crime; armed conflict; and transnational terrorism. In concordance with the ontological nature of security assumed here and J.L. Austin's theory of speech act accommodated to the security theory it is suggested that this interconnectedness creates sound facilitating conditions for securitization of the sovereignty deficit. This deficit thus ceases to be an internal feature of the failing or collapsed states and contained by their state borders or spilling only to their immediate vicinity (as, most notably, in Central Africa / Great Lakes region). Instead, it becomes indirectly externalized – a possible subject to securitization by distant securitizing actors. Policy reflections of this theoretical process may be found e.g. in EU's concept of "good governance" or NATO's "projecting stability".

Against the background of the analysis of two country cases – Central Asia's republic of Tajikistan and Kyrgyzstan, where the inherent weakness of the state in the 1990s caused by the absence of a common state idea, artificiality of these spatial units, economic dependence on the former metropolis, the informal character of the local politics, or the geopolitical variables²⁰ entered into complex dual causal interplay with the security issues listed above resulting in a further enfeeblement of the sovereign political agency – two questions remain to be answered: 1) What role does "the state" play in the environment when internal anarchy becomes almost a reality, and 2) What policy is to be chosen by the external actors to tackle the security risks for them effected by the sovereignty deficit in such a spatial political unit.

An observable phenomenon in both of the examined cases has been the distance between the sovereign agency – however weak from the start due to the inherent factors – and "the state". The state has appeared as an actor with limited abilities to project power within the spatial unit's borders, penetrated by non-state entities – criminal networks, factions or the combination of both – and indeed even a dead *materia* to be distributed and exploited by one or more of those factions, to subsequently become identical with them and act in their interest. The privatization of the state, i.e. its effective identification with one or more factions, and the action in a limited interest of those factions, has had profound influence on the state of sovereignty in both its objective and subjective manifestation – from the entire polity's point of view. While the level of effectiveness – which the various governance indicators listed above attempt to capture – may indeed improve in time, as has been the case of

²⁰ The geopolitical variables involving the new "Great Game" competition in Central Eurasia over influence and raw resources / transit routes involving above all the United States, Russia and China – and to a limited extent Turkey, Iran and the EU – have not been explored in this paper (see e.g. Menon, 2003; Dugin, 2000; or Kleveman, 2003).

Tajikistan in the post-conflict period since the late 1990s, it is in its subjective dimension, the commonality, that sovereignty is most severely contested. In other words, it is only of secondary importance to what extent “the government” is effective when in reality it does not pursue the common, but the particular interest of one or more factions in many, whose instrument it is or with which it becomes identified.

It is, it may be proposed, this particularist nature of the “sovereignty” which creates favourable conditions for the thriving of the various issues securitized by other international actors, besides the obvious implication of the fact that the government does not act in the public interest, i.e. it does not – even if able to do so, as it may – provide for instance the human security as the common good. The notion of the government as a prize in the contest of various factions foments internal conflict, empowers organized crime structures for whom the weak state represents essential conditions for thriving – particularly when they profit from the illicit handling of resources requiring territories beyond the government control, or extensive government corruption. The lack of government control and socioeconomic ineffectiveness – caused by the limited resources due to the structural factors to whose increase it contributes in the dual causal relationship, *and* the particularist character of the state – then effects the radicalization of the population and support for radical forms of opposition, thus making the states where sovereignty is fading e.g. possible bastions of global jihad.

Therefore it is to this subjective element, it is suggested, that the external actors interested in the fading sovereignty as the underlying factor of the array of issues which they securitize should turn. In the light of the particularist government of the state institutions, not properly “sovereign” in both the objective and the subjective element of action, it does not seem to be either effective or desirable to provide great amounts in donations to improve merely their function, if that is carried to pursue particular interests of some of the country’s faction. Neither does the support of actors external to the governments – NGOs, political opposition – seem appropriate, as it tends to be interpreted, whether rightly or not, as a support for the factions contrasting the incumbent government. Institution of democratic modes of participation *per se* only only creates another dimension of the conflict within the polity, and should not be seen as a goal in itself. Finally, various forms of tutelage or “shared sovereignty” ignore the subjective element of sovereignty, the common will, and distance the government from the polity.

It is easier to dismiss the various practices of (re)constituting sovereignty on the theoretical and practical grounds than to offer a sound alternative. The internal political consensus on the

government – and on the very commonality – within the polity (which in many cases in question originated as an artificial creation of the former imperial engineers); in other words, the common will to act politically; or in yet another, J.S. Mill's terms in *Representative Government*,²¹ the willingness of the people to accept, sustain and facilitate the government, is the necessary precondition of sovereign agency. The policy implications of this general statement may prove nearly impossible to draw, as this subjective element – whose absence renders the objective one either impotent, or a mere instrument of one faction within the polity – must emanate from *within* the polity. The best policy on the part of the external actors may therefore be to facilitate the consensus, if possible; refrain from supporting any one faction – whether the government or the opposition; and if the common idea of the state seems unattainable, not resist alternative forms of spatial organization, decommissioning the “Potemkin village” of only *de iure* recognized sovereignty. There can be no “strong states” without citizens that want to live in them and partake in them.

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²¹ Retrived from < <http://philosophy.eserver.org/mill-representative-govt.txt>>.

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