

II. Questions and Answers about Autonomy

A1. Has the group sufficient political control on the basic elements of communal life, and can individuals participate in the political life?

If we understand the whole population or the whole people of the Chechen Republic as the group, not distinguishing between the ethnic groups, we can try to define its status using criteria which allow us to get a picture of the real life. A peculiar socio-political situation characterised not only by flagrant violations of human rights by authorities of the Russian state developed as a result of the two wars in Chechnya. These violations of human rights are obvious and partially recognised by some public agents. Rather astonishing is the acceptance of it by the inhabitants of the Republic and the lack of active protests.

In the Chechen Republic the right to life, the right to inviolability of the home, the right to equality before the law, the right to elect and the right to be elected, etc. are elements of speech but not obligatory elements of life. Therefore the political control of the basic elements of social life by the people and real political participation of the people are goals but not reality.

A.2. Can the legal conflicts (within the community) be solved in a way that satisfies the involved parts?

After two bloody military campaigns the Russian jurisdiction in Chechnya was restored and is now qualified to solve all legal problems. Now in Chechnya exists a Republican Court and Rayon¹ Courts, Public Prosecution Services and bodies of the Ministry of Interior – Police stations. Their activities for the citizens consist of restoring of lost documents confirming ownership of houses, cars and other property. The number of people addressing courts with such demands is growing everyday because of the return of citizens who left the Republic.

Beside the formal courts established in Chechnya during Soviet times conflicts in the community are still solved by means of traditional law. In many cases the traditional law proved itself as more efficient than formal courts. In the contemporary Chechen society strongly destroyed and disorganised by the war and mass repressions there still remain traditional legal mechanisms. At present internal Chechen conflicts are successfully solved only by means of the traditional law. Neither a court decision nor a serving of a term of imprisonment finalises a conflict if traditional procedure was not followed. No Chechen questions this regulation.

In the present situation the applicability of the traditional law has significantly lessened not because it was inefficient but because one party to many of the conflicts is the Russian State power and its representatives. There are only few precedents of court decisions satisfying the weak party of the

¹ This footnote and the following are the translators explanations. Rayon - secondary territorial entity of the Russian Federation and some other post-Soviet states

conflict – the population of Chechnya.

A.3. How is the interaction between the institutions of the local group (the institutions of the local authorities of the concrete group) and the policy on the national and international level?

After the beginning of the second Chechen war and the invasion of the Russian Federal troops, state authorities were established in the Chechen Republic. From the level of villages and rural rayons to the Head of the Republican administration² these authorities were organised by representatives of the so called power departments³ and later depended from them. The motivations and the mechanisms of this process varied but the local population practically didn't participate. These authorities legitimised many violations of human rights. The interaction of these authorities with the Federal centre⁴ and international organisations was subordinated to the solution of tasks of the punitive period of the “counter-terrorist operation”. The local public agents often became victims not only of the separatists but also of the Russian special services. More than once the Russian press, in particular the *Novaya gazeta*⁵, reported such cases. The efficiency of the local authorities grew in a way after the referendum and the election of the President of Chechnya. Although they are only few positive examples, it is arguable that the local authorities are not so powerless any more.

After the referendum and the presidential elections the new elected President A. Kadyrov acted relatively active and publicly gave his opinion about very painful problems not always agreeing with the Federal centre. The most important aspects of the interaction between the Republic authorities and the Federal centre⁶ are controlled by the Chechen president.

A.4. Which are the cultural elements and patterns distinguishing the local group from the “other” surrounding society?

In several recent Russian studies about the problems of Chechnya is uttered the idea about the Chechens as a community of groups with distinguishing features – i.e. tayp⁷ affiliation, mountain Chechens differing from plain Chechens, among those the Terek-Chechen differing from all other, and so on. The contradictions between these groups are supposedly not soluble and a common existence is impossible without external supervision. Such beliefs and perceptions are presented in some Russian periodicals and publications of some political engaged researchers. (“Kak

²Akhmat Abdulkhamidovich Kadyrov (August 23, 1951 - May 9, 2004) was former supreme Muslim leader (Mufti) of Chechnya, he was elected as (non-separatist) President of Chechen Republic within the legal framework of the Russian Federation on October 5, 2003. Assassinated on May 9, 2004 in Grozny stadium by a bomb blast under a VIP stage during a World War II memorial victory parade.

³Ministry of Defence, Ministry of Interior, FSB (Federal Service of Security – police authority, successor of several branches of the former KGB - Committee of State Security of the USSR) etc.

⁴Bodies of Presidential administration, Federal government and ministries, Supreme court and Federal Office of Public Prosecutor.

⁵www.novayagazeta.ru

⁶Federal authorities in Moscow

⁷Chechen and Ingush clans

predotvratit' tret'ju chechenskuju" ["How to prevent the Third Chechen war"] "Trud", 6.04.2004⁸; "Slova i obrazy v chechenskoj vojne" ["Words and images in the Chechen war"], "Nezavisimaja gazeta", 10.12.2000⁹; "Obshchestvo v vooruzhennom konflikte. Ètnografija chechenskoj vojny ["The Society in Armed Conflict. The Ethnography of the Chechen war"] Moskva 2001). Here it seems to be impossible to argue for or against the one or the other standpoint.

Among the Chechens there are different tayps and so called garra (branches), but the affiliation is now purely declarative. There didn't remain any specific elements of culture distinguishing the tayps or different economic structures. But the existence of several dialects of the Chechen language is beyond question. These dialects are the dialect of Itum-Kale, the Cheberloi dialect, the Shatoi dialect and the few different literary language, spoken in the other rayons of Chechnya. It should be mentioned that absolutely different tayps can speak the same dialect so that a dialect is not a distinguishing feature for the tayps. One cannot ignore some differences in the economic structure of the mountain Chechens being result of climate differences and not of tayp differences. It is difficult to differentiate not only members of different Chechen tayps but also Chechens descending from Avars, Kumyks, Karbardinians¹⁰, Nogais, Georgians or Arabs. For this reason it is necessary to point to the futility of attempts to find basic differences between the Chechen tayps.

B.1. *Are there substantial cultural differences and "cultural pluralism" within the local group?*

There are different levels of culture in different social strata. Such a problem always existed. Because of the well know situation the stratum of educated and wealthy persons was critically small. At present time, for obvious reasons, the cultural level and its regulating rule have decreased. It is also observed in the cultural-aesthetic and spiritual-moral paradigms.

At the same time despite the incredibly complicated living conditions, persons with different cultural needs remain in society. At any contacts with people it is observable. Among students there are many admirers of the western and Russian pop culture and Hollywood blockbusters. A great part of the older generation prefers known old interpreters of Chechen songs and melodies. The cultural preferences of intellectuals from high education facilities, school-teachers and graduated specialists are more varied. Besides Chechen music they appreciate classical and modern music as well as Russian folk songs.

It is difficult to find in the cultural¹¹ stratum a remarkable presence of backward currents able to become a hindrance against the integration into civilised society.

⁸www.nns.ru/press-file/dagestan/expert/dag671.html

⁹www.nns.ru/press-file/dagestan/expert/dag982.html

¹⁰Also known as Circassians

¹¹I.e. educated in the values of the Russian and European culture

B.2. How could the importance of the indigenous language in the daily life and the broad system of social communication [with institutions, surrounding groups, central authorities] be characterised generally?

Almost any Chechen living in the Republic speaks the Chechen language. Some non-Chechen citizens living in the Republic speak Chechen too. The Chechen language is used in private life, in the family, on all levels of personal communication between people. In the Republic there is virtually no Chechen who does not speak the Chechen language. On the local and federal official level the Chechen language practically doesn't play a role. Russian is the only language of correspondence in all public authorities and enterprises. At the same time the number of people speaking Russian is steadily decreasing. The Chechen language is widely used in some rayons of Dagestan and Ingushetia bordering with Chechnya, where the majority of the population speaks Chechen.

B.3. Do religious differences exist within the local [indigenous] group? Which are these differences?

The majority of the Chechens observe a traditional Islam. As it is known in the traditional Islam there are several Tariqa¹² (ways to God)¹³. In Chechnya live followers of the Qadiriya tariqa (followers of Abdul Qadir Gilani) and followers of the Naqsh-bandi¹⁴ tariqa¹⁵. There are certain differences between them, visible in the way of praying. The followers of the Tariqa of Abdul Qadir Gilani are praying loudly, making the so called dhikr¹⁶, some using a fiddle and a drum. There are differences in the funeral offerings. But these are not principal differences and there were no clashes between them. In difference to the above, the role of the Tariqa which are the basis for the muridism¹⁷ and the numerous virids¹⁸ is less visible. Since the Soviet times in Chechnya there are more than 3 virids with their ustaz – teacher and preacher of one of the tariqa. They were all watched closely by the KGB¹⁹. Some of the virids had a more hostile approach to the official ideology, so the Bolsheviks especially disliked the followers of Kunta Hadzhi who were tormented. The KGB considered the followers of Sheikh Deni Arsanov as more loyal and preferable. Therefore people from this milieu was chosen for the few Nomenklatura²⁰ positions allowed for Chechens. At the present time it is quite impossible to name the number of followers of the different tariqa and

¹²Other spellings: Tariqat, Tarika, Tareeqah.

¹³Also mystical and semi-secret brotherhoods

¹⁴Other spellings: Naksh-bandi, Naqshbandi

¹⁵Founded by Shah Baha'uddin Naqshband

¹⁶Other spelling: zikr

¹⁷Murid – disciple, student

¹⁸Autonomous religious sects headed by an ustaz - religious teacher. Every virid has its specific rules, principles and canons which may differ considerably from dogmas accepted elsewhere.

¹⁹Committee of State Security – Soviet internal secret police and external intelligence service

²⁰List of higher responsibility positions or jobs whose occupants needed to be approved by the Communist Party of the Soviet Union. Filling a more important position required a higher level of approval in the Party hierarchy.

ustaz, but it should be mentioned that in Soviet times the official press and several scientific atheistic²¹ publications referred about 60-70% of the Muslims as murids of Kunta Hadzhi. There are also the so called Wahhabi. This current began to spread between the two wars. The people associated with them a lot of crimes and violations of law unusual for the Chechen mentality. The Wahhabism didn't obtained serious influence. Moreover, the local Muslims considered it as a current hostile to the Islam.

B.4. What is the relation between the indigenous culture and the (formal and informal) system of education in the community (in the republic, in the Federation)?

The immaterial spiritual part of the culture of the Chechen people is connected with the Islam and its dogmas. Looking from this perspective it is obvious that some prescriptions of the Islam inevitably contradict the way of life of modern civil society. This is even more remarkable if one consider the role of women in society. It is well known that the Islam essentially restricts the sphere of social life with equal abilities of men and women.

Set backs of such attitudes in Soviet times gave occasion for different propaganda campaigns and oppressions of persons who couldn't hide their world view. For this or other reasons now in the present Chechen society there are no objective hindrances against female participation in social affairs including university studies. Before the reforming of the Chechen society during the long lasting stormy events there were no other features of the Chechen ethnic culture preventing an integration of the Chechen culture into the civilised world too.

Now the number of women, studying in formal and informal education facilities times surpass the number of men studying. There are no special features distinguishing Chechen women from non-Moslem women.

C.1. Has the local group a sufficient control of its land resources that guarantees the preservation of its way of life and a sustainable development?

Unfortunately there is a tendency to reduce of the settlement area of the Chechens. The attempts of the Chechens to improve their situation leads to losses of territory and not only of territory. The area of the Chechen-Ingush Republic was more then 36 thousands km². Then it split into the Chechen Republic and the Ingush Republic. The exact area of both Republics is unknown²². As a result of the deportation and before the Chechens lost greater areas. After the restoration of the autonomy 1957 a sizeable part of the areas bordering with Dagestan was turned over into the jurisdiction of Dagestan. Chechens live on part of this territory. Without particular research one cannot make any statements about the sufficiency of the territory for the preservation of their way

²¹Then the designation for ideological struggle against religion *and* the euphemistic name of religious sciences

²²I.e. there was no boarder demarcation.

of life and its sustainable development. But one can say with certitude that these losses were perceived painfully. The future development depends from a diversity of factors including Russia's ability to keep on suppressing the Chechens.

C.2.1. Has the exploitation of non-renewable resources (of the subsoil) negatively impacted the social and cultural structure of the local group?

It is a fact that oil production in Chechnya began in the 19 century. Since that time hundreds of millions of tons have been extracted. It is quite difficult to observe a positive influence of this on the local group. The plentifulness of oil didn't give the Chechens any advantages. Rather, the opposite.

In 2002 in the Chechen Republic about 3 millions tons of oil was extracted. For 2003, the forecast was for increasing production of oil occurring. There is no data, but one can surely assume a real increase of the oil production. But what advantages did the inhabitants of the Republic receive? Only pitiful wages for the oil industry worker.

Despite the obvious diligence, aggressiveness and mobility in search of jobs in the whole country Chechnya, according even to the decorative statistics, was socially and economically inferior to almost every region of Russia. It was recognised even by researchers unfriendly to Chechens.

The Federal government planned to spend in Chechnya 3.5 billions Roubles in 2002 and 2003. Officially there were tap 1.5 billions Roubles in 2002 and 2 billions Roubles in 2003. It is about 100 millions Euros and less then the gratuitous humanitarian help of the international community for the inhabitants of the Chechen Republic.

C.2.2. Have the members of the local group access to the biological resources they traditionally exploited, according to the criteria of their culture?

Speaking about this problem it should mentioned that the local group, in this case the Chechens, do not depend on local biological resources. They overcame this weakness a long time ago. As a result of external reasons, the number of Chechens occupied in traditional agriculture and animal husbandry is very small. Their access to biological resources is very restricted because the soil, the pasture lands and forests after the massive and long time use of modern weapons became zones dangerous for life. Even the wolves fled to neighbouring regions. Due to the barbarianism of the Russian military forces the unique flora and fauna of the Republic were practically destroyed. Even a minimal use of natural resources must be accompanied by efforts for a remediation of the nature.

C.3. What is the relation between the economy of subsistence [economy of survival] and the economy of the national market (economy working for the "national" market)?

The economy of survival includes several segments of economic and trade activities. Retail mainly done by women, passing the multiple military blocks and police posts, plays a visible and respectively very important role because it supplies the population with essential goods and produces. Thanks to these women there was no hunger and deficiency of goods in the most difficult years of the war. It is difficult to overestimate the role of this segment of the economy of survival for the survival of hundreds of thousands of peoples. An other important element of this economy was the subsistence. It is significant to point to the extraordinary role of the subsistence in the life of the Chechen people because during several centuries it was the decisive way of existence of the people.

At the present time this sector of the economy still remains the most important part of the economy of survival in the Republic. There are still sheep and cattle breeding, poultry production and agriculture. Probably 70 – 80 % of the population of the Republic survive thanks to the subsistence economy.

A less important but relatively visible role in the economy of the crisis was private oil production and trade with oil products. On the territory of Grozny 10-12 metres deep lies relatively big reserves of oil products (condensates). Until now the extraction of this condensates allowed to satisfy the needs of the population for oil products. In the Republic there were no other fuel supplies. One should add that this phenomenon had disastrous effects. It was dangerous for all involved persons. Now this “business” has lost its importance for the economy of survival.

Despite its big volume the parallel so called state economy gives less advantages to the majority of the population than the economy of survival.

The national economy and the economy of survival are rather complimentary. Persons employed in the state economy especially the employees paid from state budget support with their salaries the subsistence economy and the trade in the multiple markets. On their part, these persons cannot manage without the services of the economy of survival.

C.4. Has the local group a sufficient control on its [local] health service and the housing (house building and housing resources)?

At the present time the public health service is managed by the state and therefore formally controlled by the state. Almost 100% of the medical personnel are indigenous²³, the non indigenous left the Republic. In this sense the Chechens are controlling the public health service. The majority of hospitals in the rayons²⁴ and all medical facilities in Grozny are destroyed. At the present time a reconstruction of the medical facilities by the Chechens with their own forces is impossible. The last years the public health service was functioning very inefficiently and only due to the

²³In the common Russian language use „indigenous“ refers to local native people and not only to Indigenous peoples according to the ILO-Convention 169.

²⁴I.e. in rural areas

international humanitarian aid organisations delivering medicine, medical equipment and funding the reconstruction of hospitals. A civil servant from the Ministry of Health of Chechnya explained that nobody counted the volume of this aid, but it surpasses several times the state financing of the public health service. At the present time it is not important who will control of the public health service because the quality of the health service is beneath criticism. No medical facility neither in the city of Grozny nor in any other location in Chechnya meets common standards. In the health service as well as in other spheres there is a lack of organisation.

The housing situation is even more depressing. In many localities all of the dwellings are demolished. The well known Russian general Nikolai Koshman²⁵ referred to 64 thousand demolished houses. There is no other available data about the scale of the destruction. We estimate the scale of destruction only approximately based on visible impressions. Neither the quantity of demolitions nor the quantity those of killed and crippled are counted. It is a taboo. The housing resources of Grozny and other towns suffered relatively more. In Grozny stand several tens of half-demolished high-rise buildings. The floor space in these houses is still controlled by the official administration. There is no water supply, no heat and the lavatories don't function. There is no reconstruction at the present time.

In the centre of Grozny in the avenue prospekt Pobedy several high-rise buildings were reconstructed. There are no other visible successes in the matter of reconstruction. As slowly is the reconstruction of the private housing resources. Compensation for the destroyed houses are promised before every political event. The people are still efficiently deluded by these promises. Based on the allocated funds for the reconstruction one cannot expect a near solution to all these problems.

²⁵Former Deputy prime minister of Russia and plenipotentiary of the Cabinet in Chechnya, now Chairman of the State committee (=minister) for construction and housing and communal services