The undersigned, appointed by the dean of the Graduate School, have examined the thesis entitled
THE MAP AND THE MANAP: DECENTRALIZATION IN THE PASTURES OF THE KYRGYZ REPUBLIC

presented by Andrew L. Craver, a candidate for the degree of master of science, and hereby certify that, in their opinion, it is worthy of acceptance.

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DEDICATION

This paper is dedicated to my wife, Maya, and to the memory of Dolos, the chaban’s chaban.
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GLOSSARY OF TERMS AND ACRONYMS

Aiyl: Village.

Aiyl Okmotu: The executive committee of a village or town council.

Akim: The head of the raion government.

Bada: An arrangement in which a herder is paid to graze and supervise cattle kept in a village.

Badachi: The paid herder in a bada arrangement.

Boz Ui: Literally “grey house”; also known as a yurt. A large, sturdy tent with a wooden frame and walls made of woolen felt.

Chaban: A shepherd; in particular one who worked as a shepherd during the USSR.

CPR: Common Pool Resource

Dari Chӧp: A term used to describe high-quality grasses in the syrt. Literally “medicine grass”.

Gosregister: State Agency for Registration of Registration of Rights to Immoveable Property.

Jailoo: Summer pasture, generally located in mountains or foothills.

Jait Comitet: The pasture committee – the executive body of the association of pasture users as outlined in The Law on Pastures.

Kashar: Soviet-era compound consisting of a house and stables.

Kezuu: An arrangement in which villagers take daily turns contributing labor to graze and supervise livestock.

Kezuuchuu: The herder in a kezuu arrangement.

Kolkhoz: Soviet-era collective farm.

Koumiss: An alcoholic drink made from fermented mares’ milk.

Leskhoz: Forestry Service.

Manap: Clan chief.

Menchik: An independent farmer (i.e., not a member of a collective farm).
**Oblast**: State.

**Obshei system**: The “whole” system - a term used to describe the pasture lease system put in place by *On Pastures*.

**Po-sosyedskii**: “In a neighborly way”.

**PUA**: Pasture User Committee

**Raion**: County.

**Saigak**: Bot fly.

**Som**: The primary unit of currency in the Kyrgyz Republic.

**Sovkhoz**: Soviet-era state farm.

**Syrt**: High altitude mountain pasture.

**Tezek**: Compressed and dried dung used for heating and cooking fuel.
ACADEMIC ABSTRACT

This paper looks at the 2009 implementation of The Law on Pastures in the Kyrgyz Republic. This law called for the development of local pasture management committees tasked with reforming and streamlining the process of leasing out state-owned pastures for livestock grazing. Using data collected through interviews, participant observation, and archival research in a village in the northern Kyrgyz Republic, this paper explores how The Law on Pastures fits in to the historical continuum of pasture management regimes in the Kyrgyz Republic, how it devolves the power to manage pastures to the village government, and how the implementation of law might lead to improvements in the use of pasture resources.
Chapter 1: Introduction

This thesis explores a moment of change in the management of grazing land in a village in the Kyrgyz Republic. In 2009, a piece of legislation entitled *The Law on Pastures* was introduced to four pilot villages throughout the Kyrgyz Republic, and was slated to be deployed throughout the country the next year. The law sought to give communities more discretion and accountability in the leasing and management of their state-owned pasture land, while reforming and streamlining the process of leasing out these pastures for livestock grazing. I spent the summer of 2009 in one of these pilot villages with the goal of learning about *The Law on Pastures* and how the law was being put into practice by the village government, as well as the effect of the new law on the village’s shepherds and their pasture management practices. The intent of this research was to understand how *The Law on Pastures* fits in to the historical continuum of pasture management regimes in the Kyrgyz Republic, and to what degree the institutional changes called for by the law might improve the use of pasture resources.

This paper is rooted in the study of post-Soviet land reform. In the decades following the collapse of the Soviet Union, efforts geared toward market transition and the “de-statification” of the Former Soviet Republics (Gleason 2004:41) have included initiatives to restructure land use and ownership. The core goals of these initiatives have addressed the privatization of household plots and other agricultural land, the establishment of land transferability, and the distribution of state-owned machinery and livestock to individuals and private farms.

In the Central Asian Republics, where “collective farming and communism have permeated much deeper into the lives and skills of…rural households than in Central Europe” (Swinnen & Heinegg 2002:1021), the process of land reform has taken longer than elsewhere in the post-socialist sphere. These countries took the world stage with governments that were
mildly to strongly authoritarian (Åslund 2003:76), as well as the challenges of “a low degree of industrialization and technological development; a higher degree of poverty than elsewhere in the former Soviet Union; predominantly rural populations; and population pressure in many areas” (Spoor 2004:3). In Turkmenistan and Uzbekistan, restrictions on land ownership remained in place over a decade after independence (Swinnen & Heinegg 2002:1023). Tajikistan, hampered by a five-year civil war, only began its process of land reform in earnest in the early 2000’s (Åslund 2003:77), with all land still under government ownership (Kerven 2011:32). Kazakhstan’s land reform has been much swifter, with state farms (sovkhозы) and collective farms (колхозы) reorganized into smaller private farms through a series of reforms beginning in the mid-1990’s (Spoor 2004:15). Of the Central Asian Republics, The Kyrgyz Republic (Кыргызстан) emerged early on as most willing to seek international assistance and the fastest to enact economic and land reforms, amending its constitution in 1998 to allow private ownership of land (Mathieu-Petric 2005; Gleason, 2004).

In addition to agricultural plots and equipment that readily lends itself to private ownership, initiatives in the Central Asian Republics have also sought to restructure the management of “fuzzy property”: resources in which ownership and usufruct rights are “indistinct, ambiguous, and partial” (Verdery 1999:105). One such resource is the region’s massive expanse of grazing lands. In Turkmenistan, where 97% of agricultural land is under pasture (Swinnen & Heinegg 2002:1027), the collective management of state-owned livestock on state-owned pasture land still persists (Behnke, Jabbar, Budanov & Davidson 2005). In Tajikistan, where almost 80% of all land consists of pastures (Ludi 2003:119), access to grazing land has been incompletely delegated to village collectives (Vaneslow, Krauzdun & Samimi 2012:324). In Kazakhstan, herders lease pastures from the state using a system of temporary use
permits, and local governments are required to set aside and maintain large corridors for moving livestock to and from summer pastures (Robinson 2000:15). State-owned arid and semi-arid rangelands account for 57% of all land in Uzbekistan (Gintzberger, Toderich, Mardonov, & Mahmudov 2003:16), where pasture access is managed through a system of leases held by agricultural cooperatives as well as open access arrangements maintained by villagers (ICARDA 2013:2).

In the Kyrgyz Republic, where rangeland accounts for 45% of the country’s total territory (Ludi 2003:119), a legal framework for leasing grazing land from the government has been in place since the late 1990’s. However, the complexity of this framework has made it impractical or unappealing to implement, leading communities and shepherds to partially or completely ignore written law in favor of existing informal pasture-use arrangements (Kerven 2011:18). In order to simplify the legal framework for leasing pasture lands, on February 6, 2009 a law entitled *The Law on Pastures* was enacted in the Kyrgyz Republic, which transferred the management of state-owned pasture land from government agencies at the central, state and county level to newly-created village-level pasture-user committees.

**Research Questions**

This thesis looks at the early implementation of *The Law on Pastures* in a village in northern Kyrgyz Republic, and explores the ways in which the new law expands village-level authority over the use of pastures while giving the community greater autonomy in managing its pasture land. This paper addresses three research questions. The first is a matter of description: how was *The Law on Pastures* put into place in the village of Orgochor during its first year of implementation?
Second, to what degree does *The Law on Pastures* truly devolve pasture management to the village level? In short, what rights and responsibilities do community members gain over the pasture land they use?

Finally, to what extent does *The Law on Pastures* alter existing pasture use practices, and do these changes constitute a positive step toward improved use of pasture resource?

With this study, I hope to add to our understanding of changing approaches to pasture management in post-USSR Central Asia, and more specifically the impact of these changes on rural livelihoods in the Kyrgyz Republic. This paper also contributes to the growing body of literature on decentralization projects and resource user committees in the developing world.
Chapter 2: Literature Review

The literature review for this paper brings together four distinct threads. We begin with a timeline of the practice of Kyrgyz agro-pastoralism, followed by an overview of the literature of decentralization and common pool resource management. We then examine the post-USSR development of local self-government in the Kyrgyz Republic, and end with a description of The Law on Pastures and its statutes.

Kyrgyz Pastoralism before the USSR

Since the second millennium B.C. (Tynaliev 1994), a form of nomadic alpine transhumance has predominated among the Kyrgyz (Zhdanko 1966:601). Transhumant herding systems are characterized by the seasonal movement of livestock “between major climatic and ecological zones, from permanent lowland winter habitation to huts and camps in summer mountain pastures” (Galaty & Johnson 1990:22). In vertical transhumant grazing systems, pastoralists and their livestock take advantage of the distribution of forage and water by altitude by undertaking a series of movements through pastures located at varying altitudes, grazing each pasture when it is at its most productive (Galaty & Johnson 1990:299; Khazanov 1994:23). The Kyrgyz grazing system of the past utilized three types of pasture land: low-altitude winter camps (kyshtoo), higher-altitude summer pastures (jailoo), and autumn/spring pastures which were grazed on the seasonal migration between kyshtoo and jailoo (Farrington 2005:172-173). Livestock were led from the mountains to graze in kyshtoo surrounding lowland villages in late autumn, with only large herds owned by clan chiefs (manaps) wintering in the mountains. Although pre-colonial Kyrgyz were primarily nomadic, in the research area of the Lake Issyk-Kul basin pastoralism has historically been coupled with agriculture (Zhdanko 1966:607). In the years prior to collectivization, farming was practiced by those who were unable to travel with
livestock or had lost their livestock holdings; shepherds who had assumed farming out of necessity were typically keen to return to animal husbandry, and many sold fodder and crops in order to rebuild their herd and resume a nomadic lifestyle (Rottier 2003:68).

The pre-colonial social structure of the Kyrgyz has been described by Soviet historians as “combining the essentials of feudalism with a patriarchal way of life conducted within the framework of a clan organization” (Zhdanko 1966:607). Herds, wells, and roads were communally owned by clans, with individual clans possessing ownership of campsites, wells, and winter pastures (Zhdanko 1966:607). Under the feudal system, manaps and wealthy commoners “allocated pastures and paths to each village and kept the best land for their own large herds” and collected fees from clans that passed through their territory’s pastures (Zhdanko 1966:608). Citizens with smaller livestock holdings incorporated their animals into the herds of shepherds who made the annual trek to the mountain pastures and back; serfdom and patronage were also practiced, with the wealthy hiring poorer clansmen as laborers in exchange for protection and livestock (Zhdanko 1966:608).

The period of Russian colonialism that brought an end to the longstanding Kyrgyz nomadic livelihood began in 1855, when the Kyrgyz tribes of the Issyk-Kul valley negotiated a treaty to withdraw their support from the reigning Khanate of Kokand in favor of the newly-established Russian authority in the region (Abazov 2008:31). In 1867 these tribes came under the administration of the Turkistan Governor-Generalship (Abazov 2008:32) – an administrative region that “remained one of the most underdeveloped and economically backward parts of the Russian Empire” (Abazov 2008:33).

By the end of the 19th century, the peasant migration and settlement of Central Asia that had begun as a response to famine and land shortages in the Russian Empire’s European
territories was intensified with the creation of a resettlement agency to facilitate further settlement (Rottier 2003:69). In addition to alleviating social pressures in European Russia, the settlement of the Central Asian colonies, with its implicit sedentarization of nomads, was designed to russify the native peoples of colonial Turkistan (Brower 2003:19).

In 1891, the Steppe Areas Land Administration Order declared land occupied by nomads to be property of the state, but allowed villages to continue to use it according to “custom” (Zhdanko 1966:611). The Russian population of the territory of present-day Kazakhstan and the Kyrgyz Republic increased from 16% to 41.6% between 1897 and 1916, forcing Kyrgyz and Kazakhs to become increasingly sedentary (Zhdanko 1966:609). In Pishpek (Bishkek) District, there were “three communities of sedentarized Kirgiz, numbering over 17,000 inhabitants” by 1913, although in 1916, 72% of nomads in the Semirechensk region - which encompassed most of the territory of the Kyrgyz Republic as far as the southern city of Osh (Abazov 2008:33) - were still living a nomadic or semi-nomadic lifestyle (Zhdanko 1966:611). This era marked the development of a new Kyrgyz agro-pastoralism, in which settled Kyrgyz scaled down the size of their herds in response to the land constraints imposed by settlement while further incorporating farming into a livelihood that continued to be largely pastoral; nomadic practice was “still very much alive, but taking on a new guise” (Brower 2003:148).

The call for Central Asians to join the war effort in June of 1916 led to widespread unrest (Abazov 2008:34). Insurrection in the countryside led to sustained fighting between native Kyrgyz and Russian settlers in Semirechensk and surrounding regions, culminating in the flight of over 300,000 Kyrgyz to China to escape retribution and persecution at the hands of colonial authorities and colonists (Brower 2003). Pianciola (2004) writes:

It was the beginning of a period that lasted until 1923, characterized by the collapse of the imperial economic system…and by the outbreak of an anarchic civil war. Between 1917 and 1920 the organs of the
state apparatus linked to Moscow were absent from the Kazak region, which was divided into zones
controlled by the Kazak nationalist party, Alas-Orda, and centers of local power in the hands of armed
Cossacks and peasants, the latter often nominally fighting for the Bolsheviks (p. 139).

With this uprising, the Tsarist regime lost whatever measure of control it had exercised
over its Central Asian colonies. The result of the smoldering enmity between the native Kyrgyz
and the Russian settlers was that “ethnicity (became) the rationale for mass expulsion of nomadic
clans” (Brower 2003:167). One of the last acts of the colonial government in Semirechensk was
the opening of the remaining 500,000 acres of nomad-managed land surrounding Lake Issyk Kul
to Russian settlement, accompanied by the resettlement of Kyrgyz from Issyk Kul and Bishkek
to high, arid mountain valleys in southern Semirechensk (Brower 2003:167).

Between 1921 and 1929, a further series of land reforms and redistributions under the
new Soviet government sought to undermine the remaining powers of the manaps and wealthy
landowners in rural areas (Zhdanko1966:612). The sovietization of Central Asia began in 1927
with the first five-year plan and the “attack on traditional society and Islam” (Roy 1999:111), and
that this process:

Consisted of three main stages: the campaign of requisitioning the wealth and livestock of the “great bai,”
rich owners of livestock who represented authority and the ownership of the resources of the entire nomad
community (from January to the end of 1928); the first military draft that included young Kazaks — the
only prior attempt at mobilizing Kazaks had led to the great revolt of 1916 (the first groups were called up
in the autumn of 1928); the reopening of the region to immigration by European colonists (April, 1929) (p.
147).

This campaign led to the taxation and torture of native herders regardless of their level of
wealth, as well as the forcible redistribution of livestock. A program of sedentarization followed,
beginning during the winter of 1929. The objectives of this sedentarization were to “(free) land
for grain cultivation; (incorporate) the nomads into the collective farm system; (make) a work
force available for agriculture and industry…and (end) friction between herdsmen and peasants” (Pianciola 2004:155).

The sedentarization of 1929 entailed mass redistribution of livestock and the forced settlement of Kazakh and Kyrgyz herdsmen on collective farms. Uprisings were followed by widespread famine and disease, with almost 1.5 million dying between 1931 and 1934, and close to 395,000 families leaving the Republic between 1930 and 1933 (Pianciola 2004:172). In the following years, more than 400,000 of these refugees returned to Kyrgyz and Kazakh lands, having suffered rejection and torment in other republics. Returnees, in addition to the herdsmen who survived the initial phase of sedentarization, were relocated and settled in ill-appointed agricultural *kolkhozes* located on marginal lands, where they faced ethnic persecution and unemployment (Pianciola 2004:173).

Sedentarization obliterated Kyrgyz and Kazakh livestock holdings and the process of curbing nomadic practice led to the demise of traditional animal husbandry, with the number of head of nomad-owned livestock falling by 97.5% between 1928 and 1934 (Pianciola 2004:181). The Kyrgyz Soviet Socialist Republic was created in 1936 (Abazov 2008:38), and by 1937 collectivization in the Kyrgyz SSR was complete; nomadism had “disappeared, together with the ills it involved - cold, dirt, disease and ignorance” (Zhdanko 1966:619).

**Agro-Pastoralism in the Kyrgyz Soviet Socialist Republic**

Under the Soviet Union the Kyrgyz Soviet Socialist Republic remained largely rural with an agricultural economy, with over 32% of the population working in *kolkhozes, sovkhozes*, and on private farms as late as 1989 (Patnaik 1995:156). Agro-pastoralism in the Kyrgyz SSR was characterized by state ownership of land, centralized planning and monitoring of land use, and the valuation of intensive livestock production over sustainable use of pastures (Shamsiev
The Kyrgyz SSR had 275 sovkhozes, including State Breeding Plants that specialized in developing and breeding pedigree livestock (Wilson 1997:58). The intensification of sheep breeding, which entailed the development of pasture infrastructure, extensive supply and transportation lines between settlements and pasture areas, massive supplies of winter forage\(^1\), and aerial reseeding of pastures, led to chronic overstocking of all of the pastures of the Kyrgyz SSR. Sheep and cattle holdings for sovkhozes averaged 16,000 head and 1,400 head respectively, and livestock were primarily transported to summer pastures by truck or train (Wilson 1997:58). In northern states (oblasts) of the Kyrgyz SSR, livestock were also transported by train to winter pastures in the neighboring Kazakh SSR (Schillhorn van Veen 1995:38). The Kyrgyz SSR’s 195 kolkhozes, while formally belonging to workers, were managed with much of the same state oversight as sovkhozes (Wilson 1997:60). Kolkhoz livestock holdings were larger than those of sovkhozes, averaging 22,000 sheep and 1,800 cattle (Wilson 1997:60). This increase in livestock numbers during the USSR was not without consequence: by the 1960s almost all of the Republic’s mountain pastures were habitually overstocked at over twice their capacity and suffered from degradation (Shamsiev 2007:56). The severity of this degradation was considerable; over 30 years of overgrazing, the productivity of summer pastures “fell from 639 to 414 kg/ha…that of spring autumn pastures on the middle slopes fell from 465 to 301 kg/ha, and that of winter pastures around home farms from 297 to 93 kg/ha” (Wilson 1997:66).

Nonetheless, by the 1960s the Kyrgyz SSR was the third-highest producer of wool and meat in the USSR, surpassed only by the much larger republics of Russia and Kazakhstan (Wilson 1997:58). At their peak in 1989, the livestock holdings of the Kyrgyz SSR totaled 10.8

\(^1\) Imported hay and grain were crucial to the growth in livestock production in the Kyrgyz SSR. The amount of total feed needed in the republic “increased four-fold between 1960 and 1987, while those of concentrates…rose six-fold”. By 1987, the amount of “grain used for animal feed was twice that consumed by the human population” (Wilson, 1997: 65).
million head of sheep and 7.8 million sheep equivalents - with one yak, horse or cow as the equivalent of five sheep (Farrington 2005:174).

**Post-USSR Kyrgyz Agro-Pastoralism**

Upon its independence from the Soviet Union in 1991, the Kyrgyz Republic emerged as the second-poorest of the former Soviet republics (Farrington 2005:175). In the years following independence, the majority of the nation’s livestock were sold, bartered, slaughtered for meat, or lost to disease: sheep numbers dropped from 10.8 million in 1989 to 3.3 million in 1997 and the number of cattle declined by 30% (Suttie & Reynolds 2003:17; Farrington 2005:175). As livestock numbers fell and arable land was converted from fodder to wheat production, the hardier fat-tailed sheep – which had been kept against official policy in private plots - rose to popularity, supplanting the wool-bearing merino sheep of the Soviet era (Wilson 1997:61; Farrington 2005:176). As a result of this shift in breeds, wool production in the Kyrgyz Republic fell by nearly two-thirds between 1992 and 1997 (Farrington 2005:176).

The livestock sector remains vitally important to the economy of the Kyrgyz Republic. In 2004, livestock accounted for 44% of total agricultural output, and represented half of the agricultural sector’s growth from 1992 to 2004 (Shamsiev 2007:18). Almost all cattle, sheep, horses and poultry are owned by small-scale farmers, and even among rural households in the bottom income quintile, the value of livestock holdings increased 50% from 1999 to 2002 (Shamsiev 2007:18). Most household holdings remain small, with an average of 2.8 cattle, 13.2 sheep, and 2.2 horses per farm; 98% of households have fewer than ten cows or horses, while 57% have fewer than 10 sheep (Shamsiev 2007:18).

Despite rebounding livestock numbers since the late 1990’s, agro-pastoralism in the Kyrgyz Republic continues to face formidable challenges. Due to the specialization of livestock-
sector jobs during the Soviet era, even many livestock owners who had worked in the industry as members of sovkhozes and kolkhozes lacked the knowledge necessary to raise animals after the collapse of the state farming system. This has continued to hamper the development of the country’s livestock sector beyond an inefficient, primarily subsistence level, with an annual national herd growth rate of about 14% (Shamsiev 2007:21).

Inadequate winter feed is a recognized limitation of the Kyrgyz Republic’s livestock sector, with an average of 2.3 tons of winter fodder available per cow: half of that available during the Soviet era. Improper harvesting and storage of hay, resulting in levels of protein and nutrient loss estimated to be as high at 40%, contribute to winter weight loss and livestock mortality (Shamsiev 2007:13).

Overall animal health is identified as a prime concern of animal owners, and the need for overhaul in the veterinary sector and better surveillance of zoonoses is well-recognized (Shamsiev 2007). The loss of state inputs in the production and distribution of vaccines, as well as the privatization of domestic vaccine production facilities, has led to a reduction in the number of subsidized vaccinations and given rise to the illegal importation of veterinary drugs (Shamsiev 2007:34). Vaccination and outbreak rates for zoonotic diseases are poorly monitored, as the State Veterinary Department has reduced the number of diseases it intends to actively campaign against from a USSR-era high of 45 to 5: brucellosis, Foot and Mouth Disease, anthrax, sheep pox, and rabies (Shamsiev 2007:19).

**The Post-USSR Pasture Lease System**

From 1991 to the present, a series of legislative acts has addressed the problem of defining and managing pasture land in the Kyrgyz Republic, which is defined by its constitution as property of the state. USAID (2007) summarizes:
A detailed pasture use and allocation procedure is described in the special regulation “On Procedures of Allocating Pastures for Lease and Use” adopted by the Government of the Kyrgyz Republic on June 4, 2002, № 360. In general, pastures are allocated for short-term (5–7 years) and medium-term (7–10 years) leases through transparent procedures (open commercial or investment tenders). For other purposes, the pastures can be used up to five years… This regulation is the main document on the distribution of pastures as well as funds coming from pasture lease (p. 7).

Regulation 360, further amended in 2004, also sets forth the three legal designations of pasture: near-village, middle intensive, and remote (syrt). Near-village pastures are located near settlements and include areas under cultivation. Middle intensive pastures are generally located at a higher altitude between human settlements, in the foothills of high mountain ranges. Remote syrt pastures are located at even higher altitudes, and are at a considerable distance from human settlements. These three categories correspond with winter, fall/spring, and summer pasture designations used under the traditional Kyrgyz system of vertical transhumance (USAID 2007).

Under the three-tiered pasture management regime outlined by Regulation 360 and numerous other pieces of legislation, the right to use pastures was administered by five agencies. The oblast (state) administration was responsible for distributing leases for syrt pastures and providing for the management and protection of these pastures, as well as “confirming the overall boundaries of (middle) intensive pastures” (Shamsiev 2007:58). The raion (county) administration was responsible for distributing leases for middle pastures, providing for their management and protection, and designating the boundaries of near-village pastures (Shamsiev 2007:58). The aïyl okmotu (village or town executive committee) was responsible for leasing and regulating the use of near-village pastures (Shamsiev 2007:58).

The responsibilities of the State Agency for Registration of Registration of Rights to Immoveable Property (Gosregister) include:

- Registering the overall boundaries of pastures;
- Participating in the development of comprehensive plans compiled by oblast state administrations, raion state administrations, and aïyl okmotus (though the latter explicitly must pay Gosregister);
- Surveying and preparation of all individual parcels of pasture land to be leased prior to announcement of competitions to lease; Registration of leases.” (Shamsiev 2007:58)
The Leskhoz (Forestry Service) was, and remains, responsible for leasing pasture lands located near forests (Shamsiev 2007:58). These pastures are not subject to the 2009 law The Law on Pastures.

This system of pasture distribution and management has been criticized for its lack of clarity and inefficiency. Under this system, state agencies’ responsibilities were duplicated at multiple levels, as demonstrated by the need for the Gosregister to register leases issued at the oblast, raion and ayl (village) level, as well as the requirement that it conduct land surveys in addition to those conducted by administrative bodies. The three-part documentation to confer a lease under this system, consisting of a lease agreement, transfer act, and confirming certificate, has also been described as “onerous . . . especially since all three documents are generated by the same agency- Gosregister” (Shamsiev 2007:59).

The degree of implementation of the three-pasture lease system has also varied widely, depending on the region in which the pasture and leaseholders are located, their distance from raion and oblast centers, longstanding local practices and the agenda of individuals in charge of key processes. In his 2008 account of pasture management in Naryn oblast, Fleming describes a system of relatively transparent lease auctions in Kochkor raion that awarded leases for periods of 5 to 49 years; this system was “adjudicated by a panel consisting of representatives of the village government, land registry, agricultural ministry, and finance ministry, as well as the local member of parliament” (Fleming 2008:53). However, on his visit to the village of Kyz Art in nearby Jumgal raion, located 40 km from the raion center of Chaek, neither the village’s appointed Gosregister representative nor any sign of an effective formal system of land leasing and management were to be found (Fleming 2008:54). Likewise, in the high pastures of the Lake Song Kul area, which were classified as syrt, compliance with the formal rules of land
management was nearly impossible: as syrt, these pastures were under Naryn oblast jurisdiction, whose nearest representatives were located 200 km away in the oblast capitol of Naryn City (Fleming 2008:55). It is important to note that these observations were made in 2007, fully five years after the implementation of the three-tiered pasture lease system. Also, note that the lease term of 49 years is considerably longer than the maximum lease term of 10 years set forth in Regulation 360.

Discrepancies within the system have made it vulnerable to selective implementation and corruption. Esengulova (2008) describes an incident in Kochkor raion in which aiyl okmotu representatives exploited a discrepancy between the Russian and Kyrgyz language translations of the Land Code to dictate whether or not shepherds would be allowed to rent pasture parcels for terms of fewer than five years – the aiyl okmotu representatives resolved each case using whichever version of the law best aligned with their personal interests. Likewise, Shigaeva, Kollmair, Niederer & Maselli (2007) write that the bidding process for leases in the Sokuluk area of Chui oblast was often not transparent, resulting in the capture of productive syrt pastures by a wealthy urban elite.

The breakdown of the Soviet pasture management system followed by the ineffectiveness of the three-tier pasture lease scheme has led shepherds and observers alike to become concerned for the health of the country’s grazing lands. Ludi (2003) writes the individualization of agricultural production and reduced inputs from the state have led livestock owners to depend heavily on pasture resources located near their villages. The overuse of these near-village pastures has resulted in soil erosion and decreased forage, while remote pastures remain productive and underutilized (Ludi, 2003:121). Similar patterns of near-village pasture degradation have been observed elsewhere in the Kyrgyz Republic (USAID 2007; Mearns, 1996)
in Tajikistan (Ludi 2003; Vanselow, Kraudzen, & Samimi 2012), and in Kazakhstan (Robinson 2000; Alimaev & Behnke 2008).

In summary, pasture access rights, grazing management, and the scale of pastoral livestock production in the territory of the present-day Kyrgyz Republic have undergone considerable change from antiquity to the present. Where land use in the pre-colonial era was governed by the season and the dictates of the manap, the Russian colonial era was characterized by massive disruptions in longstanding power structures and practices. The sovietization of Kyrgyz land and Kyrgyz society ushered in an industrial model of land use and livestock production that relied on financial support from the state, inter-republic trade agreements and a complex, far-reaching agrarian infrastructure. Post-Soviet pastoral livelihoods in the Kyrgyz Republic have thus far been characterized by the breakdown of these systems and structures and the development of localized land-use practices which are neither wholly Soviet nor wholly traditional, and are shaped both by market demands and the loosening of state restrictions on land use. While these practices have allowed many rural households to subsist and even prosper, the middling health of the nation’s flocks and pastures suggest the need for an improved program of rangeland management.

**An Overview of Decentralization**

This new program, as outlined in The Law on Pastures, approaches the problems of allotting and managing pastures through a process of decentralization. At its core, decentralization is the formal transfer of power from a central government to “actors and institutions at lower levels in a political-administrative and territorial hierarchy” (Ribot 2003:3). Developing countries have participated in decentralization initiatives since the 1980s, as colonial and authoritarian regimes have given way to governments in which “newly elected and
autonomous local authorities” hold a greater share of responsibility and power (Larson & Soto 2008:214). The reasons for these governments’ engagement in decentralization projects range from the pragmatic to the political. Grindle (2007) cites factors as diverse as “pressures from international financial institutions, the electoral logic of declining parties, career aspirations of politicians, levels of economic development, and the ideological rationale of neoliberalism” as reasons for reform (p. 6). Decentralization can also occur as a de facto process when local governments and citizen groups take on the responsibility for public service provision or resource management in lieu of leadership from a weak central government (Resosudarmo 2004).

Manor (1999) identifies three types of decentralization. The first is deconcentration, which entails “the dispersal of agents of higher levels of government into lower-level arenas” (p. 4). On its own, deconcentration can amount to a form of further centralization in which central governments place upwardly accountable agents into local administrations without increasing these administrations’ access to channels of political power or decision-making (Manor 1999:5).

The second type, fiscal decentralization, occurs when “higher-levels in a system cede influence over budgets and financial decisions to lower levels” (Manor 1999:5). Programs that decentralize fiscal resources without working to expand popular participation in governance rarely increase lower level actors’ political power or ability to make decisions; thus fiscal decentralization efforts should be accompanied by “mechanisms [that] give people at lower levels some voice” (Manor 1999:6).

The third type, devolution, or democratic decentralization, entails “the transfer of resources and power (and often, tasks) to lower-level authorities which are largely or wholly independent of higher levels of government, and which are democratic in some way and to some
degree” (Manor 1999:6). With its emphasis on enhancing democratic processes and fostering political participation, this variant of decentralization is often represented in national decentralization initiatives and donor-funded development projects. However, the establishment of both deconcentration and fiscal decentralization is a prerequisite for devolution, as successful devolution initiatives require local actors and institutions to have control over financial resources as well as “bureaucratic resources” (Manor 1999:6). Devolution emerges in the literature as the ideal form of decentralization, as it is envisioned as a means of empowering civil society in societies undergoing political transition; Agrawal and Ribot (1999) write that “advocates of decentralization justify it on grounds of increased efficiency, more thoroughgoing equity, and/or greater participation and responsiveness of government to citizens” (p. 473). Devolution enjoys praise in development circles, with agencies touting its achievements in linking development activities with overall goals of improving governance and participation through capacity-building. Lippman (2001) enumerates the benefits of this linkage:

The effects of cross-sectoral activities… have enhanced outcomes in economic growth, education, environment, and health programming, while contributing to democratization and good governance. As a result, citizens have learned how to be more involved in development, exercise their rights, and hold officials accountable, while government authorities have become more effective, responsive, and transparent. On numerous occasions, synergy has been achieved: the sum of sectoral achievements and increased democratic governance has been greater than the results achieved independently (p. 38).

The power to manage and exploit natural resources emerges as a key element in the narrative of devolution; as a locus of production, natural resources are an important source of political and economic power in their own right. Owing to their primacy, natural resources can also serve as an idiom through which local self-determination can be manifested. Ribot (2003) argues that once entrusted to a representative body of local governance, the discretion to manage natural resources “becomes the power that makes that representation meaningful” (p. 54). In this way, natural resources can be as much a symbol of reform as the object of reform, and the right to manage these resources can serve as an important benchmark of democratization.
Decentralization schemes have been criticized for shifting the costs and responsibility of public service provision from the central government to regional and local governments and citizens’ groups under the guise of reform. Once they are burdened with the responsibility of service provision or resource management, local government agencies and citizen groups are not always allotted the administrative and financial resources necessary to fulfill their new obligations. For example, in Anglophone Africa in the 1950s and 1960s, decentralization projects were used to move the burden of social service provision from the central government to local governments, and served as a means by which post-colonial governments could symbolically demonstrate that they were more committed to participatory government than were the colonial regimes that preceded them (Conyers 1983:99). In the case of village water user associations (WUA) in the Kyrgyz Republic, Sehring (2005) reports that a state budget crisis was the impetus for switching from a central irrigation management system to a series of WUA in her study area. As a result of a decentralization strategy based solely on delegation, only 37 of the 353 WUA registered in the Kyrgyz Republic in 2004 were eligible apply to the World Bank or Asia Development Bank for further development assistance (Sehring 2005:11). In addition to offloading duties, governments can use empty reforms to appease and garner support from donors, NGOs and foreign governments (Engberg-Pederson 1995). Sundar (2001) writes that decentralization projects addressing Indian forest resources have often served “merely to reduce costs and responsibilities for the state, while extending the reach of the administration and donors to new areas” (p. 2).

The degree to which local leaders represent the interests of citizens in their management of resources has also fallen under scrutiny. In his study of forestry in Bolivia, Pacheco (2004) writes that forest resource management decisions vary by municipality, depending on local
governments’ willingness to represent their constituencies (p. 106). In municipalities in which both exports and subsistence livelihoods depended on the sustainable use of forests, leaders were willing make management decisions that supported sustainable forest management; however, if the production of exports demanded activities such as clear-cutting, local governments prioritized these activities over subsistence livelihoods (Pacheco 2004). Because municipalities and their leadership varied widely in their priorities and decisions, he concludes that “not all responsibilities should be transferred equally to every municipality, and…a better system of checks and balances –involving the whole public system (both vertically and horizontally) – must be implemented to ensure greater transparency and accountability in decision-making” (Pacheco 2004:107).

Somewhat perversely, decentralization programs have also been criticized for extending the reach of the central government into local affairs. Shackelton et al. (2002) warn that the role of government agencies in designing and approving resource management plans can work against resource users and communities, arguing that such management “is often used to justify continued central control over valuable resources, when it is really about controlling profitable opportunities, often for individuals who are not entitled to them” (p. 1). For example, Ribot, Agrawal and Larson (2006) describe a decentralization program targeting forests in Nepal in which the central government selectively devolved the management of low-profit forest resources to communities while keeping larger and most profitable timber stands for itself (p. 1878).

Likewise, decentralization efforts that give local governments and community groups the responsibility of managing resources without clearly defining their powers run the risk of creating upwardly-accountable levels of local bureaucracy that lack real powers of
representation. For instance, Baviskar (2004) describes a project in the Indian province of Madhya Pradesh that aimed to decentralize control over water bodies and forests to elected village governments, who were in turn subject to monitoring by councils consisting of village adults. However, the formal powers of these councils were not enumerated in the legal framework of the project, and they were given no control over financial resources or power to stop land seizure by the central government. Due to this oversight in establishing the chain of command, the newly-established powers of the village governments were diminished from the reform’s inception. Similarly, in a multi-country study of forest decentralization initiatives, Ribot, Agrawal, and Larson (2006) found instances in which - despite both their protest and their newly-granted autonomy - local councils were responsible for fulfilling production quotas set by the central government and continuing to participate in resource extraction activities they deemed against their best interests (p.1878).

Resource User Groups and Managing the Commons

Since the mid-1990s, decentralization projects targeting natural resources have often called for the organization of local resource user groups, broadly defined as “those receiving some direct benefits from a resource” (Kant & Berry 2001:333). This focus on devolving natural resource management rights to user groups has been called a “second wave” of decentralization, following the initial wave of efforts beginning in the 1980s that sought to devolve political resources and power (Manor 2004:192). Paired with the devolution of power to the people and organizations that are closest to resources, the promotion of resource user groups has the potential to establish management regimes in which “indigenous knowledge” and forms of locally-appropriate social organization (rather than the demands of bureaucracy and
administrative simplicity), can set the agenda for natural resource management (Agrawal & Gibson 1999:638).

Resource user groups resulting from this “second wave” often focus on a single issue or resource - such as water, fisheries, pastures, or forests (Manor 2004:93). The resources addressed in these initiatives are largely common-pool resources (CPR): renewable resources in which “exclusion of beneficiaries through physical and institutional means is especially costly, and exploitation by one user reduces resource availability for others” (Ostrom et al. 1999:278). The problem of exploiting common pool resources sustainably was notably addressed by Hardin in his *Tragedy of the Commons* (1968) in which he posited that when rational actors exploit a limited resource, they will seek to maximize their gain by appropriating as much of that resource as possible, to the detriment of their neighbor and the resource – an “inherent logic of the commons (that) remorselessly generates tragedy” (p. 1244). Hardin concluded that the commons can only continue to exist when the population density is low; otherwise, resources must be privatized to ensure their protection (Hardin 1968:1248). In short, some users must be excluded from exploiting the resource. Returning to Ostrom’s definition of a common pool resource – that exclusion from the resource by physical or institutional means is costly – it appears that Hardin’s proposed solution is impractical. If there are cases in which it is not feasible to transform a common pool resource into a private, excludable good, then hopefully there is some durable approach to managing the commons. If exclusion through physical or institutional means is costly, it would be helpful if there were some way to minimize this cost as much as possible, or at least to justify it. Hardin (1968) writes, “freedom in a commons brings ruin to all” (p.1244), and so perhaps there is some middle ground between a destructive open-access regime and a similarly untenable privatization scheme.
The promotion of resource user groups is couched in the study of institutions - the “sets of formal and informal rules and norms that shape interactions of humans with others and nature” (Agrawal & Gibson 1999:637). By focusing on the processes by which the guidelines governing natural resources are created, implemented and enforced, an institutions-based approach to community conservation reveals the “multiple and overlapping rules, the groups and individuals affected by such rules, and the processes by which the particular sets of rules change in a given situation” (Agrawal & Gibson 1999:638). These rules and processes are often not specific to a given resource, but are instead embedded in “preexisting social norms, rules, and structures” (Upton 2004:585). Acknowledging the role of these norms and structures in the mechanisms by which resources are managed allows us to consider resource management arrangements in which the economic calculations behind resource extraction are embedded in, and mediated by, the social relationships between resource users. Nee and Ingram (1998) make a case for this embeddedness, arguing that “institutions…reduce uncertainty in human interactions and help solve the problem of coordination” (p. 21). Where the actor envisioned by Hardin focused on working alone to capture maximum gains from a single resource, Nee and Ingram’s actors rely on social norms to maximize the benefits of cooperating with one another, and reinforce these norms through frequent interaction in multiple arenas (1998:29). Ostrom (1990) writes that cooperation in resource-use regimes serves to “order activities so that sequential, contingent, and frequency-dependent decisions are introduced where simultaneous, non-contingent, and frequency-independent actions had prevailed” (p. 39). Similarly, Mancur Olson (1965) writes that the “standard for determining whether a group will have the capacity to act, without coercion or outside inducements, in its group interest…depends on whether the individual actions of any one or more members in a group are noticeable to any other individuals
in the group” (p. 45). Systems in which actors cooperate in exploiting and managing a resource build this capacity to act by establishing a reliable order to the timing and location of resource extraction over an extended period of time; this gives resource users greater confidence in their ability to use the resource in the future (Ostrom 1990:34). These systems also establish a measure of transparency, insofar as resource users can expect other users to extract resources from certain places at certain times. The value of creating a resource user group therefore lies in allowing resource users to manage resources in a way that makes sense to them, while increasing their awareness of one another’s actions and their ability to reliably predict one another’s future actions. In short, the promotion of user groups aims to stimulate the creation of institutions with norms, or to recognize and empower existing institutions.

How, then, are successful resource user groups established, and what should they look like? In Governing the Commons (1990) Ostrom presents examples of successful self-governed resource-use regimes based on cooperative management, and outlines eight design principles illustrated by long-enduring common property resource institutions (p. 90). While Ostrom cautioned against the use of her principles as blueprints for designing CPR regimes, she argued that they can be used as a starting point for analyzing and improving such regimes (Ostrom 2008:17). It is for this purpose that we will review her principles, and we will return to them in the analysis of our case.

The first of her principles, clearly-defined boundaries, stipulates that the resource being managed, the physical boundaries of this resource, who is allowed to make use of the resource and when they are allowed to use it must all be clearly defined (Ostrom 1990:90). Ostrom’s second principle, congruence between appropriation and provision rules and local conditions, calls for resource users to have accurate information about the nature and availability of the
resource; for example, how much of the resource an appropriator can expect to have access to at a given time (Ostrom 1990:90). According to Ostrom’s third principle, *collective-choice arrangements*, resource users should have the ability to participate in modifying the rules of the resource-use regime in order to suit the social and physical reality of the resource and the needs of users as these needs change over time (1990:90).

*Monitoring*, Ostrom’s fourth principle, calls for the presence of monitors to “actively audit CPR conditions” and to eliminate the problem of free ridership by making sure that resource users follow the rules of the system. These monitors should consist either of appropriators or of individuals who are accountable to the system’s members (1990:90). Ostrom’s fifth principle, *graduated sanctions*, stipulates that in successful CPR institutions, sanctions for breaking the rules of the system are imposed by appropriators themselves, and not by external agents. These sanctions should take into account the circumstances of the appropriators in order to avoid causing undue harm to the offender while assuring his “quasi-voluntary compliance” and keeping enforcement costs to the system low (1990:96).

The need for *conflict-resolution mechanisms*, Ostrom’s sixth principle, calls for low cost, easily-accessible arenas for resolving conflicts between appropriators and between appropriators and administrators. A key function of these mechanisms is to clarify ambiguities in the system’s rules (1990:90). Ostrom’s seventh principle calls for the *minimal recognition of users’ rights to organize*, in which “the rights of appropriators to devise their own institutions are not challenged by external government authorities” (1990:101). This principle pertains directly to the problem of decentralization as delegation; in order for the management of resources to be truly participatory, users must be able to design resource-use regimes that suit their needs and the demands of their social and physical environment.
The literature on resource-user groups offers mixed reviews of their impact on the sustainability, equity, and efficiency of resource management. In the Kyrgyz Republic for example, a Pasture User Organization (PUA) implemented by 17 shepherd families from the community of Tolok in Naryn oblast is reported to have successfully rehabilitated overused pastures by organizing pasture closures and adopting the practice of rotational grazing (Esengulova 2008). Members have also been able to cooperate in hiring a few large vehicles to transport their boz uis and livestock to summer pastures, rather than traveling in multiple smaller vehicles, and have begun to agree on market prices for their products, sending an elected representative to sell their products in village markets on the group’s behalf instead of competing against one another at individual market stalls (Esengulova 2008:12).

Banks et al. (2003) describe the success of PUA in western and central China, where state-owned pasture parcels are leased to individual households, but managed by collectives comprising multiple households - often on the basis of collective-era herding arrangements (p. 136). Under this system, all members of a herding community are allowed access to pasture resources according to a grazing schedule devised by the collective, which allows them to take advantage of spatial and temporal variations in grass quality (Banks et al. 2003:138).

Ho (2000) describes the development of user organizations to combat invasive liquorice-root gathering on community-managed pastures in China’s Ningxia Hui Autonomous Region - a practice that contributes to desertification and thereby ruins both pastures and agricultural plots. While liquorice-hunting was a recognized threat to the livelihoods of herders and farmers in Ho’s study area, local officials were reluctant to pass ordinances prohibiting the practice, as liquorice-hunters were primarily ethnic Hui whose interests were supposed to be prioritized by the government of their Autonomous Region (Ho 2000:403). Shepherds and farmers in these areas
therefore banded together into land-user organizations based on existing village institutions and worked collectively to clearly mark the boundaries of their land and increase patrols to detect intrusions (Ho 2000:404). Ho attributes the success of their efforts to the clear need for collective action in order to prevent desertification, the relatively small number of villagers participating in these groups, and the willingness of village leaders to maintain good relations with local authorities while speaking up for the interests of villagers (Ho 2000:408).

In their survey of decentralization projects in Africa and Asia, Shackleton, et al. (2002) note that a secondary benefit experienced by resource user groups was that they were noticed by donor organizations, who offered them assistance with projects; membership in these new groups also helped resource users create social networks, thereby increasing their organizational capacity (p. 2).

Despite the benefits associated with the management of natural resources by user-groups, these efforts have not been immune to criticism. For instance, Manor (2004) sees user groups’ ability to adequately represent their members as problematic. He identifies three primary means of selecting group members:

They may be composed (largely or entirely) of all persons within a particular category – those who use water for irrigation, parents of school children, etc.; they may be largely or wholly appointed from above, usually by officials from government line ministries; or they may be selected by some sort of ‘democratic’ process (p. 195).

The first method, *categorical inclusion*, is prone to omitting poorer resource-users when defining who is and isn’t a stakeholder. The poor are less likely to participate in such groups, and recruitment is unlikely to intentionally target women and minority stakeholders (Manor 2004:196). The second method, *appointment from above*, is likely to result in the appointment of prominent, wealthier community members who are “beholden to bureaucrats” to leadership positions within the group, which “weakens the capacity of committees to assert community
interests” (Manor 2004:197). Manor’s reservations toward the third method of group selection, appointment by democratic process, are based in the informality and opacity of elections for leadership posts in user groups, which are often hasty and marred by conflicts of interest (p. 199).

Indeed, the assumption that user groups represent all resource users can be misleading. In the case of the Chamatamba grazing scheme in Zimbabwe, group leaders who also participated as herdsmen were able to use the organization as a conduit for government funds to use in their own personal projects by blurring the line between leader and participant (Cousins 1992). The success of these group leaders in securing government funds for such projects only bolstered their reputation for being effective administrators and secured their continued leadership roles; in the end, “both political and economic power...was concentrated in the hands of a small but active group of wealthier men” (Cousins 1992:22). Likewise, Shackelton, et al. (2002) found that in many of their study cases, funds raised by way of “revenues, licenses, permits and leases” were captured by elites or outsiders instead of directed towards management projects (p. 2).

Clearly defining resource users and the rules of the resource-use regime is also problematic. Describing the grazing scheme at Chamatamba, Cousins (1992) observed that while the heads of the user committee claimed that members knew all of its rules and protocols, in fact knowledge of these rules among committee members and community members alike was “extremely sketchy” (p. 133).

Another criticism of the management of natural resources by user groups is that despite the potential for indigenous knowledge and strong local institutions to inform sustainable management, in some cases there is simply not enough of a resource to sustain a population. Wilkes, Tan, & Mandula (2010) write that in some of the pastures of China’s Sichuan Province,
overstocking rates cannot be curbed by initiatives at the local level, and that real efforts to improve pasture management will call for the government to offer off-farm opportunities to those households that are in the best position to give up herding altogether (p. 65).

**Decentralization and Local Self Government in the Kyrgyz Republic**

Having reviewed the history of agro-pastoralism in the Kyrgyz Republic, decentralization, and collective action as it pertains to resource user committees, we are now prepared to turn our attention to *The Law on Pastures*. We will begin with a description of the political environment in which the law was implemented.

In countries of the Eastern Bloc and the Former Soviet Union, decentralization efforts have focused on correcting the inefficiencies of socialist-era bureaucracy and top-down decision-making. Efforts have also targeted governments’ reliance on their own rules rather than market signals for guidance, as “traditional forms of public management did not take the expertise and the views of the lower-levels of public organizations sufficiently into account” (Peters 2008:2). Indeed, decentralization projects in former communist countries often aim for the inclusion of local experience and know-how into the political decision-making process. Blair (1997) writes that one of the attractions of decentralization is the potential for empowerment of previously disenfranchised members of society (p. 2). Following this thread, Bardhan (2002) writes of decentralization as a means of fostering governmental checks and balances in order to increase access to political processes by the non-elite; he writes “in a world of rampant ethnic conflicts and separatist movements, decentralization is also regarded as a way of diffusing social and political tensions and ensuring local cultural and political autonomy” (p. 185). In the context of post-communism, this empowerment often takes the form of bolstering civil society and civic organizations.
However, citizens of post-communist societies demonstrate a greater reluctance to take part in voluntary civic organizations - both political and non-political - than their counterparts in democratic or post-authoritarian societies (Howard 2003). This reluctance is theorized to be a product of citizens’ lingering mistrust of formal organizations, the memory of compulsory participation in communist organizations, the “persistence of informal private networks, which function as a substitute or alternative for formal and public organizations”, and their newfound disappointment with democratic and capitalist reforms (Howard 2003:180). Thesefeld’s (2004) account of the failure of rural Bulgarian water-user associations, in which she describes how these organizations failed due to the mistrust fostered by persisting communist-era institutions and relationships, supports this view. Likewise, in their research on social networks in the Kyrgyz Republic, Kuehnast and Dudwick (2004) argue that poorer citizens still tend to rely on informal social connections, rather than formal political processes, as the “primary currency for gaining access to public services, jobs, and higher education” (p. 24).

Decentralization of power and responsibility for public service provision in the Kyrgyz Republic has incorporated elements of deconcentration, fiscal decentralization and devolution. An important component of the country’s decentralization process has been the government’s increased reliance on bodies of local self-government. Alymkulov and Kulatov (2003) write:

The Kyrgyz Republic has followed an axiom drawn from global experience: namely, that specific local issues are best solved directly by residents of their elected and executive agencies, providing that they are possessed of available resources and real government powers (p. 526).

Following over 70 years of Soviet rule, political pluralism and representative government have been slow to gain a secure footing in the Kyrgyz Republic. In a 1999 survey, 33% of respondents were unable to name one political party which they felt represented their interests, and 45% of those surveyed responded that none of the parties represented their interests (Alymkulov &
Kulatov 2003:530). The perceived weakness of the representation offered by political parties was attributed to the popular belief that parties provide “no practical advantages in the political struggle compared to informal citizen associations” (Alymkulov & Kulatov 2003:530).

After an initial phase of decentralization that focused on economic liberalization, the Kyrgyz Republic embarked on an effort to improve governance, eliminate corruption, and create a more favorable climate for investment and economic development (Mukanova 2008:203). Owing to continued budget shortfalls, as well as the international support to be gained by showing commitment to reforms, capacity-building at the level of local self-government was chosen as the primary avenue for reform (Mukanova 2008:204).

The Kyrgyz Republic’s Law on Local Self-Government and Local Public Administration, adopted in 1991 “dismantled the former pyramid of national representative power, which placed the Supreme Soviet at the top, followed by local councils at various levels” (Alymkulov & Kulatov 2003:526). This was amended in 1992 to introduce a system in which “local government was structured according to the division of functions and powers between local representatives and executive bodies and based on the principle of undivided authority exercised by the head of local state administration”, and the principle of local self-government was codified in Article 7 of the 1993 Constitution of the Kyrgyz Republic (Alymkulov & Kulatov 2003:526).

Subsequent legislation sought to better define the duties of bodies of local self-government and their relationship to the central government. From 1993 to 1998, legislation was passed which established a system of local councils and their executive committees, as well as the right of local governments to “possess, use and dispose of community property”; in this case, “community property” mainly consisted of objects and infrastructure that had not been
privatized, lacked commercial appeal and required significant upkeep (Alymkulov & Kulatov 2003:528).

By the end of 2001, all cities, towns and villages in the Kyrgyz Republic had adopted the local government framework stipulated in the flurry of presidential resolutions, government resolutions, and other legislative acts that had been issued since 1994 (Mukanova 2008:198). Advancing this move towards local self-governance, the 2002 National Strategy on Decentralization of the State Government and Development of Local Governance until 2010 called for:

- Clear separation of functions among and between different levels of governance- local self-government, local state administration, and central authorities; …an effective organizational, legal, financial and economic base for local self-government development; …the fiscal autonomy of local self-governments through building an efficient local taxation system, thus allowing independent decision-making” (Mukanova 2008:198).

As a result of these reforms, a system of local councils at the oblast, city, raion and ayl level coexists with a system of local administration that works to “implement policies of the president and government in regions” (Alymkulov & Kulatov 2003:539). At the oblast level, government consists of the state administration headed by a governor, who is appointed by the president and approved by the oblast council (Alymkulov & Kulatov 2003:560). The oblast governor oversees the efficiency and legality of local administration and local self-government activities (Alymkulov & Kulatov 2003:561).

At the raion level, local councils are overseen by the raion head (akim), who enacts legislation passed by the central government while overseeing the actions of local councils. Many functions of these raion-level councils duplicate functions of oblast administrations and local self-government bodies (Alymkulov & Kulatov 2003:561).

At the ayl level, council chairmen “simultaneously perform the functions of local public administration and local self-government” (Alymkulov & Kulatov 2003:562). The ayl okmotu
is the executive committee of a village or town council, and the head of the *aiyl okmotu* is “appointed by the head of the *raion* administration and approved by the chairman of the *raion* council and members of the village council” (Alymkulov & Kulatov 2003:562). The *aiyl okmotu* is in charge of:

- Drafting the local budget; formulating draft programs for the social and economic development of the territory; managing municipal property and financial resources, maintaining and repairing all facilities of vital importance, exercising control over the use of agricultural land...ensuring access to education and health care, maintaining law and public order and performing notary acts and civil administration (Alymkulov & Kulatov 2003:545).

The efficiency and efficacy of local self-government has been hindered by multiple deficiencies in the system. Unpaid *aiyl okmotu* leaders are mainly responsible for implementing decisions of the central government, and are held accountable for the implementation of these decisions. Laws regarding the functions of the bodies of local self-government are drafted and issued by presidential decree with little or no input from members of these bodies or private citizens (Mukanova 2008). The nomination of city mayors, *oblast* governors and *raion akims* by the president, as well as the appointment of *aiyl okmotu* heads by the *akim*, creates conflicts of interest between the needs of local and central authorities, as well as between councils and administrations (Mukanova 2008).

Additionally, the independence of local councils is compromised by the hierarchical organization of decision-making, in which lower levels of government rely on higher levels in order to construct and implement legislation. Alymkulov and Kulatov (2003) write that under the *Law on Self-Government and Local Public Administration*, “the president and government have the right to abolish acts of the head of local state administration” and that “*oblast* heads may abolish acts of *raion* heads, and *raion* heads may abolish acts of rural council chairmen related to their executive and regulatory powers” (p. 547).
Likewise, the decentralization of fiscal resources has been incomplete, with local councilors’ discretion over budget formation and spending curbed by the Ministry of Finance. The continued centralization of fiscal resources contributes to an environment of external dependency, in which civil society groups rely largely on donor assistance instead of in-country financing (Baimyrzaeva 2005:32). In addition to being underfunded, local administrative offices are understaffed, further reducing their ability to provide the services detailed in their mandates (Mukanova 2008:209). For these reasons, Mukanova (2008) describes the Kyrgyz Republic as having “a system of local state administration rather than local self-government”, noting that “the majority of (local self-government) heads treat local government as an affiliation of the central state in the locality” (p. 210). She goes on to enumerate the problems faced by the Kyrgyz Republic’s local self-governments:

A huge number of laws, their contradictory nature, lack of technical feasibility assessment of various mechanisms set in legal documents, weak law enforcement, lack of consistency with other legislation, lack of understanding and acceptance by those whom these laws directly affect, lack of debate and discussion, lack of budget for their implementation, inability to phase in the implementation or to phase out conflicting programs or structures (p. 252).

Furthermore, Baimyrzaeva (2005) writes that at the top of the political ladder, informal organizations and politicians’ interests contribute to acts of corruption that undermine substantive reform at all levels of the political system:

A vicious circle resists reforms: the public largely refrains from cooperating with the government over law enforcement, which enables more misuse of formal institutions, and this results in increasing formalism and public distrust towards the government. This system confirms the formula of corruption defined as a function of monopoly, discretion, and lack of accountability (p. 31).

**The Law on Pastures 2009**

The 2009 law *The Law on Pastures*, then, was implemented in a political environment which, although reform-minded, was still characterized by top-down governance, limited local autonomy, underfunded and understaffed local councils, and low popular confidence in
government. The law amends earlier legislation on pasture management by devolving the management of state-owned pasture to bodies of local self-government at the village and town level. The law attempts to make the process of leasing pasture land more efficient by eliminating redundancies while reducing the burden of managing pasture land on state and county administrative offices. The reform measures set forth in *The Law on Pastures* closely follow a 2007 USAID report entitled *Pasture Reform: Suggestions for Improvements to Pasture Management in The Kyrgyz Republic*. This report addresses the problems posed by the three-pasture system and the management of pastures by multiple governmental bodies, citing “the absence of a role for local communities in pasture management, the lack of appropriate state control over pasture use and protection, poor infrastructure, and lack of incentives for investments to improve infrastructure” as reasons for poor pasture management, as well as users’ hampered ability to reach remote pastures due to administrative hurdles and deteriorated infrastructure (USAID 2007:3). However, the degree to which the authors of *The Law on Pastures* were advised by USAID is unclear, and is beyond the scope of my research.

According to *The Law on Pastures*, the first step in establishing local self-governments’ jurisdiction over pasture plots is to redefine pasture boundaries in accordance with Soviet-era boundaries. This is to be undertaken by:

regional commissions of educated local administrators [composed of] the head of the executive body of local self-government of each competing territory’s local self-government, representatives of the pasture user associations of each territory, land specialists from the *oblast* administration and relevant bodies from state agencies on the registration of rights of real estate from the government of the Kyrgyz Republic (*The Law on Pastures* 3:4).

Once defined, pasture boundaries are subject to the approval of the government of the Kyrgyz Republic’s State Commission for the Establishment of Pasture Boundaries (*The Law on Pastures* 3:6).
The law gives the “responsibility of the control over the management of state pasture resources, other than the right of disposal” to local bodies of self-government (The Law on Pastures 4:1), which in turn have the right to delegate the authority over - responsibility of - pasture management to pasture user associations (PUA) (The Law on Pastures 4:2). The executive of the local body of self-government is responsible for approving the annual plans of the PUA (The Law on Pastures 4:3). The Law on Pastures gives considerable autonomy to local governments and PUAs, stipulating that other governmental bodies are prohibited from interfering in their pasture management activities (The Law on Pastures 4:4).

Statute 5 of the law stipulates that each community will establish a pasture user association “representing the interests of livestock owners and other pasture users in the given territorial units with respect to using and improving pastures” (The Law on Pastures 5:1). The PUA may be established as a body of local self-governance (The Law on Pastures 5:2), and members of the PUA “possess the primary right to use pastures allotted to them from the territory of the local self-government within the framework of the regulatory plan of the PUA for the management and usage of pastures” (The Law on Pastures 5:3). However, the law provides scant detail on the composition and management of the PUA; it does not make explicit who should be a member of the PUA, how membership should be conferred, or how the PUA is to be organized. Nevertheless, each PUA is responsible for designing a long-term pasture management plan, which is to include:

Maps, on which are designated external and basic internal borders of pastures, centers excluded from use, protected territories, watered places…[notes on] the condition of pastures and the quality of pasture plots; Optimal stocking rates; Plans for the development and reconstruction objectives of pasture infrastructure; A mid-term plan for the management and use of pastures, their improvement and rehabilitation over a period of five years; An annual renovation plan for the management and use of pastures; Plans for the management and use of pastures for other purposes (The Law on Pastures 7:2).

Statute 6 establishes the jait comitet (pasture committee) as the executive body of the PUA. The jait comitet is to consist of an odd number of members including shepherds or
representatives of shepherds, members of local bodies of self-government, and members of the PUA (The Law on Pastures, Statute 6:2). Members of the PUA are to constitute more than half of the jait comitet, and these must be elected by PUA members (The Law on Pastures 6:4). The responsibilities of the jait comitet are:

- Developing a plan for the PUA;
- Developing a yearly plan for the use of pastures;
- Executing a regulatory plan for the PUA and a yearly plan for pasture usage;
- Monitoring the condition of pastures;
- Distributing pasture tickets in conformance with the annual plan for pasture usage;
- The establishment and collection of payments for the use of pastures with the obligatory approval of the local kenessh (council);
- Settling disputes within the framework of their authority;
- The management of revenue acquired from payments for the use of pastures and other resources, directing this towards pasture infrastructures, for its maintenance, management and improvement in accordance with the execution of the laws of the Kyrgyz Republic (The Law on Pastures 6:5).

Like the PUA - and in addition to the yearly pasture use plans specified in Statute 6:5 - the jait comitet is responsible for developing a five-year plan for the use and management of pastures. This plan is to include maps of pastures, explanations of the conditions of pastures, optimal stocking rates of pastures, plans for the refurbishment or construction of pasture infrastructure, and a plan for the “management and use of pastures, their improvement and rehabilitation over a period of five years” (The Law on Pastures 6:2). In addition to livestock grazing, the pasture uses the jait comitet must plan for include, but are not limited to “hunting, trapping, beekeeping, gathering medicinal herbs, collecting fruits and berries, storage of hay and fuel, small-scale mineral mining, and tourism and the relaxation of citizens” (The Law on Pastures 2).

The jait comitet’s annual plan must include a list of pasture users possessing pasture tickets - documents demonstrating their right to use a specified set of pasture resources each year - as well as an inventory of all livestock that were paid for using the new fee system, the names of the owners of these livestock, and the shepherd in charge of each animal (The Law on Pastures 8:1). The yearly plan must also include vaccination data for each animal and a map with calendar data to show the proposed timing of animals’ movement between pastures (The Law on Pastures 8:1).
Pastures 8:1). The yearly plan must also outline the fee payment plan for each shepherd, livestock owner, and pasture user (The Law on Pastures 8:1).

Under *The Law on Pastures*, livestock pasture-use fees are to be determined according to the species of livestock (The Law on Pastures 10:4), with fee amounts subject to annual revision based on the base tax rate and the optimal pasture stocking rate (The Law on Pastures 10:3). These fees will be agreed upon annually by the *jait comitet* and the *aiyl okmotu*, and will be listed in the *jait comitet’s* annual pasture use plan (The Law on Pastures 11:1). Fees for other pasture uses are to be determined based on the economic value of the resource being exploited (The Law on Pastures 10:5).

Pasture-use fees can be paid in installments, but must be paid in full no later than October 1 of the year in question (The Law on Pastures 10:7). The income from these fees is to be divided between the *jait comitet* and the *aiyl okmotu*, with the *jait comitet’s* portion “directed toward the support, improvement, and development of pasture infrastructure”, and the *aiyl okmotu’s* portion “directed to the local budget” (The Law on Pastures 11:2 -11:3).

*The Law on Pastures* also calls for the government of the Kyrgyz Republic to assign the right to oversee the implementation of the law to “authorized state bodies” (The Law on Pastures 14:1). Under the law, these authorized state bodies - which are not enumerated - can “develop standard provisions, instructions, roles and other normative acts, and also methodological materials for pasture use”, as well as monitor the implementation of pasture-use plans and find technical support for bodies of local self-government and the pasture user associations (The Law on Pastures 14:2).

In summary, *The Law on Pastures* offers significant improvements upon the existing legal framework for leasing pasture land, while perpetuating some of the vagaries that plagued it.
By imbuing local government with the authority to issue pasture-use permits and eliminating the system of leasing pasture plots, *The Law on Pastures* considerably streamlines the process of accessing pastures. However, the law also creates a host of new responsibilities for local government agencies, which are likely already understaffed and overburdened. Many of these responsibilities are probably beyond the technical capacity of local government agencies. Activities such as determining optimal stocking rates for pastures, assessing and monitoring pasture conditions, creating pasture rehabilitation plans, and developing pasture infrastructure improvement plans will call for expert consultation, which may impose financial costs upon local governments. Moreover, the need to draft annual pasture use plans as well as regular five-year plans might also prove infeasible and onerous to local governments. The language of the law also suggests that both the PUA and the *jait comitet* are responsible for crafting annual and five-year pasture use plans: if this is the case, *The Law on Pastures* would perpetuate some of the replication of duties that complicated earlier legislation.

*The Law on Pastures* creates channels of upward and downward accountability. Local governments are responsible for complying with the law by adopting and implementing its multiple pasture management and reporting practices, as are the pasture user association and the *jait comitet* (The Law on Pastures 18). Beyond the level of the *aiyl okmotu*, however, it is unclear which government agency oversees the implementation of the law. The “authorized state bodies” presented in Statute 14:1 are not named or described, leaving one to wonder whether how uniformly the implementation of the law will be monitored throughout the country, or even if *jait comitets* and *aiyl okmotus* will be required to report to the same government entities in every locale. In short, the law does not thoroughly explicate the structure of accountability under the new system, and although Statute 4:4 bestows local government agencies with the power to
manage pasture land without interference, the legislation that follows obscures the limits of this power.
Chapter 3: Research Setting and Methodology

The remainder of this paper explores the very early implementation of *The Law on Pastures* in a village in the Kyrgyz Republic. This chapter consists of a description of my research site and the reasons for choosing this site, followed by my research methods and some of the limitations of my research. Chapter Four presents data from my interviews with members of the village *jait comitet*, as well as an account of the herding practices I observed in the pastures of my research site and shepherds’ reported feelings about *The Law on Pastures*.

Research Setting

The research for this thesis was conducted over the course of a 13-week period from mid-May to early August of 2009. The primary research site was the village of Orgochor, in Issyk-Kul *oblast* of the Kyrgyz Republic. At an elevation of 1789 meters (5,869 ft.), Orgochor is situated 5 kilometers from the village of Kyzyl Suu, which is the county seat of Jeti-Oguz *raion*, and 30 kilometers from Karakol, the capital of Issyk-Kul *oblast*.

![Map of the Kyrgyz Republic with approximate study area circled (upper right corner)](image)

Figure 1. Map of the Kyrgyz Republic with approximate study area circled (upper right corner)
According to a survey conducted with the help of ARIS for the Orgochor atyl okmotu’s 2009-2012 strategic plan, there are 962 households in Orgochor, with a total population of 3,887 (ARIS 2009). Fourteen percent of village residents are between the ages of 0 and 7 years of age, 24% are between the ages of 8 and 16 years, 55% are between the ages of 17 and 65, and 6% are over 65 years of age (ARIS 2009). The ethnic composition of the village is overwhelmingly Kyrgyz, with 3,654 residents (94%) identifying themselves as ethnically Kyrgyz. Orgochor is also home to 166 Kazakhs, 12 Uzbeks, 12 Russians, and 3 Romani (ARIS 2009).

Twelve percent of Orgochor residents (465 individuals) live in poverty, with an income of 600 som per month ($13.34 USD), although only 14 residents are officially acknowledged as unemployed (ARIS 2009). With a workforce of 2104, 57.5% of Orgochor residents are primarily engaged in farming, with 40% of residents deriving the majority of their livelihood from animal husbandry and 2.5% from the service sector (ARIS 2009). In 2009, there were an estimated 1346 cows, 1037 horses, 9655 sheep, 115 goats, and 11,682 chickens in the village (ARIS 2009).

The entire village is served by a central water system, which provides potable well water to residents via shared pumps located on each street (ARIS 2009). A series of canals brings water directly to 45% of village fields (ARIS 2009). The village has a granary, a mill, and a forge. Of the 83 kilometers of road in the village, one kilometer features a paved surface (ARIS 2009). The entire village is served by the electrical station located in Kyzyl Suu, with an average of one to two planned blackout days per week; electricity service is generally operational every night.

There are three schools in Orgochor: a primary school (grades 1-4), and two combined primary/secondary schools (grades 1-11) (ARIS 2009). The village has two community centers, two libraries, and a local historical museum. While the closest regional hospital is located 5 kilometers away in Kyzyl Suu, Orgochor has a basic clinic and midwife station (ARIS 2009).
The village of Orgochor was organized as the Orgochor sovkhoz in 1931 as a branch of the larger Issyk-Kul sovkhoz, and functioned as a standard industrial sovkhoz specializing in the development of improved fodder strains (Kyrgyz SSR n.d:4-5) until 1958, when it was reorganized by the Soviet Ministry of the Kyrgyz SSR as a breeding facility for fine merino sheep; in 1960, the Orgochor Experimental Sheep Breeding Station was organized (Kyrgyz SSR n.d:1). According to Orgochor residents, the Orgochor Experimental Sheep Breeding Station was one of the most respected sheep facilities in the USSR, regularly producing wool and meat products for export throughout the USSR in quantities exceeding its annual quotas (Kyrgyz SSR n.d:52-56). The Breeding Station’s annual sheep holdings from 1966 to 1978 ranged from 40,000 to 41,000 sheep, with wool yields of 4.0-4.4 kg per sheep, and a lambing rate ranging from 92.9 (1968) to 125 (1978) per hundred sheep (Kyrgyz SSR n.d:36)\(^2\). The facility was known for the weight and wool-yield of its rams, achieving a live weight of 60 kg and a wool yield of 7 kilograms among 1500 prize specimens in 1968 (Kyrgyz SSR n.d:49). From the 1960s to the 1980s, the Breeding Station attracted some of the Kyrgyz SSR’s most talented veterinary and scientific specialists, and received a number of commendations from both the government of the Kyrgyz SSR and the central government.

The development of industrial animal husbandry in Orgochor, as in other Soviet collectives, required large-scale central planning, well-developed infrastructure, state financial inputs, and an efficient division of labor. Providing supplemental feed for livestock was crucial to the success of the Breeding Station. Orgochor shepherds recount the sovkhoz-era practice of importing winter fodder from other areas of the Kyrgyz SSR and Kazakhstan in order to support the village’s vast livestock holdings. Likewise, pastures themselves were re-seeded annually with

\(^2\) The Orgochor Breeding Station’s sheep holdings were considerably larger than those of other sovkhozes in the Kyrgyz SSR, as the republic average was 16,000 head (Wilson 1997:59).
high-yield fodder species. As mountain pastures were used year-round for grazing and housing flocks, airlifting fodder and supplies by helicopter to snowed-in shepherds and their animals was common practice.

The sovkhoz maintained an efficient motor pool for transporting people and animals to and from the remote syrt pastures. When I asked if sovkhoz-era syrt camps were outfitted with radios for communication with the village, I was told that there had been no need for radios, as vehicles travelled to and from the syrt with news and supplies every day.

*Kashars* - large collective-era concrete stables that once housed the Breeding Facility’s flocks - dot the slopes of Mt. Orgochor on the outskirts of the village and Orgochor’s near jailoos and are still occupied by the shepherd families that were able to purchase them after the dissolution of the sovkhoz. The row of kashars on the southwest side of Mt. Orgochor is served by an irrigation system which was built in the 1960s. In addition to recharging sheep watering areas, the irrigation system also provided water to a sheep-dip station, in which sheep were bathed with pesticide compounds to eliminate wool parasites. Although the irrigation system was in disrepair by the late 1980s, and became inoperable shortly after the dissolution of the sovkhoz, it was repaired with the help of a grant organized by Peace Corps Volunteers in 2006 and currently serves all of the Orgochor kashars (although the sheep-dip station remains abandoned). Soviet-era water systems also exist in the jailoos, where they were once used to water flocks. These are all currently inoperable, however, with shepherds and their animals relying on springs and rivers for water.

**Research Planning**

I chose to conduct research in Orgochor for a number of reasons. From 2004 to 2006, I served as a Peace Corps Volunteer in the village of Kyzyl Suu, 5 kilometers west of Orgochor.
My experience in the area, my basic understanding of herding practices and summer pasture locations in Kyzyl Suu and its surrounding villages, and the local contacts I had developed during my time as a volunteer made the Kyzyl Suu area the most plausible site for a study of this length. To choose another location within the country, with no existing local relationships and no practical knowledge of the area, would have raised a host of time-consuming logistical and methodological difficulties.

My original research plan was to conduct a study of shepherds' livelihood strategies within the existing system of pasture distribution and management, focusing on how land was distributed and managed despite the ambiguities of the law and how conflicts over land access were resolved. Having decided on the Kyzyl Suu area as the most practical research site, I contacted friends from both Kyzyl Suu and Orgochor and began explaining my research ideas and making arrangements for my time in the field. In conversations with my friend Asel\(^3\) from Orgochor, I was told that the newly adopted law *The Law on Pastures* was to be implemented in 2009 as a pilot project in the village, one year before it would be implemented in other villages throughout the country. Asel also told me that as part of the new pasture management regime, the village's newly-formed *jait comitet* would be sending a few experienced shepherds to work in Orgochor's remote high mountain *syrt* pastures for the first time in nearly 20 years. My plan, then, became a comparative study of Orgochor shepherds and Kyzyl Suu shepherds in order to see whether or not the new law cleared up the ambiguities of the old law, and whether it offered improved channels for conflict resolution.

Soon after my arrival in Kyzyl Suu, I realized that a comparative study between Kyzyl Suu and Orgochor shepherds would not be possible to conduct in just 13 weeks. Moreover, both

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\(^3\) This is not her real name. To preserve the privacy of my informants, all of their names have been changed in this paper.
the Gosregister and the Kyzyl Suu police were suspicious of my research, and I was told by friends and by Gosregister officials that I had been labeled a spy. Thankfully, Asel and her family were happy to have me live in Orgochor for the summer, the village’s shepherds were willing to have me visit and answer my questions, and the village government offered to grant me a research permit at no cost. In addition to the village's immense support, working in Orgochor also offered logistical advantages. Orgochor’s small size and population make it an easier place to establish new relationships than Kyzyl Suu (population ±15,000). My contacts in Orgochor, Asel and Marat, are well-known and respected, and they have actively worked with local government entities and international agencies in many of the village's development projects. Orgochor was also home to one of the USSR's largest and most prestigious sheep breeding facilities; wool from this facility was exported to all corners of the Soviet Union, which remains a source of both pride and frustration for village residents today. The shepherd- the chaban- is still a respected figure in Orgochor, and the descendants of nationally recognized and decorated chabans still carry on the shepherding tradition in the village. As it was a pilot site for The Law on Pastures, working exclusively in Orgochor would allow me to learn about the challenges of implementing the law both from the perspective of officials in the village, and the perspective of shepherds in the field. I therefore chose to move from my Peace Corps host family's house in Kyzyl Suu to a small cottage on a quiet street in Orgochor.

Data Collection and Methodology

The bulk of data collection took place in Orgochor and in Orgochor-administered jailoos. These jailoos are located in three mountainous, geographically distinct areas: Site A, in the mountains to the southeast of Orgochor; Site B, along a river valley to the west of Site A; and Orgochor's syrt, in the mountains south of the village of Barskoon. I was able to make one trip to
each of these jailoos: my trip to Site A lasted eight days, my trip to Site B lasted five days, and my trip to the syrt lasted six days. At Site A, I slept in my own small backpacking tent adjacent to the boz ui of my primary informant – Chinggis, while at Site B I stayed in a large canvas wall tent owned by two of Marat’s nephews who were spending their summer watching livestock on a plot of land owned by a neighboring village. While in the syrt I stayed in my tent for the first three nights; however, low nighttime temperatures and the collapse of my tent after a snowfall prompted me to accept the invitation of my primary informant, Bakyt, to stay in his boz ui for the remaining three nights.

In addition to being markedly warmer and roomier than my little polyester tent, sleeping in the boz ui alleviated two other nuisances of sleeping out on my own. The first was the herding party’s dogs, which were left unchained at night to roam around the camp and discourage wolf predation. At Site A and in the syrt my tent was charged more than once by guard dogs, leading me to adopt a policy of lying as motionless as possible and not leaving the tent during the night. The second problem was that horses are often hobbled with short ropes around their ankles for the night, rather than tied to a post. I therefore awoke a number of times to the sounds and shadows of horses shuffling uncomfortably close to the edges of the tent. On the whole, I slept much better in the boz ui and the wall tent than in my little backpacking tent.

In the early stages of my research, I also collected some background data in the villages of Kyzyl Suu and Jon Bulak. I spoke extensively with my Peace Corps host family in Kyzyl Suu about their livestock holdings and present herding arrangements, and took steps towards scheduling interviews and participant observation with their shepherd, although this line of my research ultimately did not pan out. This was a disappointment, as their shepherd was living in a trailer (wagon) and tending animals in a pasture located near the shore of Lake Issyk-Kul. I also
spoke informally with contacts I had made during my volunteer service in order to get a better idea of how their families decided where and with whom to send their livestock for the summer, and how contracts with shepherds were made and enforced. In Jon Bulak I spoke to a relative of a contact in Kyzyl Suu, who told me about his arrangements with his shepherd and introduced me to his neighbors, who likewise told me about their herding arrangements. During my first week in the Kyrgyz Republic I conducted one informal interview in Bishkek with a representative from Ak Terek, a Bishkek-based NGO that has organized pasture management research and shepherd capacity-building projects in Naryn and Issyk-Kul oblasts. I also spoke briefly with a representative from the Kyzyl-Suu office of LARC, an organization that provides legal assistance to village residents and specializes in land and property law education. I also kept in contact with a Peace Corps friend and pastoral livelihoods researcher, Jake Fleming, who was in Bishkek for the summer studying Russian.

Study participants in Orgochor were largely recruited through snowball sampling, which is an effective method for sampling a “relatively small number of people who are likely to be in contact with one another” (Bernard 202:193). Through Marat and Asel I was introduced to Usabali, who introduced me to other members of the jait comitet and Chinggis, my primary contact at Site A. Chinggis introduced me to the other shepherds at Site A, leading me around the jailoos close to his camp as well as a kilometer or so to the Leskhoz pasture of Kok Tuuz. Marat’s nephews introduced me to Nurbek’s family at Site B, who introduced me to their neighbor Tolon, who in turn introduced me to his neighbor, and so on. Marat also introduced me to Bakyt and drove me out to his kashar on the outskirts of Orgochor whenever I needed to meet with him, and through Bakyt I was introduced to the other shepherds who were going to the
Orgochor syrt. Marat, Asel and their sons also introduced me to members of a local kezuu, whom I interviewed in order to learn about this herding practice.

Having met many of my primary informants using snowball sampling, I also had to rely on convenience sampling, or “grabbing whoever will stand still long enough to answer your questions” (Bernard 2002:191). Some shepherds were not at home when I called, and due to the limited time I had in the field I was not always able to try contacting them again. I also relied on convenience sampling to explore the herding practice of bada. As bada clients congregate on the village’s main road in the morning and evening to drop off and pick their cows, I conducted informal interviews with clients at these times.

Data collection among shepherds was conducted primarily in Kyrgyz - and to a lesser extent Russian - through semi-structured interviews guided by a written questionnaire (appendix A). I did not work with a translator in the jailoos, however Asel, who speaks English fluently, helped to develop my questionnaire and served as a resource whenever I had a Kyrgyz or Russian language issue to address. I translated the questionnaire from English to Kyrgyz with help from Asel, and I tested it on Orgochor residents to determine the clarity and appropriateness of the questions. In the field, the questionnaire was used to establish shepherds' basic demographic data, to gain an understanding of their occupational history and livelihood strategies, to learn about their herding practices, and to learn about their attitudes towards the new pasture management system. I laminated the questionnaire and my research permit from the Orgochor aiyl okmotu in order to protect them against the elements, and I soon found that they made useful conversation pieces. Shepherds could easily preview the questions, and they could hold the questionnaire while they were answering questions without having to wash their hands. Shepherds' children found it to be an amusing plaything, and older children used it to practice
their reading skills. Moreover, the questionnaire provided demonstrable evidence of my knowledge of the Kyrgyz language, and was useful in setting a fairly high bar for shepherds' responses to the questions; as Bernard writes, “As you articulate more and more insider phrases like a native, people will increase the rate at which they teach you by raising the level of their discourse with you” (Bernard 2002:363). Answering the questions on the questionnaire always segued into informal discussions, and these also comprise a large portion of the data. Data were also collected through participant observation in the jailoos, and to some extent in the village. Participant observation among shepherds consisted of helping with daily chores such as fetching water and firewood, cooking, fixing posts and corrals at camp, and driving sheep, goats, cows and horses both on foot and on horseback. On my trip to the syrt, participant observation also entailed helping to load and unload the supply truck, helping shepherds set up camp, erecting boz uis, and constructing corrals. In the village, participant-observation consisted of helping Asel and Marat's family with daily chores, with cooking, and generally participating in family and community life.

Data collection in Orgochor consisted of semi-structured and informal interviews with local officials and village residents. With the exception of my initial interview with Usabali, in which Asel acted as interpreter, I conducted interviews in Kyrgyz and Russian. I had the opportunity to interview some officials multiple times, which allowed me to generate, test and revise questions between interviews.

To learn the content of the new pasture law, I obtained a copy of The Law on Pastures from the Kyzyl-Suu LARC office and translated it from Russian in the field, reviewing and verifying my translation with the help of my friend and fellow graduate student Ermek.
Adylbekov - an ethnic Kyrgyz and citizen of the Kyrgyz Republic - upon returning to the United States.

I also conducted archival research in the Orgochor Historical Museum, which keeps historical data on the Orgochor sovkhoz and sheep-breeding facility. These data include yearly production tables, narratives on the history and culture of the sovkhoz, articles featuring prominent shepherds, and Orgochor-related newspaper clippings dating from the Soviet era to the present. While the historical aspects of agriculture and sheep production in Orgochor were not the primary focus of my research, data I collected from the Orgochor Historical Museum collection and through my conversations with curators informed my perspective on *The Law on Pastures'* place in the continuum of pasture management regimes in the village. In all, I collected approximately 25 pages of hand-written Russian-language transcriptions of archived materials, including accounts of the Orgochor sovkhoz and agricultural production graphs.

Interview notes were written in a notebook, and were not recorded. Although I had originally planned to record interviews and brought a digital audio recorder for this purpose, I became concerned that informants would be apprehensive of being recorded, and that this apprehension would make them less forthcoming in interviews. Likewise, after being accused of spying in Kyzyl Suu, I was leery of using sophisticated-looking electronic equipment in the field. In this same vein, informants' consent was collected orally, rather than in a written format. Although the official literacy rate in the Kyrgyz Republic is extremely high at 99% (UNICEF 2011), and all of my informants appeared to be literate, I was afraid that participants would be wary of signing documents, no matter how carefully the purpose of the document might be explained to them.
Data were typed and coded in the field and after returning to the United States, yielding 60 pages of typed field notes. Coding consisted of identifying themes, grouping respondents according to themes, and looking for relationships between participants’ livelihoods and their impressions of *The Law on Pastures*. Coding themes included the following:

<table>
<thead>
<tr>
<th>Attitudes towards borders</th>
<th>Campsite/plot selection</th>
<th>USSR-era land arrangements</th>
<th>Shelter type</th>
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<td>Livelihoods and income</td>
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Table 1. Coding Themes

**Some Limitations of this Research**

Although I tried to be as thorough as possible, my research nonetheless suffers from some shortcomings. My interviews with *jait comitet* members were not as exhaustive as I had hoped they would be, due to their demanding schedules and the prolonged illness of my primary *jait comitet* contact, Usabali. I was also unable to contact and interview a representative of the Community Development and Investment Agency (ARIS), a non-governmental organization that lent support to villages during the implementation of *The Law on Pastures*.

In order to preserve my own safety and follow local laws, however, I was not able to fully participate in every aspect of shepherd life. Taking the advice of Bernard (2002) to mitigate known risks and do fieldwork in a remote area with safety in mind (p. 377), there were a number of activities in which I did not participate. For instance, I did not accompany informants on hunting excursions, although the invitation was extended to me a number of times. Likewise, I set out on horseback with the party of shepherds who were driving a flock of 1,000 sheep to the *syrt* on the
remote, USSR-era mountain road. Due to concerns about the weather, terrain, and my own horsemanship, I left the party and walked back to Orgochor after one day on the trail and rode to the syrt in the supply truck with the shepherds' families a week later. While the shepherds seemed understanding each time I chose not to take part in an activity out of concern for safety or legality, and in the end I think this had little effect on the quality of data I was able to collect, it is worth noting that my role as a participant-observer was not without limitations.

Due to logistical difficulties, I was not able to spend as much time as I would have liked at shepherds’ camps. While planning my trip to the syrt required much negotiation and preparation, it also required much waiting. Due to the syrt party’s constantly changing plans, I ended up spending more time than I had planned in Orgochor, on hand lest the party decide to leave on short notice. While some of this time would have been better spent in the jailoos, I feel that the opportunity to visit the syrt was worth the cost. While I had planned to spend two weeks at the syrt, my stay was cut short a week early due to heavy snowfall.

I also should have employed a more thorough coding strategy while still in the field, as this would have helped me to generate questions and dig deeper into areas that I simply left out. Years after completing my research, I still regularly think of questions I should have asked while I was in the field! For instance, it was only after I had returned to the U.S that I realized I had neglected to investigate a very interesting and important topic that is underrepresented in the literature: nearby villages’ use of remote syrt pastures from the end of the Soviet era to the present. I also would have been well-served to have researched the field of decentralization before conducting my fieldwork. As it turned out, I came upon this extensive body of literature after returning from the Kyrgyz Republic while trying to pinpoint what I had observed there. My literature review before leaving to do my research consisted almost wholly of works on common
pool resources, pastoralism, and Central Asia-specific topics. An understanding of decentralization on the front end of my research would have greatly informed my work, and would have provided a better framework for collecting and analyzing my data.

The timing of this study also affected the quality of data I was able to collect. My fieldwork looked at the very earliest stage of the implementation of *The Law on Pastures*, when shepherds, village authorities, and residents therefore had a limited knowledge of the new system and had yet to develop strong feelings towards the law. In many ways, my study might have been more revealing if I had conducted it after the law had been in place for a full season.
Chapter 4: Findings and Analysis

In this chapter, I present data from interviews with *jait comitet* members and shepherds, as well as an account of the agro-pastoral livelihood as practiced in Orgochor. I begin with an account of my interviews with members of the *jait comitet* and local government, followed by data from interviews with shepherds working in Orgochor’s middle pastures. I then present an overview of the *bada* and *kezuu* herding systems used in the village itself, and finish with an account of shepherds’ return to the high *syrt*.

The Jait Comitet

Orgochor shepherds reported that the years following the collapse of the *sovkhоз*, from 1991 to 2002, were marked by a regime of open pasture access and management based on Soviet-era arrangements. During this period, Orgochor shepherds returned to the *jailоos* where they had herded as members of the *sovkhоз* without registering their plots with *Gosregister* or local government authorities. Most of the shepherds I interviewed reported paying for pasture land leases after 2002, although one family maintained that they had paid for their first lease on 100 hectares in a middle *jailoo* in 1997. The terms and pricing of this lease, they said, were based on the number of animals they planned to graze on their plots.

Sultanbek, who managed pasture leases as the Orgochor pasture specialist from 2007 to 2008, reported that the lease system instituted in Orgochor in 2002 was largely successful. As the village is relatively small and the *aiyl okмотu* office is easily accessible, village residents had never encountered difficulty contacting the local government. Likewise, the *raion* center of Kyzyl Suu, which houses the *Gosregister* office as well as *raion* administration buildings, is only five kilometers from Orgochor. Karakol, the *область* center, is 30 kilometers from Orgochor, and is very accessible via public bus and taxi.
According to Sultanbek, pasture leases in the previous system cost 40 som per hectare. Of this fee, 24.6 som went to the local government for the cost of the lease, 7.7 som went towards taxes, and 7.7 som went to the Social Fund (the national fund to pay for pensions and some public services). As leases were distributed on a per-hectare basis, animal numbers were not recorded, and recommended stocking rates were not followed. This, he says, exacerbated the problem of overgrazing and led to an abundance of inedible weeds in Orgochor’s middle jailoos.

In 2008, four villages throughout the country were chosen by the government of the Kyrgyz Republic to serve as pilot sites for the implementation of The Law on Pastures, with the rest of the villages and towns in the country scheduled to implement the law beginning in 2010. Orgochor was chosen as one of these pilot sites, and was the only such site in Jeti-Oguz raion. As of June 2011, the process of implementing the law was still underway, with localities continuing to delineate their pasture boundaries and 454 pasture user associations in place (ARIS 2011).

In 2009, the Orgochor jait comitet was made up of four members; two of whom I was able to interview. Usabali, a retired veterinarian from the Orgochor sovkhoz, acted as the head of the committee. Felix, a member of the Orgochor aiyl okmotu served as second in command of the committee. I was not able to meet with the other two members: a representative from the nearby village of Boz Beshik and a representative from the Orgochor Clean Water Committee. The implementation of the law in Orgochor began in the winter of 2008 with a public meeting to address rural issues that took place at the office of the aiyl okmotu. The four jait comitet members were elected by those present at this meeting based on their previous experience working with land and livestock issues. Usabali, the retired veterinarian, had the most experience in land management, having previously served as a member of Orgochor’s Land Committee.
Usabali reported that future *jait comitet* members would be selected through popular election, although it was unclear when elections would take place or if they would coincide with other local and national elections.

The first meeting of the *jait comitet* was in February of 2009, at which time the committee began to develop its protocol and procedures. The first order of business for the *jait comitet* was to become certified by the Issyk-Kul oblast law council as a legally-recognized organization, and to get advice from the law council in designing its regulations. After registering as an organization, the committee members ordered the official *jait comitet* stamp. This cost 1,800 *som*, which the members of the *jait comitet* paid for out of pocket in addition to other related fees and travel to and from the law council’s office in Karakol. Usabali said that these costs would be reimbursed by income generated by pasture permit fees. Marat, who serves on the Orgochor Clean Water Committee, reported that members of committees generally don’t get paid much for their work, if they are paid at all. They get a “lot of pats on the back” and accolades for being public servants, but are usually not remunerated for their labor. Usabali affirmed that the *jait comitet* had not begun to receive payment, and that he did not expect to make much money in his role as a committee member.

Reaffirming USSR-era pasture boundaries in order to comply with *The Law on Pastures* was the *jait comitet*’s next task. Felix said that the process of reassessing Orgochor’s pasture boundaries, settling disputes with neighboring villages, and confirming changes to these boundaries took the *jait comitet* four months. The finalized map of Orgochor’s pasture boundaries is approximately four by six feet in size, and is mounted on the wall of the committee’s office in the village’s *aiyl okmotu building*. Like many official documents, it is hand-drafted. The map uses natural features such as rocks, rivers, mountains, and lowlands to
delineate pasture boundaries; in keeping with longstanding arrangements and to conserve costs, the new system does not use fences.

The new system imposes a mandatory per-head tax on all livestock, which gives the livestock owner the right to graze in Orgochor’s pastures on a yearly basis rather than on a multi-year, per-hectare basis. The yearly fee per head of sheep or goats is 20 som, and the fee per head of cattle or horses is 150 som. The new per-head fee pays for the right to graze one animal in any of Orgochor’s pastures for an entire year. In addition to livestock that move to middle jailoos and the syrt, this fee is paid for livestock that stay in the village during the summer to graze on the outskirts of the village and on the slopes of Mt. Orgochor under the watch of herders participating in bada and kezuu arrangements.

In addition to improved collection of user fees, the new system also calls for improved livestock health surveillance and registration. To this end, all village livestock are to be counted in a yearly livestock census. At the time of my research, organizing a census of Orgochor livestock was one of the jait comitet’s main priorities, although this was not completed during the summer of 2009. According to Felix, the 2009 livestock census was especially time-consuming because it called for committee members to make trips to the jailoos and village kashars in order to count animals and collect fees in person. He said that under the previous system, livestock-owners were expected to self-report their livestock holdings every year; however, the historically high incidence of underreporting and outright evasion in order to avoid penalties for overstocking pasture plots, coupled with the stipulations of the new law, led the jait comitet to adopt a direct-count method. Felix said that although livestock owners became accustomed to not paying for the use of pastures between 1991 and 2008, the jait comitet had already seen a high rate of compliance by June of 2009. Felix expected this rate to rise in future
years as residents become accustomed to the new fee system and come to see the benefits of pasture management under the *jait comitet*.

In the summer of 2009 the *jait comitet* had not yet finished writing the yearly and five-year pasture management plans stipulated in the new law. Committee members had, however, devised a seasonal workflow to manage the committee’s numerous tasks. Under this scheme, conducting the livestock census and issuing pasture tickets would take place in the summer, with autumn activities including collecting any remaining pasture-use fees, balancing the committee’s budget, and paying salaries. The *jait comitet* would take the winter off, reconvening in the spring to deal with any necessary revisions to pasture management plans.

Revenue generated from pasture ticket fees was to be divided between the *aiyl okmotu*, the social fund, and the *jait comitet*. The committee planned to put its share of the money toward committee members’ salaries and pasture renovation projects; however in 2009 it did not seem that there would be a great deal of revenue to dedicate to salaries and projects after its startup costs were reimbursed.

When asked whether *The Law on Pastures* constitutes a step toward improving pasture management in Orgochor, Usabali replied that the whole system of village government was changing, and that power over land and public goods was being decentralized to the village level. He said that the *jait comitet* had explained its role in managing pastures to the *aiyl okmotu*, the village land office, and Gosregister, and that members of these agencies were pleased that they would no longer have to take on the responsibility of pasture management. Marat added that the *aiyl okmotu* was similarly happy when the village’s Clean Water Committee was formed in 2003 to take on the responsibility of managing water provision.
Felix reiterated that people in Orgochor would need time to get used to the new pasture lease system, and that the *jait comitet* was still in the process of getting organized, learning about the law, and establishing its operations. Felix reported that the committee was looking forward to 2010 - after the system would have already been in place for a year - when it would be able to give clearer instructions and advice to pasture users and the general public on the new system’s fee structure and rules, and the penalties and fines associated with breaking these rules.

Sultanbek, however, saw the new law as a step in the wrong direction. He said there was “more power” in the clearly-defined pasture plot boundaries of the old system. While the old system set a limited number of pasture plots and thus limited the number of pasture users at 30 to 40, he feared that the loosely-defined plot boundaries and affordability of the new system would encourage more villagers to take up shepherding and spend their summers the pastures, which would increase pressure on the land and its resources.

When asked whether the central government planned to dedicate resources to getting the implementation of *The Law on Pastures* off the ground, Felix said that the central government ministries had not given the *jait comitet* any financial help in 2009, but that the Ministry of Agriculture would soon form a *jait* department as a governmental agency devoted to the issue of pasture management. He also reported that the government had promised 10 million USD from the national bank for distribution to *jait comitets* throughout the country, although neither Felix nor anyone else I interviewed knew when this distribution of funds would occur.

The *jait comitet* held a raion-level meeting in the spring of 2009, at which it was announced that the nearby villages of Taldy-Bulak and Boz Beshik would begin forming their own committees. The villages of Svetlaya Polyana and Kyzyl Suu were also beginning to organize their own *jait comitets*, and these villages were being advised and aided by the non-
governmental organization ARIS, whose 2008-2011 Agriculture Investments and Services Project aimed to help implement The Law on Pastures and provide pasture investment grants (ARIS 2008). The Orgochor jait comitet had acted as an advisor to these other villages in their creation of their own committees, teaching representatives from these villages even as they themselves were learning how to implement the new law.

When asked about the jait comitet’s planned projects, Felix responded that one of the committee’s goals was to restore the seasonal movement of livestock through Orgochor’s pastures, from village pastures to the syrt, according to an annual plan. According to this plan, shepherds would implement the historical vertical transhumant model of Kyrgyz pastoralism by moving with their livestock in a series of vertical steps, rather than staying in a single pasture throughout the grazing season. Under this plan, livestock would continue to spend late autumn and winter in the village, grazing on agricultural fields after harvest and eating stored fodder during the coldest months. Shepherds would move their livestock to the middle jailoos on May 10th, and leave for the syrt on June 15th. Shepherds would then return to Orgochor with their flocks on October 10th. An important step towards instituting this seasonal plan and fully utilizing all of Orgochor’s pasture land entailed opening up Orgochor’s closed high altitude syrt pastures for summer grazing. To this end, the jait comitet planned on increasing the number of shepherds using the syrt from a handful of experienced shepherds in 2009 to 10 or 15 families in 2010.

The jait comitet also planned to begin infrastructure renovation in the jailoos. The first renovation project, scheduled to begin in 2010, was to be the restoration of the deeply rutted dirt access road to the jailoos. After this project, the committee planned to begin fixing the defunct USSR-era water systems in those jailoos. Felix said that the committee would have to seek out
financial help through government grants and from nongovernmental agencies and other donors, as these projects would likely require more funding than could be raised through revenues from pasture-use fees.

An important change instituted by the jait comitet in 2009 was the closure of five jailoos for the purpose of rest and re-seeding. Following an inspection by representatives from the Ministry of Agriculture, the jailoo areas of Ak Tash, Kol Kuroo, Ortuk, Kaiundui and Burlgan Suu - constituting approximately 2000 hectares of pasture land - were closed to grazing and other resource extraction for all of 2009. Felix maintained that the degradation of soil and grasses in these jailoos was caused by 17 years of yearly grazing without rest. Sultanbek, the previous aiyl okmotu land specialist in charge of issuing pasture leases, agreed that Orgochor pastures suffer from environmental degradation and believed that continuous overgrazing had allowed unwanted grass species to take over and crowd out the more desirable grasses.

When I first interviewed Usabali, he told me that the problem of trespassing into these closed jailoos by shepherds and other resource users would be addressed through the use of pasture guards. These guards were to be recruited from shepherds living and grazing their animals near the closed jailoos, and the position of guard would be paid by the jait comitet. If caught by these guards and reported to the committee, trespassers would be required to pay a fine of 200 som per head of livestock grazed in the closed pastures. Half of this fine would be given to the guard as a bonus, with the other half given to the aiyl okmotu. At the time of this research, these guards had not yet been recruited. Trespassing was therefore monitored by members of the jait comitet and unpaid shepherds living near the closed jailoos.

Sultanbek said that he expected animals would most likely enter the closed pastures while grazing and during travel to nearby pastures, but that preventing every small incursion was not
the primary goal of the pasture closures. The objective of the closures was to prevent long-term daily grazing and the trampling of new growth by preventing shepherds from making their camps in the closed jailoos.

In August of 2009, the jait comitet had already had to resolve a case of trespassing. Felix reported that in July, a group of four people with a flock of 600 sheep were found to have made camp the jailoo of Kaiundui. The trespassers were from Orgochor, and had grazed their animals on a total of five hectares of pasture. The jait comitet had to threaten to call the police in order to make the shepherds vacate the pasture. The trespassers had been in the jailoo for almost a month before they were reported to the jait comitet. They were fined 50 som per sheep by the jait comitet, and 200 som per cow and horse.

Even in the earliest stages of implementing The Law on Pastures, the Orgochor jait comitet had accomplished much. The committee had established itself as a legal entity and had worked with authorities from other jurisdictions to reaffirm its pasture boundaries. Committee members were already working to conduct the most comprehensive livestock survey the village had seen in years, and had begun the process of expanding planned seasonal mobility between pastures. Working with ARIS, the jait comitet had also established itself as another conduit through which governmental and donor resources could be channeled into village improvement projects. It had also been able to work with other branches of local government in order to enforce its rules by expelling jailoo trespassers. Moreover, the jait comitet had already aided the aiyl okmotu by relieving it of the burden of managing pasture leases, and had begun to serve as an important model and resource for other villages in developing their own jait comitets.

The jait comitet also faced a number of challenges. The committee was short-staffed, relying mainly on Usabali to travel throughout the village and its pastures in order to conduct the
livestock census. Perhaps because of short-staffing, it was already behind in writing its yearly and five-year pasture management plans. The jait comitet had no working shepherds among its members, and had not taken steps to develop the pasture user association outlined in The Law on Pastures. When asked how they would develop the pasture user association, Usabali and Felix did not seem to have a clear idea of the practical difference between the pasture user association and the jait comitet. Instead of the executive body of the broader pasture user association, they seemed to regard the jait comitet as the sole organization responsible for enacting the new law in the village. This interpretation of The Law on Pastures could constitute an example of a village-level organization modifying legislation in order to meet local needs. On the other hand, this interpretation of the law seemed to eliminate one of its most innovative facets. By disregarding the law’s requirement to create a representative resource user group, and focusing instead on meeting administrative goals and enforcing regulations that are handed down from higher levels of government, the jait comitet could be viewed as a local-level extension of the central government; effectively an instrument of centralization, rather than decentralization.

Moreover, the model of pasture closure enforcement explained to me by Usabali had already failed, as shepherds living near Kaiundui had not reported the group that had encamped there for most of the summer. Why had these shepherds not reported the trespassers? In my interviews with shepherds, all reported that they knew of the pasture closures and that they did not know of herders working in those jailoos. My informants therefore either did not know about the trespassers – which is doubtful – or they were somehow persuaded not to report them. Although the jait comitet was able to evict the trespassers, the fact that trespassing was tolerated by shepherds complicates the notion that shepherds will consider reporting trespassers as in their own best interest.
**Orgochor’s Shepherds and their Pastures**

The following section gives an account of Orgochor’s shepherds, their livelihood, daily life in Orgochor’s pastures, and shepherds’ early opinions of *The Law on Pastures*. I will begin with a general overview of shepherds’ livelihoods, and then give a more detailed account of the 19 groups of shepherds I encountered during my fieldwork. These are the shepherds who spent the summer in Orgochor’s middle jailoos, the practitioners of the bada and kezuu herding systems that are used within the village proper, and the shepherds who volunteered to return to Orgochor’s high-mountain syrt pastures for the first time since the end of the USSR.

The shepherds I interviewed in the middle jailoos and the syrt were primarily smallholders who also generated income by charging clients a fee to care for their livestock during the late spring, summer, and early fall. The median numbers of sheep, cattle and horses owned by these shepherds were 120, 7.5, and 2, respectively. These livestock holdings included animals owned by the shepherds themselves, as well as the animals of their close relatives (shepherds cared for these animals without charging a fee).

The median number of client-owned sheep in shepherds’ flocks was 125. Only five shepherds reported that they watched after clients’ cows, and the number of cows varied widely: 100, 50, 20, 8 and 3. Likewise, one shepherd reported that he was watching a single horse for a client. It is worthwhile to note that while the majority of Orgochor’s shepherds did not tend to horses professionally during the time of my research, the neighbors of the shepherd family at site A-1 specialized in caring for horses, and tended to a vast team. While the family that tended these horses hailed from the village of Svetlaya Polyana, they remarked to me that their clients lived in a number of nearby villages. It is possible, then, that this family simply had cornered the regional market for horse care.
Shepherds and their clients typically rely on oral agreements rather than written contracts to lay out their terms of service. Shepherds are expected to take a count of their animals every other day, and if an animal somehow were to somehow get lost, they would be expected to reimburse the owner. If the animal were to fall off a cliff, be struck by lightning, or die in some other manner that could likely not have been avoided through careful shepherding, the shepherd would likely not be held responsible. Wolf-kills and accidents that occur through perceived neglect, though rare, would likely be disputed by clients and could be resolved through full or discounted reimbursement. I was told by shepherds and village residents alike that the death or injury of an animal is very unlikely to be taken before a local court, as shepherds prefer to solve these problems informally to preserve their professional reputation and their relationship with clients, and both parties generally prefer to avoid the hassle of the courts. If a client is dissatisfied with a shepherd’s performance, they are likely to ask friends to recommend a more reliable shepherd with whom to send their livestock to the jailoo the next summer.

Kyrgyz smallholders consume an estimated 40% and sell 60% of the meat and milk they produce, and that “hides, skins and wool are sold more readily, because there is an active market for these products and because processing skills and capacities of the farmers are limited” (Shamsiev 2007:18). I found this to be an accurate description of Orgochor livestock owners’ behaviors, with the understanding that the herders I interviewed who lived in the middle jailoos generally sold far more milk than they consumed. Clients paid shepherds in part by allowing them to sell the milk produced by their cows, and so income from this milk constitutes an important part of these shepherds’ summer income. Shepherds sold the excess milk from their cows and clients’ cows to the local cheese factory located in Kyzyl Suu, which sent a tanker truck out the middle jailoos to collect milk each morning.
Another caveat is that most shepherds reported that they did not sell hides or wool due to the generally poor quality of these products, their usefulness around the house, and the lack of a reliable market. While hides quickly spoil unless they are processed soon after skinning, and are thus often discarded, wool is used for home felt production, as stuffing for cushions, and sometimes simply as fuel for the sauna stove. A few shepherds and smallholders, however, reported selling pelts and wool to specialty buyers in the Kyzyl Suu and Karakol bazaars, as well as to the travelling buyers who drive through villages while calling for these products over a loudspeaker. All of the shepherds I interviewed reported that their live animal sales occurred either at the Kyzyl Suu or Karakol animal bazaars, or directly to end-consumers (individuals or businesses) without the help of middlemen. Reported milk sales took place exclusively between livestock owners and the sole local cheese factory located in Kyzyl Suu.

The shepherds I interviewed in the middle jailoos and the syrt lived in five types of dwellings while at camp. The most popular (n = 6) was the boz ui (boz ui) - a sturdy, domed tent found throughout Central Asia, western China, Mongolia, and parts of South Asia. The boz ui’s wooden frame consists of a sectional latticework wall and a freestanding door frame that easily collapse for transport; steam-bent roof ribs (uuk) attach to this wall and converge at a circular centerpiece at the apex of the dome (tunduk). These ribs are bound in place with a tension band made of horsehair or nylon, and a mat made of reeds lashed together with wool yarn (chii) is wrapped around the outside of the wall. The boz ui is finished with a sectional felt covering (kiiz), which may be topped with a plastic sheet (plyanka) or canvas cover. The topmost kiiz is maneuvered with ropes to cover or uncover the tunduk as the weather dictates. A boz ui usually has a wood-burning stove with a metal chimney tube that protrudes from the boz ui through a hole in the kiiz (the felt is protected from heat damage by a fitted sheet metal flange), as well as a
foundation dug into the ground and a perimeter trench to divert rainwater from the tent floor. The floor of the boz ui is typically covered with a layer of plastic sheeting, over which are placed felt rugs (shyrdak). A low table for eating and socializing is generally placed in the center of the boz ui, and this table is moved to the side each night as thick mats (tushuk) and blankets are laid out for sleeping. In the morning, the tushuks and blankets are folded up and placed on top of the wooden chest at the rear of the boz ui, and the table is moved back to the center of the living space.

Five herding groups lived in wagons, which are trailers that resemble boxcars with wheels. The living space of a wagon is situated around four feet from the ground, necessitating a set of small steps at the single door on its side. Wagons have one or two plywood-floored rooms, a stove, and one or two windows. While they are the most durable jailoo dwelling, they are also the least portable; whereas transporting a boz ui or a wall tent calls for a few horses or a minivan, hauling a wagon to and from the mountains along the heavily-rutted access roads requires a large truck or tractor.

Three herding groups lived in wall tents - large canvas tents with an internal structure made of timber beams or metal piping. Although they lack the durability, strength, and insulation of a boz ui, wall tents are popular for their affordability, simplicity, and relative ease of transport. While a boz ui requires a minimum of two people and any number of hours to erect, a wall tent can be set up by one person in a fraction of the time. Likewise, mass-produced wall tents can be purchased at the bazaar in any larger town or city, while boz uis must be inherited, purchased at great expense from a craftsman’s workshop, or laboriously constructed at home. In 2009 I heard of relatively affordable Chinese-made boz uis for sale in Bishkek, although none of my contacts seemed to have any great desire to buy one of these.
Two of the herding groups I interviewed lived in houses made of mud bricks that their families had constructed in the jailoo. These houses were permanent structures with wood-burning stoves and some timber components, and the families that had built them had returned to them for a number of years. Although I was told by the shepherds who had built and occupied these houses that they had done so with permission from the local government, I was later told by the village land specialist that no permits had ever been issued for the construction of new homes on state-owned pasture land.

One herding group living in the middle jailoos had its own kashar. This kashar was owned by the family of Timur, one of the shepherds who spent the summer in the syrt. While Timur was encamped in the syrt, his wife and one of his sons spent the summer at this kashar tending the family’s 60 cows and a handful of sheep.
Table 2. Informant Attributes

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<th>Group</th>
<th>Pasture</th>
<th>Village</th>
<th>Group Size</th>
<th>Years in Location</th>
<th>Housing</th>
<th>Sheep</th>
<th>Cattle</th>
<th>Horses</th>
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<td>Tuuz Suu</td>
<td>Orgochor</td>
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<td>First year in location</td>
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<td>Tuuz Suu</td>
<td>Orgochor</td>
<td>5</td>
<td>12</td>
<td>Mud Brick</td>
<td>20</td>
<td>2</td>
<td>2</td>
<td>0</td>
<td>100</td>
<td>0</td>
</tr>
<tr>
<td>Site A-4</td>
<td>Tuuz Suu</td>
<td>Orgochor</td>
<td>6</td>
<td>5</td>
<td>Wall Tent</td>
<td>20</td>
<td>4</td>
<td>2</td>
<td>500</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Site A-5</td>
<td>Kok Tuuz *</td>
<td>Orgochor</td>
<td>3</td>
<td>13</td>
<td>Wagon</td>
<td>30</td>
<td>12</td>
<td>4</td>
<td>100</td>
<td>8</td>
<td>0</td>
</tr>
<tr>
<td>Site A-6</td>
<td>Kok Tuuz *</td>
<td>Orgochor</td>
<td>NR</td>
<td>NR</td>
<td>Wagon</td>
<td>200</td>
<td>15</td>
<td>10</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Site A-7</td>
<td>Kok Tuuz *</td>
<td>Orgochor</td>
<td>5</td>
<td>First year in location</td>
<td>Boz Uï</td>
<td>NR</td>
<td>9</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
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<tr>
<td>Site A-8</td>
<td>Tash Bulak</td>
<td>Jele Dobu</td>
<td>1</td>
<td>4</td>
<td>NR</td>
<td>450</td>
<td>0</td>
<td>1</td>
<td>50</td>
<td>20</td>
<td>0</td>
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<tr>
<td>Site A-9</td>
<td>Tash Bulak</td>
<td>Orgochor</td>
<td>6</td>
<td>5</td>
<td>NR</td>
<td>50</td>
<td>30</td>
<td>10</td>
<td>150</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Site A-10</td>
<td>Kongulchuu</td>
<td>Orgochor</td>
<td>5</td>
<td>10</td>
<td>Mud Brick</td>
<td>50</td>
<td>10</td>
<td>2</td>
<td>250</td>
<td>50</td>
<td>0</td>
</tr>
<tr>
<td>Bakyt</td>
<td>syrt</td>
<td>Orgochor</td>
<td>2</td>
<td>First year in location</td>
<td>Boz Uï</td>
<td>125</td>
<td>6</td>
<td>2</td>
<td>250</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Timur</td>
<td>syrt</td>
<td>Orgochor</td>
<td>5</td>
<td>First year in location</td>
<td>Boz Uï</td>
<td>125</td>
<td>0</td>
<td>1</td>
<td>250</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Toktobek/Shabdan</td>
<td>syrt</td>
<td>Orgochor</td>
<td>3</td>
<td>First year in location</td>
<td>Boz Uï</td>
<td>125</td>
<td>?</td>
<td>1</td>
<td>25</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Tordobek</td>
<td>syrt</td>
<td>Orgochor</td>
<td>2</td>
<td>First year in location</td>
<td>Boz Uï</td>
<td>125</td>
<td>0</td>
<td>1</td>
<td>25</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Site B-1</td>
<td>Chong Kyzyl-Suu</td>
<td>Chong Kyzyl-Suu</td>
<td>2</td>
<td>2</td>
<td>Wall Tent</td>
<td>20</td>
<td>0</td>
<td>2</td>
<td>260</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Site B-2</td>
<td>Chong Kyzyl-Suu</td>
<td>Orgochor</td>
<td>6</td>
<td>1</td>
<td>Wagon</td>
<td>200</td>
<td>10</td>
<td>5</td>
<td>400</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Site B-3</td>
<td>Chong Kyzyl-Suu</td>
<td>Orgochor</td>
<td>4</td>
<td>1</td>
<td>Wagon</td>
<td>120</td>
<td>0</td>
<td>15</td>
<td>30</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Site B-4</td>
<td>Chong Kyzyl-Suu</td>
<td>Orgochor</td>
<td>2</td>
<td>Unknown</td>
<td>Kashar</td>
<td>5</td>
<td>60</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Site B-5</td>
<td>Chong Kyzyl-Suu</td>
<td>Orgochor</td>
<td>4</td>
<td>10</td>
<td>Wagon</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
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* Leskhoz land
<table>
<thead>
<tr>
<th>Group</th>
<th>Milk Sold Daily (Liters)</th>
<th>Sell Koumiss Y/N</th>
<th>Opinions of New Lease System</th>
<th>Observations of Ecological Damage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site A-1</td>
<td>30-40</td>
<td>No</td>
<td>New system is fairer: in the old system, one person could buy up all the land</td>
<td>Doesn’t know if there's ecological damage. Sees yearly variation in pasturage as climatic: little rainfall results in dry grass.</td>
</tr>
<tr>
<td>Site A-2</td>
<td>25-40</td>
<td>No</td>
<td>New system is fairer. Everyone pays the same amount and gets the same access to land.</td>
<td>Moved camp twice in 2008 because of dry grass.</td>
</tr>
<tr>
<td>Site A-3</td>
<td>40</td>
<td>Yes</td>
<td>Pasture lease will be considerably more expensive under new system: 10,000 som vs. 4,000 som last year.</td>
<td>Doesn’t know if the pastures are damaged. Sees yearly variation in pasturage as climatic: little rainfall results in dry grass.</td>
</tr>
<tr>
<td>Site A-4</td>
<td>10</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Site A-5</td>
<td>70</td>
<td>No</td>
<td>No change to lease system, as land is administered by the Leskhoz.</td>
<td></td>
</tr>
<tr>
<td>Site A-6</td>
<td>20-30</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Site A-7</td>
<td>Yes, but unspecified</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Site A-8</td>
<td>60</td>
<td>No</td>
<td>No opinion: respondent is a hired shepherd from another village.</td>
<td></td>
</tr>
<tr>
<td>Site A-9</td>
<td>Yes, but unspecified</td>
<td>No</td>
<td>Likes that the new system has no borders, but anticipates lease fees will be greater than under the previous system.</td>
<td></td>
</tr>
<tr>
<td>Site A-10</td>
<td>50</td>
<td>No</td>
<td>Estimates the new lease system will be twice as expensive as the old system, but thinks the JC’s involvement can lead to better-quality pastures.</td>
<td>Doesn’t report pasture degradation, but says the pastures in his area need to be re-seeded.</td>
</tr>
<tr>
<td>Bakyt</td>
<td>Yes, but unspecified</td>
<td>No</td>
<td>Does not like working in high syrt pastures, but does so in 2009 and plans to continue. Did not have to pay pasture ticket fee in 2009.</td>
<td>They note that the grass in middle jailoos has been harmed by overgrazing. They say resuming the vertical grazing cycle is necessary in order to save pastures.</td>
</tr>
<tr>
<td>Timur</td>
<td>NA</td>
<td>No</td>
<td>Happy to return to syrt pastures and plans to continue. Did not have to pay pasture ticket fee in 2009.</td>
<td></td>
</tr>
<tr>
<td>Toktobek/Shabdan</td>
<td>NA</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tordobek</td>
<td>NA</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Site B-1</td>
<td>0</td>
<td>No</td>
<td>Use CKS lease system. 5-year lease, but they were in a different spot last year.</td>
<td>No observed ecological damage; only says that grass and sheep need rain in order to thrive.</td>
</tr>
<tr>
<td>Site B-2</td>
<td>0</td>
<td>Yes</td>
<td>No problem with new system. Says it's the same as old system, and they have to pay money either way. His father takes care of the taxes and fees, so he doesn't know all the details of the system.</td>
<td>No observed ecological damage; only says that grass and sheep need rain in order to thrive.</td>
</tr>
<tr>
<td>Site B-3</td>
<td>0</td>
<td>Yes</td>
<td>New system is better. Pay less in fees</td>
<td>No observed ecological damage; only says that grass and sheep need rain in order to thrive.</td>
</tr>
<tr>
<td>Site B-4</td>
<td>Yes, but unspecified</td>
<td>No</td>
<td>New system is better. Whoever needs land can get it.</td>
<td>NR</td>
</tr>
<tr>
<td>Site B-5</td>
<td>NR</td>
<td>No</td>
<td>Likes new system, as he doesn't have to watch over his borders</td>
<td>No observed ecological damage; only says that grass and sheep need rain in order to thrive.</td>
</tr>
</tbody>
</table>
The Middle Jailoos

Orgochor’s middle jailoos are located in two river valley areas to the south-east of the village. The first jailoo cluster (Site A) is situated along the Suutuu Bulak River, beyond the village of Svetlaya Polyana. The second jailoo cluster (Site B) is situated along the Chong Kyzyl Suu River, beyond the village of Kyzyl Suu. Orgochor’s middle jailoos border the jailoos of the villages of Svetlaya Polyana, Jeti-Oguz, Shalba, Kyzyl Suu, and Chong Kyzyl Suu. These jailoos also share borders with Leskhoz (forest service) lands, which are also leased for the purpose of summer herding.

My first trip to the Orgochor jailoos took me Site A, where I interviewed ten herding units from Orgochor. In addition to these respondents, I also spoke informally with members of a herding family from Svetlaya Polyana.

Figure 2. Jailoos at Site A

My primary contact at Site A was Chinggis (A-1), a 50 year-old former sovkhoz electrician who lived in the jailoo of Tuuz Suu. Chinggis took up herding in 2008 when he shared a leased plot in Ak Tash jailoo (in Site B) with his brother. While Chinggis’ brother
moved to Bishkek in 2009 to drive a delivery truck, Chinggis and his wife Jamila returned to the jailoo for another season. Prior to herding, Chinggis worked full-time tending hay, wheat and potatoes on his 3.5 hectare plot in Orgochor. In 2009 his brother, son, and other extended family members tended to his crops as well as theirs, with Chinggis returning to the village to help with labor-intensive activities such as hay cutting. In these cases - when business in the village requires an overnight stay - Jamila stayed at the camp while he would make the bumpy, two-hour trip by horse cart to Orgochor. However, the couple would sometimes return to Orgochor together, leaving their animals under the care of a neighbor.

The couple reported that their farming activities were primarily for subsistence, however they sold potatoes and wheat throughout the year at market prices, which fluctuated greatly. Every year, they also incurred the expense of hiring day laborers and renting farm equipment during plowing and harvests. The couple’s 20 year-old son left for Moscow in the summer of 2009 to begin work as a laborer in the construction industry, leaving Chinggis and Jamila with one fewer worker in the village, but with the possibility of increasing the family’s income through remittances.

In 2009, Chinggis had no plans to adopt another vocation, as he reported that there were simply no other jobs in the village. Tending to his animals had become his sole job during the winter months, as well. Chinggis learned to herd from his father, who was a chaban in the Orgochor sovkhoz. When asked what makes for a successful shepherd, he replied that the essential facts of herding are that animals need grass, water, and salt in order to be healthy, and that aside from this there is not much else to know.

Chinggis and Jamila spent the summer in a small boz ui and looked after the livestock holdings of his extended family, which consisted of ten sheep and goats, five cows, and five
horses. In addition, they looked after three cows and one horse for their clients. Chinggis and Jamila reported selling sheep once or twice a year, or whenever the family needed money, at the livestock bazaars located in Kyzył Suu and Karakol. Livestock prices were high in 2008, which Chinggis attributed to an increase in the number of wealthy importers from Kazakhstan who bought livestock in the Kyrgyz Republic for export to markets back across the border. By the summer of 2009, he said, prices had already dropped to a record low due to the worldwide economic crisis. Chinggis reported that he generally slaughtered one cow and five sheep per year for consumption, primarily in the winter. He would also slaughter a few of the chickens he kept in the village, and his family would eat the eggs they produced instead selling them. He did not sell wool or pelts, but made the bulk of his summer income from selling milk every morning to the Kyzył Suu cheese factory; the couple sold an average of 40 liters per day, at an average price of seven som per liter. Chinggis and Jamila would milk their cows twice a day, collecting the milk in 30-liter metal canisters and large plastic vegetable oil jugs. At 6:00 every morning, the couple would load these containers of milk onto their donkey and hike down to the dusty, rutted road that runs through the valley roughly two kilometers from their camp. There they would wait for the milk truck with their neighbors from nearby herding camps, sharing news from the village and talking about the weather, their animals, and milk prices. When the milk truck - a large Soviet-era pickup with an immense steel tank in its wooden-railed bed - arrived, each container of milk would be measured, recorded, and poured into the tank. The cheese factory settles accounts every two weeks, with herders paid in cash, butter, and cheese. Herders prefer to be paid entirely in cash, but are reluctant to complain about being paid in dairy products for fear that the cheese factory will refuse to buy their milk in the future. Chinggis and Jamila had been selling milk to regional cheese factories since 1996, and reported that they had never had the
cheese factory refuse to buy their milk.

Chinggis’ day would begin around 5:00 in the morning when he and Jamila would get up to milk the cows and deliver the milk to the cheese factory truck. Upon returning from their milk delivery, they would let the horses, calves, sheep and goats free to roam. Cows were kept separate from their calves to discourage suckling and preserve milk, and either remained staked near the camp or were lead to a pasture area far from their calves. The horses would climb up a nearby hill to mingle with neighbors’ horses, and the couple’s sheep and goats would walk off in the opposite direction down another hill to mingle with a neighbor’s flock. The couple kept their donkey staked to a long rope near the camp, re-staking it twice a day. Chinggis and Jamila would eat breakfast, and for the rest of the day they do chores around the boz ui, drink tea, take naps, and visit with neighbors while periodically checking on their animals. Once a day Chinggis would outfit the donkey with a metal canister and a plastic canister and make the one-kilometer trip fetch water from the nearest spring. Every three days, he and Jamila would load the donkey with a saw, an axe, and burlap bags to fetch firewood from the forest one kilometer up into the mountains. Like their neighbors, the couple would take deadfall wood and leftover limbs from trees harvested by the Leskhoz. Chinggis told me that the Leskhoz would issue a fine for cutting down a live tree, but did not mind if herders cleared away dead wood. Chinggis and Jamila’s donkey carried three sacks of wood per trip, with each sack providing fuel for one day’s worth of cooking and heating. Sometimes while collecting wood they encountered their neighbors collecting wild mushrooms to sell to wholesale buyers at the Karakol bazaar. Although dried mushrooms were said to sell for 1000 som per kilo, Chinggis and Jamila did not collect them.

Around dusk, Chinggis and his Jamila would bring their animals back to camp. Jamila tended to the cows, and Chinggis collected the sheep, goats and calves. Chinggis relied on his
brand - a spray-painted black swatch on the animal’s rump - to distinguish his sheep and goats from his neighbor’s flock. The largest of his sheep were hobbled with twine, making them slow-moving and easy to drive. When the largest sheep and rams were driven up the hill back towards camp, the rest of the sheep would follow. This technique was also used with his goats and calves, making it easy to collect the livestock on foot. Horses were sometimes driven back to the camp on foot, and were also driven by Chinggis’ neighbor, Erken, as Chinggis’ horses mingled with Erken’s during the day. Horses also returned to the camp on their own in search of the lumps of rock salt that Chinggis would leave strewn around the campsite. After milking the cows and shutting the sheep and goats up into a small corral made of chain link and scrap wood, Chinggis and Jamila would have dinner, drink tea, talk and listen to their small radio. They usually went to bed around 10:00 p.m.

In most respects, Chinggis’ story is representative of other Orgochor smallholder shepherds’ experiences. Chinggis and Jamila shared Tuuz Suu jailoo with three other camps of Orgochor shepherd families. The first group (A-2), Kairat and Akilbek, shared a camp on top of a hill half a kilometer from Chinggis and Jamila. The two friends lived in two rectangular canvas tents edged together, with frames made of steel conduit and logs. Kairat and Akilbek were joined by their wives and Akilbek’s infant son. Kairat had four relatives living at his home in Orgochor and tending to his three hectares, and Akilbek also had a son in the village, a student who looked after the family’s two hectares. Like Chinggis, they would return to Orgochor during labor-intensive mowing and harvesting; however they only did so one at a time, so that at least one of them would be able to look after their livestock at all times. Kairat and Akilbek reported that they both grew the same crops on their land - potatoes, hay, wheat, and rye - and that they helped work one another’s land. They had no other job, and their wives also helped tend their animals
and sell milk full-time. “If we had money, we’d give up herding”, they half-joked, although they reported that they planned to keep herding for the indefinite future. The group had a total of 400 sheep and goats, 7 horses and 13 cows in 2009. Kairat and Akilbek reported that together they made approximately 5000 som per month in herding fees from clients; this would suggest that they watched approximately 250 sheep for their clients – rather than the 200 they reported - as the average fee per sheep in 2009 was 20 som per month. While they would not tell me the exact number of clients’ livestock they managed, they did tell me that those 200 sheep belonged to a member of the aïyl okmotu.

Kairat and Akilbek reported that their animals move about 5 kilometers per day, and that there are no borders to their pastures. When prompted to name species of grass, the group members point out seven species before tiring and changing topics. They said that their animals know the difference between grasses, and will not eat poorer quality grass species. The group reports that in the summer of 2008, they had to move their camp twice in order to find better pasturage for their animals.

When asked about The Law on Pastures, the group said that they had not yet paid their pasture ticket fees, but that they would do so in the fall. None of the group members attended the spring meeting at which the law was introduced; as they kept animals for a member of the aïyl okmotu, they had assumed that they did not have to attend the meeting. Kairat and Akilbek said that they felt that under the new law the allocation of land was fairer, as shepherds paid an equal amount for equal access to pastures.

Unlike Chinggis, Kairat and Akilbek have been herding all their lives. Kairat began herding in 1977 when he was in the 5th grade, helping his father who was a chaban in the Chong Kyzyl-Suu kolkhoz and later joining the kolkhoz as a shepherd after graduating from high school.
Like Chinggis and Jamila, 2009 was their first year in Tuuz Suu jailoo, although they had spent their summers in Orgochor jailoos since 1997. Kairat maintained that life in the kolkhoz was good, that kolkhoz workers were well-paid and provisioned, and that transportation between the jailoos and the village was easier under the USSR.

The third and fourth camps in Tuuz Suu jailoo were those of two brothers: Melis (A-3) and Emil (A-4). Melis was 38 years old, and lived with his wife and four young children in a wall tent. A former Orgochor sovkhoz chaban, he had spent summers in Tuuz Suu since 2004, and had 20 sheep, 1 cow, and 2 horses of his own. He watched 500 sheep for clients, as well as 3 cows. Melis reported owning one hectare of land in the village, which he used exclusively for hay. Every day he would drive his sheep, along with his brother’s 20 sheep, down through a small canyon and into a long valley hemmed in by red sandstone cliffs where they would graze. Unlike the other shepherds I interviewed, Melis reported that he wanted change vocations, and that he planned to give up herding as soon as he could. In Melis’ experience, it was becoming harder and harder to make ends meet as a shepherd, and he wanted to be able to work his land and spend the summers in the village with his young son.

Melis’ brother, Emil, was 44 years old. He lived just a few meters from Melis with his wife and four children in a mud brick house he built in 2003. Emil was also a chaban in the Orgochor sovkhoz, where he looked after 600 sheep. In 2009, Emil had two cows, two horses, 20 sheep, and one donkey of his own. He watched 100 cows for 15 clients. Emil and Melis sold a total of 50 liters of milk per day to the cheese factory and, like Chinggis, reported selling livestock at the regional animal bazaars when they needed money.

The brothers reported that they had attended the winter meeting at which the idea of the jait comitet was introduced, and that they had not yet paid for their pasture tickets but planned to
pay by fall. They saw the new system as more expensive than its predecessor. While their previous 5-year lease was for 100 hectares and cost 4,000 som per year, they expected to pay 10,000 som in 2009. They missed the USSR, when good were affordable, the jailoo road was in working order, and the water pumps in the jailoo worked. Indeed, when asked to describe the most difficult aspects of herder, Emil pointed to the condition of the road and Melis replied his peeve was finding a reliable water source. Melis reported that he had already asked Usabali to elaborate on when the road would be fixed, as well as when pasture ticket prices would be reduced.

Emil and Melis told me that they spoke with their neighbors every day, and maintained a good relationship. They advised their neighbors on where to find good grass, and between them the brothers could name 15 species of grass. Like Kairat and Akilbek, they explained that if the grass turns out to be poor in the area of their camp, they simply pitch tents in a new area; however, they did not have to move their camp in 2008.

Later we meet Melis and Emil’s father, Almaz, who was dividing his time between their camps and the camp of his other son, who lives in the nearby jailoo of Kongulchuu. He said he would return to the village after his third son returned to Kongulchuu from cutting hay in Orgochor. At 67 years old, Almaz owned 20 sheep, 2 cows and 3 horses, which he added to his sons’ herds. A career chaban, Almaz began herding in 1947 as an apprentice to his father who worked in Tuuz Suu and in syrt pastures near the city of Balykchy4. After completing the third grade, Almaz began to work with his father full-time. He worked in the Orgochor sovkhoz from 1958 to 1965. He divided his time between Tuuz Suu jailoo and a syrt pasture called Bedele, near the Chinese border, where he often spent the winter. His wife and sons also joined him in Bedele, although they would return to Orgochor before the onset of winter. In 1965 he was

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4 Balykchy is the second-largest city in Issyk-Kul Oblast, located on the western terminus of the lake.
reassigned to the Orgochor syrt, and followed a new yearly cycle in which he would spent winter in an Orgochor kashar, move to Tuuz Suu in May, and then spent July through September in the syrt. Almaz’s last trip to Orgochor’s syrt pastures was in 1985, and he purchased his first post-USSR land lease on 100 hectares with his sons in 1997. Like his sons, Almaz believed that the previous leasing system was less expensive. “I’m a pensioner, and pensioners don’t have much money”, he lamented, and added that shepherds as a group are typically poor. He feared that his family would have to sell off their animals, and that they would not be able to continue working as shepherds due to increasing costs. When asked if he had attended the winter meeting to learn about The Law on Pastures, Almaz responded that he had not, and that “pensioners don’t go to meetings”.

On our way to the Orgochor jailoo of Kongulchuu, Chinggis and I walked a hilly path through a jailoo called Tash Bulak, located a few kilometers north of Tuuz Suu. On our walk, we encountered a herder from the village of Jele Dobu (A-8) and most of the 500 sheep in his care. This shepherd was 40 years old, and had been taught by his father, who had worked in the Jele Dobu sovkhoz. He explained that the sheep belonged to a wealthy man from Jele Dobu, who had chosen to have his sheep brought to Orgochor pastures because the pastures of Jele Dobu were higher, colder, and still covered in snow in June (when this interview took place). The owner of the sheep planned to send them to another jailoo in 2010. The shepherd further explained that his own animals were being tended by a hired shepherd outside of Naryn city, and that his pay – which he considered insufficient – was one sheep per month. He seemed unhappy in his work, and expressed an interest in becoming a construction worker. As a hired shepherd from a another village, this shepherd was not responsible for paying for pasture tickets, and did not have an opinion on the new pasture lease system.
We encountered another shepherd on our walk (A-9), who tended to 200 sheep, 30 cows, and 10 horses belonging to himself, his younger brother, and 3 clients. A former chaban’s helper who worked in Tash Bulak, this shepherd was spending the summer in the jailoo with his wife, 2 children, his younger sister, and a cousin, although he did not describe his dwelling. The family had found a productive spring near their camp, and used tezek exclusively for fuel, rather than wood. He reported that he had been coming to Tash Bulak since 2004, and had used the jailoo of Kol Kuroo from 1991 until 2004. As his brother was in charge of handling finances, he did not know how much his family had paid for their previous leases, although he felt that under the new lease system the price of pasture tickets was too high. Aside from the cost, this shepherd reported that he liked the lack of borders in the new system. He also said that he liked the hands-off approach of the aiyl okmotu, and claimed that the village government was more interested in collecting taxes than interfering in shepherds’ lives. He had not attended the spring meeting to learn about the jait comitet, although his brother had attended. When asked if he would prefer a government that lent assistance to shepherds, he replied that he would rather have cheaper pasture ticket prices than any other help the government might provide. This shepherd reported that although his work was difficult, he could not imagine doing another job and had no plans to quit.

Two families lived in the jailoo of Kongulchuu, one of which was the third brother of Kairat and Akilbek, who was currently in Orgochor managing the cutting of the family’s hay. Chinggis and I were able to interview the remaining family. Azamat (A-10), the head of this family, was 37 years old and reported that he had been working in Kongulchuu for 10 years. His previous 5-year leases had been for 200 hectares of pasture, and he had built a small mud brick house on this land. He liked the spot where he had built his house, as it was closer to the village.
than Tuuz Suu. He admitted that he had not secured permission from the local government to build the house, however no one had ever complained about it. Azamat, his wife and three children took care of his family’s 10 cows and 50 sheep, while watching 50 cows and 250 sheep for clients. His younger brothers stayed in Orgochor for the summer to tend to the family’s hay and other business. Azamat reported that his family sold 50 liters of milk per day to the cheese factory. Like one of the Tash Bulak shepherds, he reported using tezek exclusively for fuel, as the nearest sources of firewood were a few kilometers away. Likewise, he complained that the nearest reliable water source was located far from his house.

Azamat said that while the number of shepherds in Orgochor’s jailoos had not diminished in 2009, there appeared to be fewer animals in the pastures. When asked about the health of Kongulchuu, he said that although he had not seen signs of environmental degradation in its pastures, he was glad the jailoo was slated to be closed for re-seeding the following year. He had attended the spring meeting to learn about the jait comitet, and believed that its measures would lead to improved pasturage. However, he reported that he expected to pay half of his income in various taxes in 2009, and wished that the jait comitet would lower the price of pasture tickets. Despite its ecological benefits of the new system, he said that he missed the affordability of the per-hectare lease system.

While visiting site A, Chinggis took me to meet shepherds living nearby in the Leskhoz-administered jailoo of Kok Tuuz. Kok Tuuz is a 45 minute walk from Tuuz Suu, nestled in a semicircle of forested hills where the main valley road ends. At the time of my visit in late June, there were 6 shepherd families from Orgochor and Svetlaya Polyana living in Kok Tuuz, with another family expected to arrive shortly. Families living in Kok Tuuz all reported choosing their pasture plots from a map at the Leskhoz office, with some making visits to the jailoo to compare
plots before taking out a lease. While *Leskhoz* grazing land was still divided into plots, rather than open to all under the new system in place in Orgochor pasture, interviewees reported that they were not bothered by the frequent encroachments of other shepherds’ livestock, and reported that they did not demarcate or enforce the borders of their plots.

Nursultan (A-5), a 28 year-old shepherd living in a wagon with his mother, said that his family chose their spot because his father worked in the area of Kok Tuuz as a shepherd in the Orgochor *sovkhоз*. His family was on its second five-year lease of their 59 hectare plot, and had been coming to Kok Tuuz since 1996. The family’s wagon was purchased from the *Leskhoz* as a part of their lease, and they planned to move it to their next *jailoo* plot if they choose not to return to Kok Tuuz in the future. Nursultan reported that he and his mother planned to stay in the *jailoo* for the summer tending to their livestock (100 sheep and 8 cows for clients, as well as 30 sheep, 12 cows and 4 horses of their own), while his father and brother manage the family’s hay and crops in the village.

Nursultan reported that although he didn’t know the exact price his parents paid for the lease of their plot, he believed the rates were comparable to those of Orgochor’s pastures. He said, however, that his family also paid 1000 *som* each year to the *Leskhoz* for a permit to collect fallen branches from the forest for fuel. In addition to the reasonable lease fees, Nursultan said that his family enjoyed the simplicity of leasing pasture land directly from the *Leskhoz*, instead of through the local government.

We briefly spoke with another resident of Kok Tuuz (A-6), who was 38 years old and lived in a wagon. He kept 200 sheep, 15 cows, and 10 horses, selling 25 to 30 liters of milk per day to the cheese factory. This shepherd had no clients – his animals all belonged to extended family members, who tended to his family’s crops in the village in exchange for his labor. A full-
time stockman, he did not foresee changing jobs in the near future, as this was the only work he could find. He reported that his primary problem as a shepherd was keeping track of animals in order to keep them from getting lost, and added that the pastures needed rain to keep them healthy.

Chinggis and I also spoke with Jildiz (A-7), who was spending the summer of 2009 in a large boz ui at the edge of the forest with her husband and two children. She and her husband – a full-time shepherd – kept an unknown number of sheep and 9 cows for 10 to 15 other families. An Orgochor resident, this was her family’s first year in Kok Tuuz, as their regular jailoo was among those closed this season. She added that although she was glad that her previous jailoo was being allowed to rest, she had not noticed any signs of pasture degradation there. When asked if she preferred one jailoo over another, she shook her head - “They’re all the same”.

Jildiz also reported that her family appreciated the simplicity of the pasture leasing process through the Leskhoz, although she did not know how much their five-year lease cost. When asked about her relationship with her neighbors, Jildiz replied that she knew the nearby shepherds from Orgochor, but did not yet know her neighbors who came from Svetlaya Polyana. Although she had never encountered conflict in the jailoo, she noted that Orgochor people “all have one land”, while shepherds she had met from Svetlaya Polyana were more likely to voice concern over their pastures’ borders. She said that while no shepherd was likely to reprimand another for encroachment by animals, Svetlaya Polyana shepherds were more likely to demand that others keep their distance in setting up their camps.

Jildiz was the only jailoo resident I interviewed who reported more than a passing knowledge of ARIS, the primary non-governmental organization working to help facilitate Orgochor’s implementation of The Law on Pastures as a pilot project. In addition to using the
ARIS computer center in Orgochor, Jildiz said that she had heard of the organization’s other projects in town - a public bathhouse, a sewing workshop, and an improved village clinic initiative - and knew that ARIS was acting as an advisor to the jait comitet. Jildiz’s family was also the only jailoo family to have a solar generator at their boz ui. The generator, a Chinese model the family bought for 15,000 som, powered the boz ui’s lamp, radio, and television.

Conversations with shepherds living and working at site B revealed similar livelihoods and backgrounds to shepherds living at site A. There were six shepherd camps at site B in 2009; all were located along the dirt road that runs through the village of Svetlaya Polyana and continues along the eastern bank of the Chong Kyzyl Suu River, which forms the natural demarcation between Orgochor and Kyzyl Suu/Chong Kyzyl Suu pasture land. The shepherd camps at site B were located along this road, close to Chong Kyzyl Suu and Svetlaya Polyana, and were the least remote of Orgochor’s middle jailoo camp sites. As this road is in better condition than the road that leads to site A, and these camps are located in closer proximity to their surrounding villages, shepherds at site B reported visiting their home village more frequently and with greater ease than those living at site A.

All of the shepherd families at site B lived in wagon, and no boz uis or tents were present. A power line runs from the village of Chong Kyzyl Suu to a kashar in the valley, and one shepherd family (B-5), consisting of a mother, father, their teenage daughter, and a rotating roster of grown sons living in a wagon directly across the river from Chong Kyzyl Suu, had been able to tap into this power line in order to power their radio, television, and hot plate. I only spent an hour over tea with this family on my walk from the main cluster of wagon at site B, and although they were friendly they were reticent to talk about their livestock holdings, their finances, or their opinions of the local government. The father of the family, a former Soviet-era chaban in his late
sixties, said that he preferred the new per-head lease system, as it freed him both from monitoring the borders of his pasture plot and from keeping his own animals from encroaching on others’ plots. He reported that he believed pasture closures were a good idea, as this would benefit the grasses and make the pastures more productive in the future. When I asked who lived in the wagon next to his, the father replied that another shepherd usually lived there, but that he had decided to keep his animals in the village for the summer of 2009 and would not be living in the jailoo that summer.

While conducting interviews at site B, I stayed with Marat’s two nephews – Jaku and Kaku (B-1) – at their camp in a nearby jailoo administered by the village of Chong Kyzyl Suu. Jaku and Kaku were in 10th and 11th grade, and spent the summer of 2009 in a large canvas and timber wall tent on a hill overlooking the Chong Kyzyl-Suu valley. They watched over 280 sheep, 20 of which belonged to their family, and had three horses and two cows. This was the brothers’ first year in this jailoo, as their family had just taken out a five-year lease on their plot of land. In previous years, the brothers had herded in another Chong Kyzyl Suu jailoo, where they said they had problems with other shepherds’ animals grazing within their plot’s boundaries. At the time of my visit, they reported that they had not had this problem, as their plot was set apart from their neighbors’ plots by a small gully that formed a very visible natural boundary. They said there were four other herding camps from Chong Kyzyl-Suu in this jailoo, although they did not visit them very often.

Jaku and Kaku would wake up at seven o’clock each morning and alternate herding duties with one leading the sheep out into the pasture and the other staying at the camp to tidy up. The horses and cows were left to wander, and Jaku and Kaku periodically set out to look for them. The boys would fetch the sheep and cows at 6:00 in the evening and begin cooking dinner
on their tent’s woodstove. The horses were often left on their own overnight in the nearby forest; the boys told me they preferred the grass there, as well as the shelter the forest provides. Evenings at Jaku and Kaku’s were quiet, as they had no radio. The boys would send text messages to their friends in Chong Kyzyl-Suu, but kept their phone turned off most of the time to conserve the battery and service units. When asked if they plan to take up herding as a vocation, they shook their heads emphatically. Jaku told me he wanted to be a taxi driver, and while Kaku did not yet know what he wanted to do, he didn’t want to be a shepherd. While they seemed somewhat bored by their summer job, Jaku and Kaku excitedly discussed an upcoming ulak tartush (goat polo) match they planned to take part in; the participants would be other boys from the nearby jailoos. When I asked if they were afraid to play such a dangerous game, Kaku told me the story of how he had broken his leg in a horse-riding accident earlier in the year. After a month in traction and a few months of being unsteady on his feet, he had just now begun to recuperate fully.

Most of the shepherds at site B reported that they had spent previous summers in the jailoos located in the hills to the immediate east of the road, but that they had moved to their roadside camps for the 2009 herding season because these jailoos were among those that had been closed. Nurbek (B-2), a 20 year-old shepherd living at site B, said that his family usually made camp in the jailoo of Kaiungi. However, he, his wife, son, and two brothers were spending the summer next to the river, close to the wagons of their neighbors. He was happy to live close to the river, as it was a close water source and a stand of firs not far from the road provided an easy source of deadfall firewood. Living closer to the village, Nurbek and his brothers were able to make the trip to Orgochor once or twice a week to help their parents around the house, mow hay, and help with planting and harvesting as needed. However, Nurbek said that he preferred the
land and grasses in Kaiungi.

Nurbek did not know how much his family paid for their pasture lease, as his father handled the family’s finances. When asked for his thoughts on the new lease system, he shrugged his shoulders; “We have to pay for land either way, so there’s not much difference”. Nurbek reported that access to veterinary care was his greatest challenge as a shepherd. Although there are veterinarians in the town of Kyzyl-Suu, they vary in their level of knowledge and ability to diagnose and treat ailments, and they sometimes run out of necessary medications. Moreover, the cost of medications - like the cost of other goods – had risen in recent years. If the government or an NGO really wanted to help shepherds, he said, they could work to improve the quality and quantity of veterinarians and medications. Despite this and other hardships, Nurbek said that he intended to remain a shepherd for the rest of his life. He grew up herding in Orgochor, and learned the craft of shepherding from his father, who was a shepherd in Orgochor during the Soviet era. Tending to animals was the only job he had known, and although it is not an easy profession, he enjoyed being out in the mountains caring for his animals.

Nurbek told me that there were fewer shepherds in the valley in 2009 than usual, which he attributed to the pasture closures. He said that he was present at the spring meeting in which the *jait comitet* was introduced, and that attendees were told that pasture closures would last for a period of five years. Like many shepherds, he agreed that giving the pastures a rest from grazing was a good idea, but maintained that he had seen no evidence of environmental degradation in the *jailoos*. Like many other shepherds, he saw variations in pasture quality as the product of adequate rainfall and cooler temperatures, rather than the result of long-term pasture management practices. Nurbek said he wouldn’t take his animals near the closed *jailoos* for fear of incurring the fine for violating the closure order, which he had heard was 40,000 *som* (about
Nurbek tended a flock of 600 sheep, up from 500 in 2008. He attributed this to an increased birth rate of sheep in Orgochor, although it is also possible that some of these sheep came from shepherds who decided to stay in the village due to the scarcity of jailoo land. Two hundred of these sheep belonged to his family, while the other 400 belonged to clients who paid 25 som per sheep per month for his services. Nurbek also kept five horses and ten cows for clients and relatives, selling the koumiss he made from the milk of the mares to his neighbors for 30 som per liter. Rather than selling milk to the Kyzyl-Suu cheese factory, Nurbek’s family kept the milk from their cows for home use. He reported that he planned to sell sheep at the local animal bazaars at the end of December, when he believed they would sell for a good price. Nurbek maintained that August and September were the worst times to sell livestock, as prices are typically at their lowest at the end of the summer.

Nurbek’s closest neighbor, 32 year-old Tolon (B-3), lived in a wagon with his wife and three small boys. Tolon’s family tended 30 sheep of their own, along with 120 others belonging to six clients. Tolon’s sons watched after the family’s sheep with the help of a small donkey, although the extent to which they were actually watching the animals versus engaging in play was hazy. The family also kept fifteen horses, and Tolon and his wife milked the mares four to five times a day in order to keep their wooden koumiss barrel full. According to Tolon’s wife, a mare produces between two and three liters of milk each day, and Tolon drank at least 30 teacups of koumiss (amounting to a full bucket) daily. The family also sold koumiss from their wagon, as well as in Orgochor and Kyzyl Suu on their trips to these villages. Like other shepherds, Tolon went to town whenever his family needed him to help mow hay, planted or harvest crops, or perform other chores. Like Nurbek’s family, Tolon’s family had previously gone to a jailoo that
was closed in 2009. Tolon said he preferred his regular jailoo of Kuul Kuru because he believed the grass to be of better quality, although he added that the quality of grass depends upon the level of rainfall in a year. Tolon also felt a personal attachment to Kuul Kuru, as he had spent his summers there since 1996.

Uran (B-4) was another shepherd living at site B, where he was watching his family’s animals at their kashar. Uran is the son of Timur, one of the shepherds who spent the summer of 2009 in Orgochor’s syrt. As his father had taken most of the family’s flock to the syrt, Uran and his mother were responsible for five sheep and his family’s 60 cows. Uran was the most mobile shepherd living at site B, commuting between the kashar and the village multiple times per week in his family’s minivan.

**Pasture Management through Informal Norms**

As shepherds at sites A and B work and live exclusively with one another for months at a time, maintaining amiable relationships between shepherd families is important. None of the shepherds who took part in this study could recall ever taking part in or hearing of a serious disagreement between shepherds in the middle jailoo, and none reported that they had ever resorted to resolving a conflict in the courts. It is of course unlikely that major disagreements and fights never happen. It is telling, however, that these shepherds, who in general are not shy to talk about their experiences and beliefs, are at least reticent to discuss the subject of unneighborly behavior.

*Po-sosyedskii*, Russian for “in a neighborly way” was the term shepherds often used to describe the real and ideal conduct of individuals and families in Orgochor’s middle jailoo. All participants living in proximity to one another reported visiting each other often, with shared midday tea breaks common. As shepherd families in Orgochor’s middle jailoo are likely to
know each other from the village, and might have spent their summers in the jailoo together for decades, these shepherds report a sense of camaraderie and common interest.

The relationship between Chinggis and his neighbor Erken is an example of the po-sosyedskii ethic in the jailoos. While Chinggis and Jamila’s campsite was located on Orgochor land, their neighbor Erken and his brothers from the village of Svetlaya Polyana spent the summer at their family’s kashar on the their village’s side of the border between the two jurisdiction’s pastures. While Erken’s sheep and cows grazed near his kashar each day on the flat land next to the river, he would drive his horses further into the mountains each morning through Orgochor land to graze the 30 hectares of pasture his family leased from the Leskhoz. As the day progressed, his horses would wander from the Leskhoz pasture back into Orgochor pastures, where they mingled with Chinggis’ horses (these also routinely strayed into Leskhoz land) until Erken or Chinggis fetched them in the evening. Meanwhile, Chinggis’ sheep and goats descended each morning from his camp on Orgochor land to mingle with Erken’s flock on land belonging to Svetlaya Polyana, until Chinggis drove them back up the hill to his camp each evening. Chinggis and his animals also entered Svetlaya Polyana land to access the river and the spring from which he and Jamila collected drinking water.

Neither Chinggis nor Erken were bothered by this arrangement, and both shepherds felt comfortable entering each other’s land with their livestock. In this way, relations between Chinggis and Erken were defined by proximity, mutual benefit, and neighborliness, rather than administrative borders.

The po-sosyedskii ethic was evident in discussions about the importance of borders to one’s pasture plot. In general, Orgochor shepherds attribute little importance to clearly-delineated pasture boundaries, and are forgiving of other shepherds whose animals cross the land they’re
using. Shepherds living in the middle jailoos referred to the new per-head pasture lease system as the obshei system, meaning the “whole” system, or “everything” system. Most of the shepherds I interviewed had a positive impression of the obshei system, as its emphasis on herd size rather than plot size struck them as more fair. Chinggis, for example, remarked “under the obshei system, you can pay a fee and get the whole jailoo to graze”. This echoes a sentiment expressed by Felix, a member of the Jait Committee, who believed that the previous land lease system was inefficient because “one shepherd could lease 400 hectares for one sheep if he wanted”, thereby robbing other shepherds of the right to access a common resource. Felix added that long-term leases, such as the 49-year lease, amounted to the privatization of public lands. Although all Orgochor shepherds reported feeling a personal and historical connection to their jailoos, two shepherds, Emil and Azamat, went so far as to lay claim to their campsites by constructing permanent houses from wood and mud brick. According to Sultanbek, the village land specialist, the construction of permanent dwellings is a violation of pasture zoning laws, although the authorities had either not noticed these houses or had chosen to turn a blind eye to their presence.

The po-sosyedskii ethic closely resembles behavior observed among other common pool resource appropriators. In his study of conflict resolution among Shasta County ranchers, Ellickson writes that a system of norms, rather than formal range law, governed ranchers’ responses to encroachments on their territory by neighbors’ livestock (Ellickson 1986:59). Ranchers’ relationships were “multiplex”, involving interaction “on a large number of fronts”, with the expectation that these interactions would continue into the future (Ellickson 1986:60). The norm of reciprocity was an important contributor to their commitment to neighborly cooperation, as these ranchers expected to find themselves on “both the giving and receiving ends of trespass incidents” (Ellickson 1986:60). Mearns (1996) also writes of the importance of
implicit codes of behavior among Mongolian herders, in which he observed that “coordination norms around pasture use … are such ingrained social norms for most experienced herders that the transaction costs incurred in deciding who gets to graze where and when are reduced to a minimum: the institutional arrangements operate at the level of the subconscious” (p. 125).

Describing water users in the Nkayi district of Zimbabwe, Cleaver (2000) similarly writes that locals draw from a pool of formal and informal management rules to pursue “the right way of doing things”, with the primary principle of exercising minimal explicit management of water sources and keeping conflicts “at the lowest possible level” (pp. 373-374).

The sense of ownership many of Orgochor’s shepherds feel towards their pastures reveals the limits of the po-sosyedskii ethic. While all of the shepherds interviewed reported that they would allow their neighbors’ animals to cross or graze on their land, a few expressed disdain at the idea of allowing shepherds from other villages to establish campsites in Orgochor’s pastures. Potential encroachers were typified as “kolkhoz people” from neighboring villages who sought to claim Orgochor’s “sov khoz land” as their own. Orgochor shepherds’ definition of pasture land in terms of kolkhoz and sovkhoz highlights the sense of pride they still feel for their village’s place in the Soviet-era economy of as a top-tier wool and meat producer and a center of innovation. Their reliance on these distinctions also reveals a continuing rivalry between the former collective farms and a lingering discontent with the manner in which state property was distributed after the collapse of the U.S.S.R.

Shepherds explained that during the Soviet era, Orgochor sovkhoz workers enjoyed higher wages and a higher standard of living than workers living in neighboring villages, which were organized as kolkhozes. Indeed, due to larger average family sizes, kolkhoz families throughout Central Asia tended to earn less than their counterparts in other republics and relied
more heavily on private subsistence farming (Patnaik 1995). Likewise, Wilson writes that although kolkhozes in the Kyrgyz SSR tended to have larger livestock holdings, their “capital assets…were only about two-thirds the value of those of state farms” (Wilson 1997:60).

Upon the breakup of the U.S.S.R., however, the area’s kolhoz members received larger allotments of livestock, machinery, and other property than the members of the Orgochor sovkhoz. It was explained to me that the Orgochor sovkhoz had taken out substantial loans to keep its operations running as the nation’s economy foundered in the late 1980’s, thereby accruing considerable debt. Although the Orgochor Sheep Station was restructured as a company after the Kyrgyz Republic’s independence, the economic crisis that accompanied the dissolution of the U.S.S.R. and the subsequent liberalization of prices in the mid 1990’s made it difficult for the operation to secure capital and negotiate new trade agreements with Russia and other former republics (Bloch & Rasmussen 1998:116). The Orgochor Sheep Station was eventually forced to sell off livestock and equipment in order to repay its debts as they were called in, leaving little to be distributed to former sovkhoz workers. Without the burden and debt of a large-scale sheep breeding operation, however, nearby kolkhozes were able restructure into smaller cooperatives and peasant farms as early as 1991. Not only did this give former kolkhoz workers a head-start in their experience as menchiks (independent smallholders), but it is believed that enterprises that restructured before 1993 were able to secure better prices on livestock, farm equipment, and other inputs than were those who restructured later (Bloch & Rasmussen 1998:95).

In this way, Orgochor’s prominent place in the central economy became a hindrance to the rebuilding of its people’s livelihoods in the post-socialist economy. Shepherds explain that while “kolkhoz people” had had more time and help building their own livestock holdings and adapting to working their land as menchiks, Orgochor residents were force to rebuild their flocks
and purchase farm equipment slowly. The perceived injustice of this reversal of fortunes continues to tint Orgochor’s shepherds’ relationships with shepherds from neighboring villages with a degree of resentment, and thus they would rather that Orgochor’s pastures be used solely for the benefit of Orgochor residents.

A similar adherence to sovkhoz pasture boundaries was observed by Fleming in the jailoo of Tulpar Tash, in Naryn oblast, where his sources maintained that it would be improper for families to take up grazing in that jailoo unless they were in some way affiliated with the sovkhoz subunit that had previously worked there (Fleming 2008:61-62). It is important to note that while this could effectively become the method of pasture allotment at Tulpar Tash due to the jailoo’s distance from the rayon administrative office (Fleming 2008:62), the proximity of Orgochor’s middle pastures to the village places them within view of administrative bodies at the aïyl, rayon, and oblast levels. Therefore, shepherds would likely be unable to exclude pasture users they viewed as interlopers if these pasture users sought to gain access to Orgochor pasture land through government-sanctioned channels and processes, although they could not be forced to cooperate with these newcomers.

**Criticism of The Law on Pastures**

The additional cost imposed by the per-head fee system was a frequently-cited criticism of *The Law on Pastures*, especially among shepherds with larger livestock holdings of their own. Although he was not bothered by the change in the pasture fee system (likely due to his small herd size), Chinggis noted that this increase followed a general pattern of increasing costs all around. Of note was the increase in fees for drinking and irrigation water in Orgochor in 2009. While Chinggis reported paying 180 *som* per month to irrigate his 3.5 hectares of wheat and potatoes in Orgochor, in 2009 he was required to pay 270 *som* per month. Likewise, while he
reported previously paying 8 *som* per month per household member for the use of the village’s water pumps, in 2009 he had to pay 10 *som* per person per month. At a time when the selling prices for agricultural products were in decline, labor prices for extra help in harvesting and transporting were rising, and food prices had been on the increase since 2007 - rising 33% during the first quarter of 2008 alone (UNDP 2010), any possibility of increased pasture fees was an unwelcome prospect for Orgochor’s shepherds.

Similarly, Emil, Melis, and their father Almaz told me they saw the adoption of the *obshei* system as a partial return to the Soviet system, when “it was everybody’s land”. However, they preferred the old system, in which their family was able to secure leases on 100-hectare plots in the same *jailoo* at low cost. Beginning in 1997, the family’s six-year lease on their plot cost only 2,500 *som* per year, while a ten-year lease taken out in 2003 on the land they occupied in Tuuz Suu *jailoo* cost 4000 *som* per year. This lease was annulled in 2009 as part of the implementation of *The Law on Pastures*, and the family expected to pay over 10,000 *som* for the same land that season.

**Opinions on the Health of the Middle Jailoos**

None of the shepherds interviewed reported negative feelings towards the closure of pastures, although some stated that they preferred certain *jailoos* to their current location. All shepherds agreed that pastures should have time to recuperate from trampling in order to re-seed, and that edible grasses would benefit from not being grazed for a few seasons. Shepherds also agreed on a limited set of contributors to and indicators of pasture health. Adequate rainfall was seen as the main contributor to healthy pasture grasses, and in conversations about pasture conditions, most shepherds discussed the lack of rainfall and subsequent poor grazing due to the dryness of pasture grasses in 2008. A few shepherds also referred to cool weather as another
factor behind healthy grass, maintaining that when the weather is too hot, grasses are likely to become dry and “burned”.

While shepherds recognized the influence of seasonal weather patterns and luck on the condition of pastures, none attributed long-term pasture degradation to overgrazing. Furthermore, none of the shepherds living in the middle jailoos reported any recent decline in pasture quality that could not be explained by low rainfall or excessive heat. Shepherds also appeared to have varying levels of knowledge about the scheduling and duration of pasture closures. Nurbek, a shepherd at Site B, reported that he had heard that closed pastures would remain closed for a period of five years. Azamat (A-10), the shepherd who had built a permanent house in Kongulchuu jailoo, planned to spend the summer in Ak Tash jailoo in 2010 while Kongulchuu would be closed, although this jailoo was currently closed and not slated to reopen for at least another two years.

**Bada and Kezuu**

While the majority of livestock are taken to jailoos from late spring to autumn, many remain within the village. A large number of cows are kept at home in order to provide milk for income and for domestic use. Some horses stay in the village, as well, as they provide year-round cart traction and transportation, and many families keep one or two sheep at home as a ready source of meat, or to sell at local animal markets. Sick livestock are also kept in the village until they have regained their health enough to make the trip to the jailoo, as are some young animals. These animals graze the slopes of Mt. Orgochor and nearby plots of fallow land, and are tended using the bada and kezuu systems. Both of these systems are employed in the early spring and late autumn, as well, when grazing can also take place on agricultural fields after harvest and before planting.
Under the *bada* system, cows remaining in the village are taken out to graze each morning and driven back to the village center each evening by a lone herder, or *badachi*. In Orgochor, sheep, goats and horses are not included in the *bada* system, although it is easy to imagine that such a system might exist elsewhere. Bulls are also not included in the *bada*, and any bulls that remain in the village during the summer are grazed under the *kezuu* system.

![Figure 3. Cattle returning from bada in the evening, with Mt. Orgochor visible](image)

On a typical summer morning, owners walk their cows to Orgochor’s main road just before 7:00 a.m., after the cows have been milked. They socialize while the animals drink from the creek next to the road, and at 7:00 the *badachi* arrives on horseback to drive the cows up to the slopes of Mt. Orgochor, roughly one kilometer north of town. The Orgochor *badachi*, described by his clients as a hurried and eccentric character, declined to speak with me or allow me to engage in participant observation. His clients pay 160 *som* per month per cow for his services, which consist of a full 12 hours of supervised grazing and safe return of animals to their owners. At 7:00 p.m., the *badachi* drives clients’ cows back to the morning pick-up spots along the main Orgochor road, where they are met by their owners.
During the period of data collection, Orgochor had one bada system serving 40 to 50 cows. As the village jait comitet had not yet conducted a full count of these animals, this was the accepted estimate for the size of the bada.

While the bada system entails a fairly straightforward client/provider relationship between a shepherd and his clients, kezuu is more complex. Unlike the bada system, no money is exchanged in a kezuu, as it is a form of labor exchange. Under the kezuu system, a number of households agree to pool their animals together each day into a single herd and to take turns providing the labor necessary to drive and supervise this herd. While in the past there have been as many as five kezuus in Orochor, in 2009 there were three kezuus in the village. These generally consisted of neighbors on a street or block. I spoke with members of two of these kezuus: the first consisted of ten families with a total of 40 cows, and the other consisted of 65 families with 100 cows. Neither of these kezuus included sheep, goats, or horses, which were more likely to be kept in home yards during the day.

The herder of the day, or kezuuchuu, is chosen based on a loose schedule organized by a kezuu leader. The schedule operates on a cycle, in which each participating household contributes a day of labor for each of its animals. Thus, if a household belonging to a kezuu had three cows, it would be responsible for watching the collective herd three days per cycle, though these three days need not be consecutive. The size of the kezuu labor pool contributes to the system’s flexibility and stability: if a household is suddenly unavailable to contribute a herder on its scheduled day, a substitute is relatively easy to find. The system also conserves household labor, as each household might go a few weeks or a month without having to contribute a herder for the day. Free-riding in the kezuu system is rare, as the system is embedded in participants’ wider relationships with friends and neighbors. My informants had, however, heard of a few
households being expelled from *kezuus* over the years as a result of chronic failure to contribute labor.

*Kezuuchuus* are typically boys and young men who lead the herd by foot or by donkey. I was told that women and girls never act as *kezuuchuus*, although every day women can be seen tending animals very capably in the *jailoo*, around the house and throughout the village. The working day of the *kezuuchuu* begins at 6:00 a.m., when he gathers the herd from his neighborhood. In contrast with the *badachi*, who takes his animals to the southern and eastern slopes of Mt. Orgochor, *kezuuchuus* prefer to lead the herd to the far northern slopes, over the top of the mountain and onto the side facing Lake Issyk-Kul. The *kezuuchuu* stays with the herd all day, eating a lunch brought from home. Aside from keeping track of the herd and leading it to suitable forage, the *kezuuchuu*’s main responsibility is keeping an eye out for *saigak*, or bot fly. Livestock must have sufficient brush cover to use as a scratching post, and thus discourage mature *saigak* from laying eggs on their hides. If no such cover is available, the *kezuuchuu* must scratch the animals himself and shoo away the *saigak*. The *kezuuchuu* leads the herd down from the mountain in the late afternoon, returning the animals to their owners around 7:00 p.m.

Another summertime responsibility of both the *badachi* and the *kezuuchuu* is to keep livestock from entering the agricultural fields that surround the village. During the early spring and autumn, before planting and after harvest, animals are allowed to graze these fields. During the growing season, however, allowing livestock to enter or graze planted fields is against the law. In the case of such trespass, landowners are entitled to file a complaint at the office of the *aiyl okmotu*, and the village land specialist then looks into the matter. If the owner or shepherd of the offending animal(s) is found, a 500 *som* fine can be levied against him or her; this fine is to be paid directly to the owner of the encroached-upon field. Cases of trespassing are rare,
however, and the 500 som fine can be negotiated down to a sum deemed acceptable by the shepherd and the farmer.

Both bada and kezuu allow households to preserve a source of milk and income by avoiding sending milch cows to the jailoo for the summer. Respondents preferred the kezuu system, as it imposes no financial loss upon participants. It is also said that kezuu cows are healthier, as kezuuchuus are more invested in the well-being of their animals and those of their neighbors than is the badachi. However, kezuu participation by its nature favors households with available labor, often larger families with adolescent and working-age sons. Working families with adult children who have moved away, families with younger children, and households in which members are too old to herd are excluded from the village kezuus, and must pay to send their animals with the badachi.

Bada and kezuu contribute to heavy grazing on Mt. Orgochor, which is the sole open access tract of land in Orgochor’s pasture holdings. Unlike jailoo, syrt, and agricultural land, Mt. Orgochor is used continuously from early spring to late autumn. In addition to kezuu and bada grazing during the jailoo season, Mt. Orgochor is grazed by sheep flocks before and after their trip to the jailoo each year, and was also grazed until late July by the majority of sheep making the trip to the syrt in 2009.

Orgochor residents recognize that the edible grasses on the mountain are becoming sparse, that hardier weeds are overtaking the area, and that continuous livestock traffic is loosening the soil, yet the system persists for lack of a better option. Likewise, shepherds have observed that saigak are more prevalent in drier, brushier pastures, which has led to further concern over the condition of Mt. Orgochor’s grazing areas. In 2009, the jait comitet expressed concern at the state of the pastures on Mt. Orgochor. Felix, a member of the jait comitet, said that
a limit on the number of livestock a household is allowed to keep in the village during the summer was already set at 20 sheep, three cows, and one horse. This limit, however, had proven practically unenforceable due to constraints on time and manpower, and at the time of my research some Orgochor residents chose to keep of their animals in the village for the whole summer - for example, the neighbor of family B-5. Felix said that the keeping of livestock at Orgochor’s kashars, located on Mt. Orgochor, would also not be permitted in 2009. An exception seems to have been made for Bakyt, one of the shepherds who returned to the syrt in 2009, as his livestock and those of his clients remained at the kashars until late July.

The Syrt

A central component of the implementation of The Law on Pastures in Orgochor is the renewed use of Orgochor’s syrt land for summer grazing. Orgochor’s syrt consists of 33,000 hectares of high mountain pasture land located approximately 100 kilometers southwest of the village. The syrt lies at an altitude of 12,000 to 14,000 feet above sea level, and is most readily accessed via a gravel road that stretches from the main Issyk-Kul oblast road through the village of Barskoon to the remote village of Ak Shyrak. This road, maintained by the Kumtor gold mining company, is well-traveled by Kumtor vehicles, national park workers and Ak Shyrak residents year-round, and is also used by tourist outfits in the spring, summer, and autumn. The syrt is also accessible via the rugged 200 km-long Soviet-era trail that leads from Orgochor’s middle jai loos in the Chong Kyzyl Suu valley through a remote stretch of the Tien Shien mountain range. Although the three-day trek on this route is more dangerous and time-consuming than taking the eight hour trip by road, it is the more cost-effective option for driving large flocks of sheep.

Orgochor’s syrt pastures are expansive, rolling tracts of land, devoid of trees and shrubs.
High peaks surround the pastures, which are crisscrossed with small creeks and marshy patches. The grass in the syrt is straight, fine, and soft, and is esteemed by shepherds, who refer to it as dari chöp (medicine grass). Summer weather in the syrt is volatile, with daily periods of rain, high wind, and scorching sunshine. Snowfall is common, even during the months of July and August, and the shepherds I interviewed joked that in the syrt you experience all four seasons every day. There are no permanent buildings or infrastructure in the syrt, although the Kumtor mining operation is located 20 km from the boundary of Orgochor’s pastures.

Restoring the syrt as a component of Orgochor’s herding economy is a central tenant of the implementation of The Law on Pastures in the village. At its public meeting in the spring of 2009, the jait comitet asked shepherds to volunteer to return to the syrt for the summer, offering a one-season exemption from grazing fees for those who signed up. In all, four families agreed to send shepherds to the syrt.

Bakyt, the head of one of the four syrt families, is a 58 year-old shepherd who lives in a sprawling kashar on the outskirts of Orgochor with his wife, one of his two sons, and his son’s...
family. The family also has another house in the village center, although they spend little time there. Bakyt’s other son lives and works in Bishkek. Bakyt was raised in a family of shepherds—his father and uncle were chabans—and he accompanied his father to the syrt as a child. By the time he was in the third grade, Bakyt spent his summers managing his own flock from morning to night in Orgochor’s near jailoos. Upon finishing the tenth grade in 1969, Bakyt became a professional herder for the Orgochor sovkhoz, mixing his assigned herd with his father’s. From the early 1970’s until 1989, Bakyt worked in the Orgochor syrt each summer, returning to the village each September. Upon the collapse of the U.S.S.R., Bakyt was left with 15 sheep, two cows, and two horses. He has taken his and his clients’ animals to Orgochor’s middle jailoos each year since the fall of the USSR. Bakyt currently has six cows, which are overseen by his son. Milk from these cows supplements the family’s income. Bakyt also sells livestock at the Kyzyl Suu and Karakol animal bazaars; he estimates that he sells ten sheep and two cows or horses per year. Like most other shepherds, Bakyt says that his income from clients does not cover all of his family’s living expenses. Likewise, like many other shepherds, Bakyt claims that making a living was easier during the Soviet era.

Timur is 71 years old. Like Bakyt, he has been a professional shepherd his whole life and is now a retiree with a pension. Timur lives in his kashar in Orgochor with his wife, his son Kuban, and Kuban’s family. Kuban, his wife, and his two small children accompanied Timur to the syrt in 2009. Timur has three other sons. One spends the summers at Timur’s second kashar in one of Orgochor’s middle jailoos (Site B), where he and his mother tend the family’s 20 cows. Another of Timur’s sons is a driver in Karakol, and another works in Bishkek. Timur’s family sells about 50 sheep per year, along with a few cows and horses. He says his family slaughters about 20 sheep every summer, mostly when guests visit. Timur was born in the village of Saruu,
approximately ten kilometers from Orgochor, and began herding in the Saruu kolkhoz. In addition to working in Saruu’s near-village jailoos, Timur began herding in Saruu’s syrt when he was 18 years old. In 1964, Timur moved to Orgochor, where he began working as a chaban in the Orgochor sovkhoz. From 1964 to 1989, Timur came to the Orgochor syrt every year, spending the winters of 1965 and 1966 in one of the high pastures. Timur says that he does not miss the Soviet Union, as it is now possible to become wealthy with hard work and planning.

Tordobek and Toktobek, two cousins from Orgochor, also spent the summer of 2009 in the syrt. Although they were present for the initial encampment in the syrt, they were too busy to be interviewed and returned to Orgochor on our second day in the syrt to mow hay with their extended family in the village. I was therefore unable to speak with either of them at length, although I was able to speak briefly with Toktobek’s younger brother, Shabdan, as he put together his wall tent. Shabdan told me that this was his first time in the syrt, and that he usually spent summers with his family in a jailoo south of the village of Chong Kyzyl-Suu. Although he appreciated the quality of the grass in the syrt, he missed his previous jailoo’s proximity to the village and abundant firewood. Nonetheless, he anticipated staying in the high pastures for the rest of the summer, as he felt the trip to Orgochor and back was too long to take again.

The re-opening of Orgochor’s syrt pastures after a 20-year hiatus presented a number of logistical difficulties. Although Bakyt and a handful of other shepherds volunteered in April to spend the summer in the syrt, in early July they were still vacillating over whether or not they would make the trip. With fewer than 100 sheep of his own, Bakyt was not sure that the journey to the syrt would be worth the expense unless he could secure more sheep from his clients and pool his flock with that of the other syrt-bound shepherds. Timur remarked that assuaging clients’ fears about the safety of their livestock during the long trek through the mountains and
while in the syrt was especially difficult, and that some of his clients opted to keep their sheep in
the village rather then send them to the syrt. After reaching an agreement with their clients and
each other, Bakyt and Timur were able to pull together a flock of 688 sheep and goats, 500 of
which belonged to clients. Adding to this, Tortobek and Toktobek were able to pool a flock of
1500 sheep and goats. Altogether, the four shepherd families felt that the size of this combined
flock justified the rigorous trip through on the mountain road to the syrt, as well as the truckload
of camp supplies.

Weather and pasture conditions in the syrt presented another challenge. According to the
early grazing plan in development by the jait comitet, the syrt party was originally slated to leave
Orgochor on June 15th. This date was pushed back to June 25th, and then later amended to early
July. According to reports by travelers on the Barskoon to Ak Shyrak road, however, the grass in
the Orgochor syrt was still very short as of July 1st, and conditions in the pastures were still wet
and snowy. To gauge the condition of the remote syrt access trail, Bakyt and other shepherds
kept an eye on a pass high up in the range to the southeast of Orgochor, which was visible to the
naked eye from the village. When this pass was free of snow, they said, the rest of the trail would
also be passable. Keeping with the general belief that pasture conditions are being affected by a
changing climate, Felix of the jait comitet partially blamed the difficulty of recruiting shepherds
to go to the syrt on the shortened syrt season, caused by the weather delay.

In addition to weather conditions, the process of planning the trip and securing
transportation were also responsible for pushing back the departure date to the syrt. The truck
that was originally intended to transport the syrt party’s three boz uis, stoves, tools, firewood,
and other camp supplies broke down hours before it was scheduled for loading and departure.
The driver, a friend of Bakyt’s family and a former driver in the Karakol motor pool during the
USSR who had agreed to take the job for free, was uncertain that this truck would make the journey even if it were repaired. The syrt party managed to find another truck in short order, which made it to the syrt with only minor mechanical problems\(^5\). The jait comitet was able to contribute 100 liters of diesel fuel to help the syrt party transport its supplies. According to the truck driver, these hundred liters covered the majority of the trip’s fuel needs, but the shepherds were still responsible for buying an additional 20 liters of diesel fuel for the journey to the syrt and back.

The syrt party, comprised of Bakyt, Timur, Tortobek, Toktobek, and their families, arrived in the high pasture in two stages. In the first stage Bakyt, Timur and Tortobek, along with Bakyt’s nephew Daniyar and Toktobek’s brother Shabdan, drove their combined flock from the Chong Kyzyl Suu valley to the syrt via the USSR-era shepherds’ trail through the mountains. This stage of the trip took three days, and the party made a temporary tent camp upon arriving at the site chosen for the shepherds’ boz uis.

Bakyt, worried about the delay of the supply truck and the other members of the party scheduled to meet the shepherds upon their arrival at the syrt, hitchhiked from the syrt back to Orgochor in order to check on the second stage’s preparations. He arrived at his kashar late in the evening, after the truck had already been loaded with the families’ boz uis, stoves, corral wire, fuel\(^6\) and food. Tired, saddle-sore, and with a hacking cough, Bakyt told his family and the rest of the syrt party that although the weather held up for the three day journey to the syrt, the trail was in poor repair and the passes were still full of snow.

The truck carrying supplies left for the syrt the next morning at 4:00, arriving at the syrt at 11:00 a.m. Bakyt rode in the cab of the truck with the driver, Kuban’s wife and children,

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\(^5\) On the road to the syrt the truck lost a piece of one of its brakes. After an hour of diagnosis and deliberation on the side of the road, we continued with no major repairs or further problems.

\(^6\) Kerosene, firewood, propane and tezek
Toktobek’s mother, Bakyt’s grandson Tursunbai, and Tortobek’s wife. Toktobek, Kuban, me, and four other helpers rode locked inside the closed back of the truck, sitting atop camp supplies piled five feet deep and intermittently sleeping, playing cards, smoking cigarettes and drinking vodka by the dim light of pocket flashlights and my camping headlamp. Dust from the road seeped in through the crack between the double doors, making everyone cough and cover their nose and mouth.

When the truck reached the *syrt* campsite, the first order of business was to unload it and make camp. The campsite itself was a large flat area punctuated by boulders and small rock outcrops, located at the top of a gentle hill. The surface of the campsite was very dry and powdery in places, indicating its use as a campsite during the Soviet era. A layer of dry grass covered the ground surrounding the campsite, with fine threads of new grass, three to six inches tall, poking through from below.

The rest of the day was spent pitching the party’s three *boz uis* and filling the *boz uis* with furniture and supplies. The next day Shabdan, Toktobek’s brother, would assemble his own canvas and log wall tent next to the *boz ui* shared by his brother, his mother, and Tortobek.

During the process of setting up camp, a sheep was slaughtered and butchered. Kuban and Tortobek’s wives begin boiling the meat, organs, and head on a stove set up outside, as well as preparing noodles, salads, and other dishes from ingredients brought from home. Stopping for an early dinner, the men made toasts with vodka and everyone ate and relaxed, drinking tea made with water from the camp’s two samovars.

Before dinner, Bakyt and the truck driver drove off to a former shepherd camp a few kilometers away to salvage corral wire, which they brought back in thick, tangled mats. Using the corral posts and wire brought from the village, the party began to erect two corrals. The first

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7 Bakyt’s, Timur’s, and the *boz ui* shared by Tortobek and Toktobek
would be used by Bakyt and Timur, while the second would house Tortobek and Toktobek’s flock. These corrals were located next to Timur’s _boz ui_ and the _boz ui_ shared by Tortobek and Toktobek, about 50 yards from one another. While basic corrals were built up in a matter of hours, they would continue to be enlarged and refined over the next four days. In Tortobek and Toktobek’s corral, sheep and goats were divided according to age and sex, with rams and weaning lambs kept apart from ewes. In Bakyt and Timur’s corral, there was no such division of the flock.

![Figure 5: The combined flock of Bakyt and Timur, with Timur’s _boz ui_ visible](image)

Over the first two days of settling in at camp, members of the four herding families worked together in order to accomplish the tasks of setting up camp in the _syrt_. With the help of members from all of the _syrt_ party’s families, a pit toilet was dug and a tarpaulin screen erected to shelter it. This toilet was within 100 feet uphill of the camp’s water supply - a clear, slow-moving creek wending through a marshy patch at the bottom of the hill the camp is built upon. On the third day, however, Shabdan and his mother begin to keep to themselves, never approaching Timur or Bakyt’s _boz uis_. Similarly, Timur and Bakyt did not visit Kuban or his
mother, preferring to spend their free time in Timur’s boz ui, where Kuban’s wife cooked and served tea while taking care of their young son and infant daughter. Timur’s boz ui, purchased in 1991, is smaller, though in better condition than Bakyt’s drafty boz ui, which dates from the 1970’s. Bakyt boz ui was used only for sleeping and storage, and remained unheated throughout the day.

Tortobek and Toktobek, along with Daniyar, Tortobek’s wife, and the other men who came to the syrt to help set up camp, returned to Orgochor in the truck when it departed on the evening of the second day. Toktobek and Tortobek went back to the village to mow and collect hay with their extended families, leaving their combined flock in the care of Toktobek’s mother and Shabdan. They planned to return with more supplies in five days, at which time Bakyt and Timur would head to Orgochor in order to oversee the mowing and collecting of their hay.

After the initial excitement of reaching the syrt and establishing a camp, life in the syrt began to take on the routine of the middle jailoos. Bakyt, Timur, Kuban and Shabdan took turns leading their half of the flock out into the rolling mountains each morning, relieving one another at lunchtime. In this way, there were always two shepherds in the pastures, each with half of the flock. Shabdan often lead his portion of the flock back to the campsite at midday, where his mother tended it for a few hours on foot. Bakyt, Timur and Kuban also took turns hunting marmots with Timur’s battered .22 caliber rifle. They said that each of their three dogs required one marmot per day for food, although they only reported shooting one marmot during the study period. They lamented having to buy a 5000 som⁸ hunting license, which they said was not required during the Soviet era. At 10 som per bullet⁹, the price of ammunition required them to exercise thrift.

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⁸ 5000 som = $125
⁹ 10 som = $.25
When a shepherd wasn’t out watching the herd or working on the corral, he could be found napping or chatting in Timur’s *boz ui*. Tursunbai, the youngest working member of the *syrts* party, fetched water, stacked *tezek* and firewood, and made repairs to Bakyt’s *boz ui*. Tursunbai would also ride out with Bakyt to watch the flock and hunt marmots, although he was not left in charge of the flock.

Unlike in the middle *jailoos*, where animals are often left to roam on their own for hours at a time, in the *syrts* flocks are closely monitored to avoid wolf predation. With limited firearms and ammunition, the horse-mounted shepherd’s best defense against an approaching wolf is to ride directly at it in order to chase it back into the mountains. This was the approach that was taken when a wolf was spotted circling the flock on the party’s first day at the *syrts*, while the *boz uis* were being set up. Although the wolf ran back into the hills surrounding the campsite, a sheep in Tortobek and Toktobek’s corral was attacked and partially eaten late that night. In response, Shabdan erected a scarecrow made of a firewood post, a crossbeam, and an old jacket in an attempt to discourage future wolf encroachment; an act that was generally perceived to be all but futile. Bakyt and Timur reported that the threat of wolf predation had increased since the Soviet era, as the wolf population had grown. They attributed this to the fact that the end of large-scale sheep operations had largely emptied the *syrts* of humans for two decades. Whereas Soviet shepherds had helped manage the wolf population by killing them on sight with their state-issued rifles and ammunition, wolf populations were now left unchecked.

**Shepherds’ Feelings about the Syrt**

Discussions with members of the *syrts* party revealed conflicting attitudes about returning to the *syrts*. Bakyt reported that none of the shepherds wanted to come to the *syrts*, and that the *jait*

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10 For an excellent account of the historical relationship between Kyrgyz shepherds and wolves, see Lescureux, 2006.
comitet threatened to levy fines against capable shepherds who were unwilling to go. When the rest of the shepherds in the village refused to go to the syrt, even in the face of fines, Bakyt said that he, Timur, Tordobek, and Toktobek volunteered. Bakyt reported that shepherds without experience in the syrt were afraid to come to the high pastures, and that the members of the syrt party were those who had either the experience or simply the tenacity to live and work in the harsh environment. Among Bakyt’s reasons for not wanting to come to the syrt were his belief that the journey through the mountains is hard on the animals, and the dilapidated condition of his boz ui, which is old, prone to tearing and leakage, and generally provides insufficient protection against the elements. Indeed, over the course of two days of heavy snow and rain, the roof of Bakyt’s boz ui required extensive patching with large plastic sheets, and the living space remained cold even while the stove was blazing. Moreover, Bakyt disliked the snow and harsh climate, and reported that he did not miss the syrt during his 20 - year hiatus from working there. Bakyt said that he preferred spending the summer in the middle jailoos, as they are warmer and closer to the village, however he acknowledged that the grass in the middle jailoos had become poor in quality due to overgrazing. Likewise, he reported that the grazing near his kashar on Mt. Orgochor had become very poor in recent years. Therefore, he planned to return to the syrt for the summer of 2010, but to a lower pasture called Burkaan, which is situated closer to a stand of trees and brush that can be used as firewood.

Timur, on the other hand, maintained that he was happy to volunteer to come to the syrt - “There’s 40,000 hectares of land up here, and who’s here? Just us!” He said that reintegrating the syrt into the yearly grazing cycle presents shepherds with an opportunity to improve the health of their livestock, and that more people would make the journey next year for this reason. Timur also believed that the grass in the middle jailoos was becoming worse every year due to
overgrazing, and that shepherds would come to the syrt to escape the degradation of these pastures. Timur said that the jait comitet could have a powerful role in promoting the use of the syrt during the middle and late summer, and that if the transhumant pattern were re-established, the middle jailoos could once again be used for spring and summer grazing. Timur planned to return to the syrt for the summer of 2010, although he had not yet decided in which pasture he would spend the summer.

**Hardships in the Syrt**

The relative remoteness of the syrt, coupled with the severity and changeability of the weather and the altitude, contribute to a number of health concerns for those working and living in the high pastures. Each member of the syrt party complained of at least one altitude-related ailment. Upon arriving at the syrt, Toktobek and Kuban’s mother, who was approximately 70 years old, became nauseous and developed a headache. She spent the rest of the day sleeping in the shadow of a large boulder situated next to the road through the pasture. The next day, nearly all members of the syrt party complained of headache, and many also complained of stomach pains. Physical labor in the syrt is accompanied by shortness of breath, and syrt party members (a few of whom were cigarette smokers) became easily fatigued.

Swelling of the face, toes and fingers was another common health complaint among syrt party members, as were cold and flu-like symptoms such as cough, sneezing and mucus. Fluctuating temperatures with below-freezing nights, heavy rainfall, heavy snowfall and high winds contributed to the risk of exposure and hypothermia, especially among syrt party members away from camp while hunting or tending sheep.

Shepherds also reported planning to bathe and wash their hands less regularly in the syrt than they would in the middle jailoos or at home, in an effort to conserve fuel. This neglect of
hygiene could put them at greater risk for bacterial and parasitic infections spread by human-to-
animal contact, such as giardia, listeriosis, and brucellosis (especially after handling stillborn lambs). These health risks were exacerbated by the remoteness of the Orgochor syrt from a town or village (the Kumtor gold mining operation, 20 km away, was the nearest human settlement), the syrt party’s lack of motorized transportation, and the lack of cell phone reception in the syrt pastures.

Animal health in the syrt was also a cause for concern among the shepherds. With no line of communication with a veterinarian or means of transportation to the nearest village, animal health emergencies must be handled by shepherds themselves using limited knowledge and resources. When Bakyt’s favorite dog collapsed with exhaustion, began vomiting, and was subsequently unable to move from its place near the boz ui stove for three days, there was little Bakyt could do to diagnose or treat the animal. Lamenting his inability to help the dog, Bakyt remarked “Every shepherd is something of a vet, and we’ve all learned to do the best we can, but we don’t know how to do everything”.

In addition to health concerns, the remoteness of the syrt also complicates the logistics of resupplying the camp. Without a vehicle of their own or any means of communication with the village, shepherds must send messages with or hitch rides from reluctant Kumtor employees, drivers going to and from Ak Shyrak, or the few tourist outfits that travel the syrt road.

A major point of worry for the 2009 syrt party was its supply of firewood and tezek. Although a large supply of fuel was brought to the syrt in the supply truck, the near-constant need for heating and cooking fires caused this supply to dwindle visibly within one week. This left the syrt families wondering how they would be able to meet their fuel needs for the rest of the season. Upon leaving, I was instructed to speak with members of the local government in
order to convey the party’s need for fuel (which I did). I later heard that the aiyl okmotu had worked with the extended families of the syrt shepherds to schedule a delivery of firewood and tezek to the syrt camp, however I was unable to confirm either this arrangement or the delivery of the fuel.

Felix, a member of the jait comitet, said he regrets that the committee and the aiyl okmotu were not better able to assist the families going to the syrt in 2009, but that their resources were limited. Moreover, he maintained that the jait comitet and aiyl okmotu should play only a limited role in assisting shepherds: “These people are menchiks. Their animals are their responsibility. Our job is to administer the land”. Felix said that the jait comitet was planning to send up to 15 families to the syrt in 2010, and would like to have these families in the syrt by June 15th, in keeping with the proposed restoration of a vertical grazing cycle on Orgochor lands.
Chapter 5: Conclusion

The preceding section addressed our first research question by describing the early state of the implementation of *The Law on Pastures* in Orgochor. My research found a village-level committee in its infancy, working to comply with a new piece of national legislation by establishing locally-specific policies and practices. In the *jailoo* of Orgochor, I primarily found small groups of shepherds organized around the extended family. These shepherds felt a connection to Orgochor’s pastures through their history of herding under the USSR, experienced little conflict with their neighbors, and generally conducted themselves according to the *po-sosyedskii* principle of neighborly cooperation. The implementation of *The Law on Pastures* had so far caused little disruption to their livelihood, although some had either had to relocate for the summer or were planning to relocate in the future due to *jailoo* closures. A number of shepherds had also been affected by the pasture ticket fee structure, which they perceived to be too high. The *syrt* shepherds, on the other hand, had experienced a marked shift in their livelihood by returning to Orgochor’s high mountain pastures. Although they had mixed feelings about this disruption, the *syrt* shepherds reported that overall they felt positively about the reestablishment of full vertical transhumance in Orgochor. *Kezuuchuus* and the *badaachi* did not express their feelings about the new pasture management system, although practitioners of both these herding systems would be affected by the proposed reduction of livestock kept in the village during the summer of 2010.

We now return to our second research question: to what degree does *The Law on Pastures* truly devolve pasture management to the village level, and what rights and responsibilities do community members gain over the pasture land they use? *The Law on Pastures* as implemented in Orgochor seems to be primarily a work of devolution, and either enhances the control community members have over pasture land or at least does not further restrict their control of
pasture lands. Shepherds reported that, practically speaking, little had changed in terms of acquiring access to pastures in 2009; moreover, there had been little disruption in the way most shepherds had created their encampments or gone about the daily business of grazing livestock, gathering fuel or accessing water. While the implementation of the law had called for reduced access to some grazing land due to a number of pasture closures, it had also allowed access to great expanses of pasture with the reopening of the high altitude syrt.

With the adoption of The Law on Pastures, Orgochor had already gained formal legal control over its grazing land through the remapping of pastures, and had also established a village-level administrative body entrusted with managing this land. Through the law’s new tax structure, the village had also secured a future revenue stream for pasture maintenance and infrastructure projects, as well as the legislative power to safeguard this revenue stream by collecting pasture ticket fees. Orgochor had also benefitted by gaining the opportunity – in fact, the duty - to create the pasture user association. If this association is created, it could potentially create a new opportunity for residents to participate in local government and have a voice in the use and conservation of pasture resources – the sort of inclusion that can help to foster political stability and responsiveness (Manor 1999:49).

To ensure the success of The Law on Pastures as devolution, the local government should work toward educating residents on the purpose of the PUA and the jait comitet, the changes in pasture lease structure proposed by the new law, and the law’s goal of encouraging popular participation in pasture management decision-making. As most, if not all, residents of agricultural villages have a stake in the health of pastures as shepherds, livestock owners, or users of other pasture resources, they should have timely, accurate, and understandable information about The Law on Pastures. Education efforts could include a public informational
campaign, door-to-door information drives and the development of a pasture conservation curriculum targeting shepherds and students. In an effort to aid shepherds and newly-formed *jait comitets* with their expanded duties, researchers at the University of Central Asia (2011) have published *Herders’ Manual* – a comprehensive guide to pasture and livestock management. As it gives a complete overview of important grasses, important weeds, optimal stocking rates and seasonal movement, and strategies to maintain and improve pasture health, *Herders’ Manual* would prove to be a valuable resource in educational campaigns sponsored by village *jait comitets*. To build popular confidence in the new pasture management system, the committee should also strive to make good on its promises to rebuild pasture infrastructure – or at least should maintain fiscal transparency during the process of saving funds from pasture ticket fees for these projects.

It is unclear how the *jait comitet’s* power to manage pasture lands will be subject to interference by the “authorized state bodies” mentioned in Statute 14:2 of *The Law on Pastures*. This potential loophole for disruption by other levels of government is a reminder that the success of the new system also depends on the willingness of state and local authorities to allow the law to work. As the legal framework of the Kyrgyz Republic by design allows for top-down legislative intervention, it would not be surprising if the implementation of *The Law on Pastures* met with legal challenges from other regional administrative bodies at some point. It remains to be seen whether the authority of the *jait comitet* and *aiyl okmotu* will be protected and preserved in the case of such challenges.

We now move to our third research question: to what extent does *The Law on Pastures* alter existing pasture use practices, and do these changes constitute a positive step toward improved use of pasture resource? To explore this question, we approach *The Law on Pastures*
as implemented in Orgochor through the lens of Ostrom’s “design principles illustrated by long-enduring CPR institutions” (Ostrom 1990:90) as a framework to consider whether the new law promotes conditions that might be conducive to the improved use of pastures. While Ostrom cautions against the use of her principles as blueprints for designing CPR institutions, she suggests that they be used to think about ways of “improving the robustness” of CPR systems (Ostrom 2008:17).

In Orgochor, The Law on Pastures addresses the problem of clearly-defining boundaries unevenly. The law defines pasture users as anyone using pasture resources, the pastures themselves are clearly demarcated, and access to pastures should be regulated through the collection of user-fees and the registration of all pasture-users and their activities. By adhering to Soviet-era pasture boundaries, however, the law does not take into account the complexity of pastoral activity on Orgochor’s grazing land: livestock and herders use pasture resources located in jurisdictions other than the one to which they hold explicit usufruct rights, and they establish cooperative arrangements to capitalize on differences in grazing land across their combined territory. As pasture use behavior is embedded in a host of other social arrangements, such as family, neighborly relationships and economic transactions, it seems unlikely that shepherds will substantially alter these behaviors in order to follow the letter of the law.

The Law on Pastures works to promote a state in which appropriation and provision rules and local conditions are congruent in Orgochor. If pasture-use fees are a meaningful metric by which to judge the efficiency of the system, the collection of fees per head of livestock rather than the issuance of per-hectare leases helps to balance the relationship between the amount of pasturage used and users’ contributions toward maintaining the system. Likewise, if these new fees serve as a deterrent to overstocking, they will indeed have done their job. The law also takes
an important step toward promoting congruence between practice and ecology through the re-opening the syrt. By re-establishing full vertical transhumance, the jait comitet is allowing shepherds to take advantage of variations in forage by season and altitude. While it is costly to adopt, full seasonal mobility is associated with improved livestock health and weight (Kerven et al. 2006), as well as forage health and resilience (Fernandez-Gimenez & Swift 2003; Fuhlendorf & Engle 2001). Ideally, these incentives should make the transition to full seasonal mobility more rewarding for shepherds and livestock owners.

The provisions of The Law on Pastures are also in agreement with local rules - defined as local cultural practices and the ecology of the resource being used (Ostrom 2008:13). Insofar as the law does not specify the social and economic arrangements by which herders are to manage their livestock on a daily basis, the provisions of The Law on Pastures are congruent with conditions in Orgochor’s pastures.

To assess the problem of collective-choice arrangements, Ostrom asks us to consider how we can “enhance the participation of those involved in making key decisions about this system” (Ostrom 2008:42). As a work of decentralization, establishing and enhancing collective-choice arrangements is where The Law on Pastures fell short in 2009. Shepherds’ knowledge of the provisions of The Law on Pastures indicated an incomplete understanding of an important component of the law: the creation of the pasture user association. While shepherds recalled that the creation of the Orgochor jait comitet was explained at the meeting in the spring of 2009, none had knowledge of the representative resource-user committee - the pasture user association-called for under the law. The Orgochor PUA had yet to be developed, and the PUA representative members of the jait comitet had yet to be named. In all respects, the pasture user association did not exist in Orgochor.
That Orgochor had not begun to develop a PUA is unsurprising, given the scant description of the PUA in the wording of *The Law on Pastures*. While the law defines the PUA as a body representing “the interests of livestock owners and other pasture users…with respect to using and improving pastures” (The Law on Pastures Statute 5:1), those tasked with interpreting the law are left to wonder who the PUA should include. The PUA could be organized categorically, incorporating all livestock owners and other pasture users (Manor 2004:196). The PUA could also consist of members selected by the *jait comitet* or the *aiyl okmotu*, or of members selected by popular election (Manor 2004:196). Each of these methods could yield a different outcome with unique strengths and challenges, however the law does not explicate which type of system should be used for this purpose. Likewise, the law does not elaborate upon how the PUA is to be established and organized, or through what processes it is to exercise its power to manage pasture resources.

The guidelines as to how pasture users are to access the decision-making process under *The Law on Pastures* are ambiguous, and this could be either a blessing or a curse. In one sense, this ambiguity seems to accomplish one of the major goals of a decentralization agenda by allowing local governments to establish the PUA as they see fit - in a manner congruent with local practice and social organization. However, this ambiguity exemplifies a flaw in approaches to managing mobile pastoralism, whereby state solutions focus heavily on the administration of land-use rights while leaving the nitty gritty of land use to be sorted out according to custom. Jacquesson (2010) writes that by ignoring the role of mobility in Kyrgyz pastoralism in favor of establishing ownership of land, and relying on “untested assumptions about clan and custom or self-government and tradition” to guide the management of pastures, *The Law on Pastures* replays the disastrous policies of the Russian colonial administration (p. 116). That *The Law on Pastures*
Pastures leaves room for interpretation may be a good for a village like Orgochor, where jailoos not particularly crowded. However, districts that have seen a rapid increase in recent years in the number of shepherds and livestock in their jailoos might benefit from more explicit protocols in order to preserve pastures and promote equitable access to pasture resources (Schoch, Steimann, & Thieme 2010).

In interviews, no Orgochor shepherd disagreed with the general premise of The Law on Pastures - that improved management of Orgochor’s jailoos is necessary in order to preserve these pastures for continued use. Likewise, interviews with shepherds and jait comitet members indicated a high degree of compliance with the changes to pasture usage implemented in 2009. However, these interviews also revealed some distrust in the local government, and the belief that governmental actors would emerge as the primary beneficiaries of The Law on Pastures through increased tax revenue. Shepherds showed a low level of knowledge of the goals of The Law on Pastures, and did not see the adoption of the new law as a step towards improving jailoo infrastructure. When asked if they believed that the jait comitet would be capable of organizing pasture improvement projects, many at Site A pointed to the condition of the main jailoo road and described the village government’s annual assertions that the road would be repaired in the near future. Shepherds tended to speak of the head of the jait comitet the sole proprietor of the organization, rather than the temporary holder of an ostensibly democratically-elected position, and among them the jait comitet had come to be known as “Usabali’s organization”. In this way, the head of the committee had become another local political player, rather than the leader of their organization. In the words of one shepherd living in the jailoo of Tash Bulak, “The aiyl okmoto asks for money all the time, but they don’t really pay attention to what goes on in the jailoo. It’s easier for everyone that way”. Similarly, Chinggis described the new law as a
continuation of what he felt was a top-down approach to politics in general: “Before the Russians came, there was the manap (clan chief) who told everyone where they could graze their animals. Now, instead of the manap, we have the president. He tells us what to do, and we just follow along”.

At the time of this research, a reliable system of pasture monitoring was not yet in place. Although the jait comitet maintained that certain shepherds living in the middle pastures were designated to act as monitors against trespassing into closed pastures, none of the shepherds I interviewed told me that they themselves were monitors, or that they knew of this system. As discussed earlier, in the sole case of trespassing I uncovered it was estimated that the offenders had been using pasturage without permission for at least a month. This conflict was only resolved when members of the jait comitet threatened to involve the local police. Likewise, monitoring and safeguarding against unauthorized grazing in Orgochor’s syrt pastures will likely prove difficult, as these pastures are expansive and located far from Orgochor village itself. Monitoring early-season and late-season grazing encroachment (before Orgochor shepherds arrive in the syrt and after they leave) will be costly. In contrast to the difficulty of monitoring compliance with pasture-use guidelines, monitoring compliance with the system’s fee structure relies on the relatively straightforward yet time-intensive matter of conducting a livestock census and ensuring that livestock owners pay the per-head pasture-use fee. Ensuring that these fees are collected should likewise be simple, as the jait comitet is responsible for supplying census results and budget information in its yearly plans.

In addition to monitoring resource appropriators, monitoring of the common pool resource itself was also not fully in place in 2009. Shepherds demonstrated varying levels of awareness of the symptoms and causes of pasture degradation, and until the re-opening of the
syrt had little choice but to overgraze the same jailoos each (or pay to have their livestock trucked to graze in other districts for the summer). While most recognized that pastures were not at their most productive, Bakyt and Timur (two of the syrt shepherds) were the only shepherds who attributed pasture degradation to overgrazing. Ideally, shepherds themselves should possess enough knowledge of pasture conditions to serve as reliable monitors of pasture conditions (Fernandez-Gimenez 2000), and therefore education initiatives using resources such as the Herders’ Manual will be crucial.

The Law on Pastures does not explicitly set forth a system of graduated sanctions. Rather, the nature and severity of sanctions ostensibly depend upon local practice. As we have seen, these sanctions range from turning the other cheek or reminding offenders to obey the rules according to the po-sosyedskii ethic, to potentially voicing complaints to the aiyl okmotu. Again, it is unclear whether the lack of detail in the rules provided by The Law on Pastures is an attempt to leave local management in the hands of local actors, or an administrative oversight.

Addressing the problem of conflict-resolution mechanisms, The Law on Pastures states that disputes of any kind will be handled by the jait comitet and “authorized state bodies” by means of negotiation, and will proceed to the courts if no solution can be found (The Law on Pastures 17). As discussed above, this statute appears to leave a substantial loophole for the involvement of the central government in managing local pasture matters through the use of “authorized state bodies”, as it neither elaborates upon these authorized bodies, on when and why they can get involved in a dispute, and on what constitutes an acceptable solution to a pasture-related problem.

As it has been implemented in Orgochor, The Law on Pastures seems to be in congruence with Ostrom’s seventh principle- minimal recognition of users’ rights to organize. The strategies
for putting the law into effect in Orgochor were devised by the jait comitet to be Orgochor-specific, and day-to-day pasture-use practices are couched in informal agreements between shepherds. The jait comitet and shepherds will presumably be free to develop their own rules in the future, as the expressed reason for the establishment of the PUA and the jait comitet is to make such locally-specific management possible.

In summary, The Law on Pastures had already begun to alter existing pasture use practices in Orgochor in the summer of 2009. These changes, which included an orderly leasing process, an improved livestock census, managed pasture closures, and the reintegration of the syrt into the annual grazing rotation, seemed to constitute a positive step toward improved use of pasture resources.

Reflecting on the Theoretical Frameworks and Lessons Learned

For this paper I chose to analyze my field data using two frameworks: Manor’s typologies of decentralization, and Ostrom’s designs principles. Using the first framework, I sought to understand which aspects of decentralization appeared to be present in the implementation of The Law on Pastures, and whether these characteristics resembled those in the literature that were associated with the transfer of meaningful rights and responsibilities over the management of local resources. Using the second framework, I sought to understand whether the ideas and practices I encountered in the field resembled ideas and practices that are associated with successful common pool resource management regimes. In a nutshell, I wanted to better understand whether the resource management regime introduced in The Law on Pastures was the sort of regime that would help to preserve Orgochor’s pastures and pastoral livelihood, or whether it was the sort of regime that would lead to no improvement or further degradation of pasture resources.
A full understanding of the implementation of *On Pastures* and its effect on Orgochor’s pastures and pastoral livelihood is beyond the scope of my research. However, I feel that through the use of these two frameworks I was able to make a great deal of sense from what I observed in the field. Manor’s typologies of decentralization helped me to sort through the transfer of power and resources dictated by *On Pastures*, and it introduced me to the puzzle of decentralization as centralization: when a new local government entity is created for the purpose of managing decentralization, doesn’t this actually constitute a form of centralization?

Ostrom’s design principles were extremely useful both in the field and while thinking through this paper. Their primary advantage is that they are highly attuned to my research setting – a common pool resource undergoing a change in management regime. I kept *Governing the Commons* in the back of my mind while conducting my research, and was very much on the lookout for monitoring, free ridership, and conflict resolution. As I learned more about *On Pastures* and the *jait comitet*, I switched my focus to instances of incongruence between longstanding practices and practices imposed by the new law, and I was hoping to find some sort of conflict or rift to explore as a way to gain an easy foothold into the early practice of *On Pastures*. While I did not find such a foothold, Ostrom’s principles helped me to compare the new law as written, the new law as it had been put into practice, and the practices of livestock owners and shepherds, and to understand that I was indeed observing resource users altering their behavior to comply with the new law while retaining much of the flavor of their existing practice.

Both of these frameworks were well-suited for this particular paper, although I would expand my use of theory to look more deeply at the connections between pastoralism and other village institutions were I to undergo the research and writing process again. If I were to start
over, I would also have restricted my study to the effects of *On Pastures* on bada and kezuu. These fascinating arrangements have the advantage of being easily accessible for a researcher based in the village, they are very demonstrably (and delightfully) embedded in the fabric of daily village life, and they rely exclusively on fragile near-village pasture land, which is an important type of pasture well-represented in the literature. If I had narrowed my study to the new law as it applied to these specific forms of herding on one particular piece of land, I would have been able to develop a tighter focus on the problem, formulate more specific questions for the *jait comitet*, speak to more village residents about their thoughts on the new system, and spend less time planning and waiting on travel to the mountain pastures.

In conclusion, in the summer of 2009 *The Law on Pastures* was beginning to have an effect on the lives of smallholders and shepherds in the village of Orgochor. The new management regime seemed to be a promising development in the ever-evolving relationship between the Kyrgyz Republic’s shepherds, livestock, land, and government. Its success in Orgochor and elsewhere in the Kyrgyz Republic will depend on local leaders’ ability to build and maintain effective *jait comitet*ets and pasture user associations, which will in turn rely on the willingness of higher levels of government to provide local government with the authority and resources. As arguably the most progressive piece of pasture reform in post-Soviet Central Asia, so far, following the outcome of *The Law on Pastures* will be fascinating and instructive for years to come.
APPENDIX 1

Interview Questions

1. How did you learn how to watch after livestock?
2. How did you start herding?
3. Did you finish primary and secondary school? Did you attend university?
4. What are your future plans? Will you continue to be a shepherd, or will you change professions?
5. Do you ever think about giving up herding?
6. Would you like to stay in the village, instead of coming to the jailoo?
7. Do you have another job, in addition to tending to livestock?
8. What do you do in your free time?
9. What is your favorite thing about your work?
10. What are the most pressing problems for shepherds?
11. What do you think the future will be like for shepherds here?
12. Did you work in the sovkhoz? What was your job?
13. What are your thoughts on the sovkhoz?
14. Do you prefer how life was under the sovkhoz, or the way things are now?
15. How is working with livestock now different from working with livestock under the sovkhoz?
16. After the end of the sovkhoz, did you have trouble gaining access to grazing land?
17. How do you move your camp materials/supplies to the mountains? Who helps you?
18. How often do you return to the village during the summer? Do you stay in the jailoo all summer?
19. Do you ever watch over your neighbors’ animals? Do you ever leave your animals with your neighbor to watch?
20. Do you leave any animals in the village while you are in the jailoo?
21. Do you have agricultural land/plots at home?
22. How many acres of land do you own?
23. Do you return to this pasture every year?
24. Which jailoos are your favorites?
25. In your opinion, which is the best jailoo?
26. How many animals do you have? Sheep? Cattle?
27. Is your herd size increasing each year, decreasing, or staying about the same?
28. Do all of your animals belong to you, or do some belong to clients/other people?
29. How much do your clients pay you to watch their animals?
30. Do you keep a written contract with your clients?
31. How is your relationship with your clients?
32. If an animal gets lost, what do you do?
33. How often do you count your livestock?
34. Do you sell livestock?
35. What kind of products do you produce?
36. In a summer, how much money do you make from tending to livestock?
37. How did you go about getting access to your pasture land? Explain the process.
38. How much did you pay for access to pasture land?
39. If you have questions about pastures and pasture use, whom do you ask?
40. Do you feel that you need more land in the jailoo, or do you have enough?
41. Why did you choose this particular piece of pasture land?
42. What are your thoughts about the way jailoo land is divided up? What would you change?
43. Will you stay in this spot all summer, or do you intend to move to another spot?
44. How many other shepherds are in your general area?
45. How do you collect water? Do you cross your neighbor’s pasture land/camp to access water?
46. If you can’t find good quality grass for your animals, what do you do?
47. How do you know if pasture grasses are of poor quality?
48. How many types of forage can you identify?
49. Are there ecological problems in this pasture? What kind?
50. What do you think of the new land lease system?
51. How did you learn about the jait comitet? What are your thoughts about the jait comitet?
52. Have you paid for your pasture ticket yet?
53. What is your opinion of ARIS?
54. Have ARIS projects helped you? If so, how?
55. How much importance do you place on pasture borders?
56. What do you do if a neighbor’s animal wanders onto your land?
57. What kinds of problems do you encounter in the jailoo?
58. How is your relationship with your neighbors?
59. Have you ever had a disagreement with a neighbor over pasture plot borders?
60. If you have a disagreement with a neighbor, how do you resolve it?
61. Have you ever taken a problem to the aksakal (village elder) court? If so, could you describe the experience and process?
62. In the jailoo, to whom do you turn for advice?
63. Is the livelihood/way of life of the shepherd changing?
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