

Introduction

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The subject of this volume is various forms of property rights in livestock in pastoralist societies. The notion of property belongs to the most complicated and complex ones, and as Kuper (1999: 245) aptly remarked, complex notions inhibit an analysis of the relationship between the variables they pack together. The complexity of property rights in any human society, including the preindustrial, has already attracted the attention of a number of scholars (see, for example, Libecap 1989; North 1990; Hann 1998b; Ensminger 2002b). It was also noticed that these rights are never absolute or unrestricted, although they have various degrees of exclusiveness in different societies; and they are perceived in various ways and regulated in accordance with different principles and rules. The role of formal and informal institutions and norms, such as the state, political and social hierarchies, codified and customary law, reciprocity, kinship, tradition, and individual and group arrangements in regulating access to property varies significantly.

Property is about excluding others from the use of a 'thing'. Identity¹ is about who these others are; it is about defining who excludes and who is excluded. The study of property relations and of the small- and large-scale politics of identification is therefore closely related. The third component in this conceptual triad is the 'thing', in reference to which the property relationship defines either a right or an interdiction.

Many things are quite trivial and not the inspiring stuff that scholarly discourse on property or identity is made of. All sorts of tools and garments as well as items of everyday use are regarded as individual property all over the world. I drink from my cup and put on my shoes – these are circumstances easy to grasp and rarely contested. There are, however, at least two classes of objects that make matters more complex, in so far as things can belong to an individual or a collectivity of people, or two, three or more individuals simultaneously in different ways. These two categories are land and large domestic animals. In different periods of history and in widely separated regions, matters of property have been more diversified and elaborated with regard to these two classes of objects. In modern society a third such domain of complex rights can be found in the domain of industrial property and 'financial products'.

Much has been written about land rights, and we are all aware that various relationships involve overlapping rights of different people to the same object: between a nation and its national state territory; of an individual to his or her (or his

1. 'Identity' is taken here in the sense of identifying oneself or others with a group or social category. The complementary concept is 'difference'. Psychologically or philosophically inspired theories of identity, related to personality, authenticity or other more existential aspects, are of little concern here. In the present context we remain at the surface of our social selves through which we interact with others.

and her) residential plot; the right of an apartment owner in a high-rise condominium building and his duty to contribute to the maintenance of its collectively used parts; and the rights of an owner, a tenant farmer and a game tenant on the same plot of agricultural land. Feudalism, for example, is a complex political system based on land allocations at different levels of the hierarchy.

Very little has been written on the other domain where collective and multiple forms of property are found, for example large domestic ungulates such as cattle and camels. Allocations, direct and indirect loans, dedications to future transfers, and various types of rights by different people can all exist in the same cow or camel. It is no coincidence that the terminology we use in referring to the complexity of modern industrial property is largely derived from how cattle were referred to: pecuniary (Lat.: *pecus* – ‘cattle’), capital (Lat.: *caput* – ‘head’ [of cattle]), and the ‘stock’ exchange. Conversely, an East African pastoralist discussion on cattle is reminiscent of corporate law and industrial property relations.

Cattle, camels ... what else? What animal species is the object of these more complex, multiple, overlapping relations? Smallstock (sheep and goats) are not affected as a rule. The Rendille of northern Kenya say ‘*adi a dahan*’ (smallstock is hand) – in other words, something to give, sell or barter, and to eat or to slaughter for guests. Smallstock are disposed of in a straightforward manner. There are no shared rights in individual ewes or she-goats. Even the herdsman Jacob, to use the Biblical example, gets the speckled and spotted goats from his father-in-law, Laban, who keeps those that are plain-coloured, instead of giving the former ideal shares in all of them. Reindeer are found at the boundary between small and large stock. Some reindeer herders talk about their deer in the same way as African pastoralists talk about cattle; others treat them the way people all over the world treat sheep and goats (Ingold 1980: 178, 186–87).

What other objects are invested with multiple or collective forms of property in non-industrial societies? Certain environments may contain several examples: ships?; the town hall?; the guild house?; churches, mosques, holy mountains (Schlee 1990a, 1992), refugia or other sacred sites? It can safely be said that land and large ungulates are the two outstanding and most widespread objects to which these more complex rights tend to be attached.

It is obvious from the above that an examination of multiple rights in animals must include examples of pastoralists who keep horses, cattle, camels and reindeer.² A word about where they are found and how they are historically interrelated would therefore be in place.

Apart from Andean pastoralism, which involves New World camelides, and excluding capitalist ranching from the present analysis, we can say that there are basically two regions in the world where a high proportion of specialized, mobile

2. Horses may have been unfairly neglected in this volume. Traction services to a lord or having to supply a horse for military purposes in the sedentary societies, as one could observe until the Second World War, certainly establishes rights in horses by more than one person or legal entity. Modern racehorses or valuable stallions also tend to be owned by shareholders or cooperatives.

pastoralists (nomads) among the otherwise sparse population can be found, namely in the dry belt of the Old World and the tundra of arctic Eurasia. In Siberia, these two zones are separated by a forest belt where less specialized and mostly small-scale forms of reindeer keeping are practised in combination with hunting and gathering. There is a typological distinction between tundra pastoralism, which involves only one species of ungulates, and dry-belt pastoralism (with the exception of a few specialized camel herders), which is typically a multispecies form of animal husbandry (Khazanov 1994: 41).

The Eurasian tundra extends more than half way around the globe, the Old World dry belt slightly less. But although the tundra spans more degrees of longitude (from about 10° E eastwards to 170° W) than the dry belt (from about 10° W eastwards to 130° E), its west-east distance is shorter because the meridians converge as they approach the pole. It is also much narrower than the dry belt and therefore has a far smaller area.

Tundra reindeer pastoralism is no longer considered a phenomenon that emerged independently of the pastoralism in the dry zones south of the forest belt. Although hunters may turn into pastoralists and pastoralists may become hunters, it is now widely accepted that pastoralism evolved from mixed agriculture (crop production combined with keeping ungulates). This must have taken place in and around the Fertile Crescent, covering the eastern Mediterranean littoral, Anatolia and Mesopotamia (Khazanov 1994: 89ff., 97). Little is known about the Sahara as a possible early area of ungulate domestication before it dried out. Mobile pastoralism as the main economic activity later spread from areas where livestock keeping could be combined with cultivation to areas where aridity (dry belt) or low temperatures (tundra, high mountain zones) made mixed agriculture either impossible or less productive than pure animal husbandry.

It is believed that reindeer in the forest zone were kept, loaded or ridden in line with the usage of horses on the steppe. The use of reindeer for pulling sledges may well have been shaped by how dogs had been exploited earlier for the same purpose (Vajda 1968: 379–83, 401). Inhabitants of the forest-steppe zone south of the taiga had seen their neighbours keep domestic ungulates for thousands of years before they began to emulate them by domesticating a ruminant adapted to their own ecological zone: the reindeer.³ Sayan, where the same people kept horses and reindeer, seems a likely place for reindeer to have been initially treated like horses (Khazanov 1994: 112).⁴

The techniques for keeping, handling and harnessing reindeer in the taiga, and even the introduction of the larger taiga strain of reindeer used for transport purposes by those who were primarily hunters, were later crucial to the development of a specialized tundra pastoralism (Ingold 1980: 108–9).

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3. The alternative hypothesis, namely that reindeer domestication occurred without influence from peoples who kept other domestic ungulates, seems to have few adherents left. The taming of reindeer as decoy animals for reindeer hunting was assumed to have been the origin of reindeer husbandry. This hypothesis has been rejected on the grounds that caribou hunters, who do not keep reindeer for other purposes, as they do in North America, did not bother or were unable to tame deer for use as decoys (Vajda 1968: 114; identically, Ingold 1980: 103).
 4. See Donahoe (this volume) on the recent Sayan type of reindeer herding.

The fact that domestic and wild reindeer coexist and interact in many ways and in a great number of areas makes reindeer keeping different from all other forms of livestock husbandry: they interbreed, and the domestic follow the wild deer and vice versa. Humans interact with domestic and wild deer alike, as reindeer keeping and hunting can be combined in various forms and various proportions.

This is in stark contrast to all other species of domestic ungulates. Wild forms of cattle are already extinct. Nowadays feral horses are more numerous than wild ones and can be caught and tamed, albeit their numbers are small in comparison with domestic stock. Wild camels, sheep and goats are confined to remote areas and are insignificant for any economic system that involves their domestic homologues. Wild cattle probably lived in the Sahara before it dried out and the wild form of the donkey may well have been the African variety of the species. All other domestic ungulates in Africa stem from outside the continent and have expanded into areas where buffaloes and the many species of antelope are the naturally occurring herbivores. That is the prevalent pattern. Generally, domestic ruminants are kept in areas where their wild forms have never lived or have long been extinct.

The relationship of human beings to these domestic herbivores is very special. Most of these animals would never exist where we find them if human beings had not taken them there. On the other hand, numerous marginal areas would be void of human beings or more sparsely populated had domestic herbivores not converted their meagre resources into human food. In the 'Neolithic' revolution both plants and animals were domesticated. Growing crops and keeping livestock evolved as systems of mixed farming, which in turn gave rise to the evolution of specialized pastoralism, a comparatively recent adaptation to extreme environments like the tundra, the desert, dry steppe, and high mountain areas. This younger and specialized form is by no means 'primitive' (as it is frequently referred to by those who believe it evolved directly from hunting at an early stage). On the contrary:

- it is technically sophisticated, involving portable dwellings and the training, bridling and saddling of pack and (later) riding animals;
- it requires highly complex organization, coordination of movement and the regulation of rights to pasture and water, or else the ability to contest them forcefully;
- it is ecologically specialized. Since pacification and modern statehood have enabled farming to spread to ecological zones in which they are just about feasible but precarious, pastoralists who have not taken up farming have often been pushed into even more marginal areas where cultivated plots do not block their pastoralist routes, and which are in effect unattractive to farmers.⁵

5. Schlee (1991: 137f.). See Amadou (1999: 333) and Moutari (1999: 431) about the problem of the *champ piège* (trap fields), i.e. small fields cultivated in pastoral zones to provoke devastation by animals, so that compensation can then be claimed.

Although cattle and horses are bearers of social and ritual functions for farmers as well, it is among the specialized pastoralists that livestock become the sole medium of expression of social relationships, and where multiple rights and claims are attached to camels, cattle and reindeer.

Property relations are, as mentioned earlier, relations between people. The ungulates involved are unaware of them. But there are other relationships of which they, too, are a part. From a biological perspective, a household or group and their livestock can be seen as a symbiotic system, even a far more complex one than the textbook examples of ants and lice, since it comprises a great number of species. The Rendille system of production, like many others in Africa and on the Eurasian steppes, requires the regular interaction of human beings, dogs, camels, donkeys, sheep, goats and, in many cases, cattle as well. These individual species interact in countless ways. Human beings and dogs consume the bodily substances of camels, sheep, goats and cows. (Unlike the neighbouring Turkana, the Rendille consider donkeys impure, so do not milk, bleed or butcher them, but use them for transport only.) Since all the species involved are mammals,⁶ the flow of milk between them plays a prominent role. The ungulates interact in the production of pasture conditions. On the steppes, horses are capable of uncovering fodder from under the snow, thus, making it available for other species. Dense bush could be opened by the browsers (camels, goats), which not only makes access easier for grazers (cattle, sheep) but by reducing the tree layer improves conditions for grass re-growth. Disease interaction is also common between species (including wild species) that share a habitat: if two herbivore species mutually transmit disease, the animal with the lower mortality rate will expand at the expense of the other. Human beings make camels pull thorn-tree branches to the sites where smallstock are to be fenced in, and so on. This multiple interaction between different species of animals is, in the wider sense,⁷ social. Nevertheless some social scientists would prefer to restrict the term 'social' to relationships between humans. However, observing the interaction of other higher vertebrates, both intra- and interspecific, leaves no doubt that all attributes of human interaction (e.g. individual recognition; intentional communication) equally apply to the interspecific (e.g. human/ungulate; human/canine/ungulate) interaction in pastoral systems. One can therefore speak of social relations between humans and ungulates, and between different species of ungulates. In a mixed flock, for example, goats will take the lead and browse ahead, and, both species being gregarious, thus stimulate the sheep to follow. As true ownership is sometimes tied to standards of successful interaction with animals and proper care, this 'social' human/ungulate interaction will also be discussed by some of the contributors to this volume. Some remarkable forms of interspecific interaction have also been developed in the livestock sector of complex and sedentary societies. One

6. The neighbouring Somali also keep chickens but value them little, and readily abandon them when moving on if the children are not fast enough to catch all of them in time.

7. An example of this wider sense is the term 'plant sociology', which examines how different plant species interact to form a flora. An ecological system could be interpreted as a society of species.

only has to think of shepherds and their dogs or of horses with ‘cow sense’, but these are beyond the scope of this study.

In a general discussion of the property rights in livestock, Gudeman’s (2001) concept of two spheres of exchange – the communal and the market – can be aptly applied. As a rule, property rights in the communal sphere involve certain social obligations and entitlements. Therefore, in pastoralist societies, as well as in those hunting societies that use domesticated reindeer, it is worth differentiating between rights of ownership in animals and rights of possession and use.

A few exceptions notwithstanding (e.g. Ingold 1980: 172), multiple rights in stock in pastoralist societies and the changes they are undergoing under the direct or indirect influence of modernization and globalization processes have not been sufficiently explored, especially from a cross-cultural and comparative perspective. It is our hope that this volume will contribute simultaneously to the field of economic anthropology and to the study of pastoralist societies.

The articles published in this volume deal with three major regions: the Far North and Siberia including the Chinese taiga, the Eurasian steppes, and Africa, all of which represent different types of pastoralism. African pastoralism is frequently associated with cattle breeding as a result of the social and symbolic significance of these animals; in some arid areas the camel replaces cattle in the cultural focus. In many cases smallstock (sheep and goats) exceed large stock in economic but not in ritual importance. The Northern pastoralism is about reindeer, while the Eurasian steppe is concerned with multispecies pastoralism (Khazanov 1994: 40ff.), both in economic terms and in the sphere of values in and attitudes to animals. The horse comes closest to a privileged position in terms of prestige and as an object of affection. Other remarkable differences between these types manifest themselves in traditional socio-political organization, or patterns of pastoralist ways of life and the transformations during the colonial and postcolonial periods. In addition, a few of the articles in this volume deal with reindeer ownership in hunting societies, which allows for comparison.

In describing multiple rights in stock in the different pastoralist societies, the authors of this volume often use different, occasionally overlapping terminology. We made no attempt to unify it because we were unwilling to straightjacket a rich variety of individual ethnographic cases, or to impose our views upon the authors. Still, it is worth making some comments on the issue.

The relationships between property and other social relations are manifold. Many authors in this volume have demonstrated that animals in pastoralist societies not only have importance as a commodity but possess other social and symbolic values. Not infrequently, scholars confuse multiple property rights in animals with multiple aspects of social and production relations around animals, such as cooperation and assistance (in pasturing and risk alleviation), marriage arrangements, alliance building, bonds of kinship and friendship, and various kinds of reciprocity. Although the former do not exist independently of the latter, they are not tantamount to them.

In fact, in theoretical analysis, multiple property rights in stock can be reduced to several basic types:

1. Full rights of ownership, which imply the ultimate right of allocation, disposal, and sale of animals.
2. Nominal rights of ownership, where rights of control or even of disposal belong to another person (e.g. when animals are gifted to a child by his father, or to a bride by her father-in-law or groom). A nominal owner is temporarily deprived of ultimate ownership. Thus, in the Fulbe society of Western Burkina Faso described by Diallo, a father retains complete control of any stock he has given to his sons, and even has the right to sell it. Among the pastoralists of the Eurasian steppes, on the other hand, the nominal rights of married sons in stock become real as soon as they get their share of the family herd and establish their own households.
3. Shared ownership (co-ownership, joint ownership) implies different degrees of rights and even a different percentage of ownership in individual animals. It seems that this type of ownership, which is widespread among African pastoralists, is much less common in other parts of the world.
4. Usufruct rights, such as milking or transportation, which in many cases are merely of a temporary order. Usufruct rights proceed from the right of ownership and do not imply a right of disposal.
5. The rights in the offspring or a defined part of the offspring of an animal can also be seen as concerning a part of the animal, namely its future potential. Often calves are promised to hired shepherds for their services.

It seems that the most complicated, multiple and overlapping property rights in stocks are characteristic of African pastoralists. The reasons for this are far from clear and need more research. One possible line of enquiry might be the study of specific cultural-historical traditions and trajectories. Unfortunately, very little is known in this regard about African pastoralists in the precolonial period. Another direction is connected to the specifics of social relations among African pastoralist groups and societies.

It could be argued, and not without reason, that multiple rights in stock in the absence of strong socio-political organization enable African pastoralists to strengthen ties of kinship and affinity, and to extend relations of cooperation and solidarity beyond the family and the lineage. This is in fact what Diallo argues in his chapter. That differentiated rights in animals below the level of the household or family are more often discussed in an African context may have two reasons. One is that they are less prevalent in other parts of the world. The other is that the focus of attention in such matters was on Africa. Classics on pastoral economy like Stenning (1959) just happen to have dealt with African cases and may have set the tone for other Africanists. Moritz (this volume) describes Fulbe in a peri-urban setting in Cameroon, who buy cottonseed cake, a by-product of vegetable oil production, from factories as supplementary feed for their cattle. Inside the households, we find a complicated and contested balance between the consideration that the household head has to organize livestock production and is responsible for the well-being of the

family and the herd, and the special rights and duties of individual members of the household, such as individual wives or children or relatives who live there, or others who reside elsewhere and have merely entrusted an animal to the household. Those who buy cottonseed cake for their animals want to have a say in how this animal is disposed of and keep the proceeds for themselves. To counter these arguments, the holder of the herd, that is to say the person to whom the animals are entrusted, points out his inputs for the entire herd (such as herding or hiring a herdsman) in defending his right to dispose of the products and retain all or part of the proceeds. This is a fit-for-a-textbook example of multiple rights in the same animal. Differentiation by production inputs, and the rights derived from such inputs, is one aspect of multiple property rights, inequality between people another. A cow that belongs to a young man still under the authority of his father is not the property of one person; it belongs to someone who belongs to someone. A transaction involving this cow would probably be impossible without the consent of two or more people on the side of the giver or the seller.

The Fulbe examples in this book illustrate a great variety of forms of rights by more than one person in the same animal. Pelican's chapter about the Grasslands of Cameroon focuses as well on the level of the household and notes differences in the practice of selling milk – a prerogative of the women – between Fulbe belonging to the distinct sub-ethnicities of Allu and Jaafun. While Allu do not mind their women moving about and selling milk, the Jaafun strive for more respectability in Islamic terms by restricting these movements.

In northern Ghana, as Tonah points out, there is an additional level of complexity. Women may sell milk and keep the proceeds of these sales for themselves. They may even buy livestock for themselves which are then their individual property, since the expenses for the food requirements of the household need to be met by the husband. The household herds are composite. They typically comprise animals belonging to the Pullo (sing. of Fulbe) head of the house and of animals belonging to farmers of other ethnic groups who have entrusted cattle to the Fulbe. The usufruct rights (milk) and one in three calves belong to the Fulbe herders. In the case of these entrusted cattle one can clearly speak of multiple rights in the same animal. The original owner has the right to take his animal back and to dispose of it as he likes, but as long as he does not do so, parts of the productivity of the animal are appropriated by the herder in the form of calves and by the wife of the herder in the form of milk. The wife can thereby convert the products of an animal in which her husband has temporary and only partial rights into animals belonging fully and individually to herself, by buying livestock from the proceeds of the milk of these animals.

Tonah also shows different ways in which rights in land and rights in animals are converted in each other. One way is that immigrant Fulbe make straight payments in the form of livestock to representatives of local ethnic groups for the right to farm. Another is by interwoven interests: having entrusted their cattle to Fulbe, the non-Fulbe farmers have an interest in safeguarding the Fulbe's rights to pasture, and even feel responsible for 'their' Fulbe to the extent of making sure that the latter have enough land to farm.

The most complex forms of loans and multiple rights by allocation and pre-inheritance appear to exist, however, in the eastern half of Africa. In this volume, Schlee attempts to illustrate this, using the examples of the Rendille, Gabra, Karimojong, Turkana, Barabaig, Samburu, Kipsigis and Pokot. He discusses different systems of bridewealth, stock-friendship and loans. One of the effects of these is to let livestock circulate, and to give poorer members a chance to rebuild their herds, in accordance with a basically egalitarian ideology.

In this context it is worth comparing African pastoralists with those of the Eurasian steppes and the Middle East. The latter were much less egalitarian, had various stratified segmentary systems, and developed a more complex socio-political organization – and in the Eurasian steppes sometimes even statehood. At the same time, multiple rights in stock were less conspicuous in their societies. Nominal rights of ownership were somewhat undeveloped, and the animals gifted to other people became their indisputable property. Private ownership and ultimate rights in stock were predominant and exercised by individuals or individual families. These rights were accompanied by what could be considered as usufruct rights associated with different forms of mutual aid, reciprocity and sharing; the latter in particular with regard to pastoralist products.

Al-Umari wrote about the Tatars of the Golden Horde in the fourteenth century:

When an animal belonging to one of them begins to weaken, for example, a horse, or cow, or sheep, he will kill it and together with other members of his household he will eat a part of it, and (part) give to his neighbors, and when one of their sheep, or cows, or horses weakens, then they will kill it and give (part of it) to those who had given to them. For this reason in their houses (never) is there a shortage of meet [*sic*]. (quoted in Tizenghauzen 1884: 23)

Much later, observers noticed similar customs among the Kazakhs, Kyrgyz, and other nomads of the Eurasian steppes.

In the pastoralist societies of the Eurasian steppes, each member of the family had undisputed usufruct rights in family stock, but ultimately it was controlled by and at the disposal of the head of the family. As a rule, sons were given a share of the family herd to start their own households upon their marriage. The absence of fixed rules with regard to the number of animals left the matter partly to the father's discretion. Quite common were the stem families in which the youngest married son lived with his parents until their death and subsequently inherited the majority of their property, including stock. This was a millennia old tradition. Cases where brothers continued to maintain the same household and became joint stockowners after the death of their father were much rarer. However, these families were usually unstable, and sooner or later broke up within the span of one generation (Khazanov 1994: 126ff.). A similar situation existed in the Middle East. Even the Bible (Genesis 13.6–11) relates how Abraham and Lot separated their herds.

Nevertheless, the relatively egalitarian character of African pastoralist social organization compared to the Eurasian is hardly sufficient to explain the dissimilarities in their property rights in animals. Although prerevolutionary reindeer pastoralists, whether Chukchi, Dolgan or Nentsy, or indeed some other pastoralist society, were egalitarian, reindeer were always considered the private property of individual pastoralists or families (Ingold 1980: 185ff.). Multiple or shared rights in animals were non-existent in their form of pastoralism.

As pointed out by Gray, amongst the Chukchi of the eastern extreme of the Siberian Tundra, in the pre-Soviet time large herds were mostly owned by rich individuals who employed shepherds, and even exchange and market orientation already existed to some extent. Mutual aid among kin and close neighbours was common, but the giving or gifting of deer did not result in multiple rights in these animals; ownership of an animal passed in its entirety from one owner to another. Ventsel describes a similar situation among the Dolgan in the prerevolutionary period.

Another case of tundra pastoralism is the Nentsy of the Yamal peninsula, described by Stammler (this volume). Stammler comes to quite different conclusions about the Nentsy from those of Gray, since (apart from the ubiquitous effects of collectivization and de-collectivization in the Russian North) rights of different people in the same animal exist among the Nentsy. Sceptics might object to his apparent tendency to pay more attention to mutual assistance among pastoralists and claim that neither his material nor his conclusions essentially contradict those of Gray and other scholars of reindeer pastoralists. Earlier ethnographies suggest that reindeer were privately owned by the Nentsy, but the very cohesiveness of their pastoralist society and economy was connected to widespread sharing, reciprocity, and other forms of mutual aid. This is evident also from Ventsel's contribution about the Dolgan.

Various manifestations of generalized reciprocity amongst the Nentsy had already been described by Brodnev (1959: 76–77) half a century ago, referring to the pre-collectivization period:

Public opinion looked upon a refusal to help someone when they were in need of such as a very grave misdemeanor, like theft or the violation of exogamy. A person's reputation first and foremost depended on whether or not he fulfilled his obligations of mutual aid. Amongst the common law of the Nentsy the obligation of mutual aid played an important part ... No payment could be demanded for aid given, but at the same time the person receiving aid could not refuse the same or other services to the person who was giving him aid.

It is also worth noting that for reasons that deserve special research the rules of animal inheritance (e.g. ultimogeniture and the right of any son to be entitled to a part of his father's herd upon his marriage and the setting up of his own household) that existed among some reindeer groups such as the Nentsy have a greater resemblance to the inheritance practices of the Eurasian steppe nomads than those of African pastoralists.

Sharing animals, or rather lending them to relatives, was quite common among the Dolgan and other peoples of the Far North; however, this practice reflected various patterns of reciprocity, and in most cases was far from obligatory. Even among South Siberian hunters (the Tozhu), who kept some domesticated reindeer for riding, as beasts of burden, and for milking, the animals were considered the private property of individual families.

Turning to the Tozhu, we have left the tundra, crossed the forest belt and reached its southern fringe. In the Republic of Tyva we find the Tozhu, and not far away from them in the Altai, the Tofa. Donahoe (this volume) describes these two linguistically closely related peoples as contrasting in their relationships to animals and people. The Tofa have lost their herding skills and no longer even look after the riding deer they use for hunting; their spirit of sharing is not pronounced. The Tozhu, on the other hand, have preserved all of these skills and values. The Tozhu may represent the more complex and more interesting case in man-animal relations⁸ and in animal-related man-man relations,⁹ and we therefore focus on them here.

Again we find man-animal relations penetrating ideas about property. True ownership has to be morally supported by competence in handling the animals and by dedication to them (the Tozhu concept of *ivizhi*). These ideas are widespread among pastoralists. Love of camels is a praiseworthy quality among the Rendille of Kenya. A man was once described to Schlee as loving camels to such a degree that he could not stop looking at them while they browsed, enjoying every mouthful of shrub they ingested. The special term *olum* is used to refer to a neglectful herdsman who constantly loses animals. Once, after a transfer to a new region, when Schlee's riding camels absconded to where they had been before, he was (wrongly) suspected of hobbling them too much instead of letting them roam about freely to graze. The moral undertone of the accusation did not go unnoticed. All this corresponds perfectly with Donahoe's observations about the Tofa penning their riding deer and the Tozhu getting up before daybreak to lead them to richer pastures. The Rendille certainly share the Tozhu ethic, and accused Schlee of being what a Tozhu would call a Tofa.

Although our African examples have already been discussed earlier in this introduction, a few more words about good herdsmanship among the Rendille may be in place here, because Rendille values in this field resonate with what Donahoe found out about *ivizhi* among the Tozhu. The prototypical male role among the Rendille is that of a herdsman. The answer to the question of what a woman has given birth to, a boy or a girl, is *ersim* (a herdsman) in the former case and *weyli beet* (a child for the people)¹⁰ in the latter. Being a proper camel man, however, does not mean that camels belong to you. It simply means that you belong to the camels. The Rendille have quite elaborate and formalistic notions about property in animals (Schlee, this volume), and here close personal association with camels does not blur

8. This is shorthand for the relationships between human beings and other animals.

9. This applies to relationships between hunters, who were mostly men. Women do not figure in Donahoe's account.

10. In other words, to be taken away by another clan for marriage.

the distinction between user, holder and owner. Still, it is the quality of being a proper herdsman that is most likely to make your possessions grow if you have a herd or stand to inherit one; hired herders with this attitude and these skills are paid either in breeding stock or money with which they can purchase breeding stock of their own. It is the path to ownership and in a sense legitimizes wealth.¹¹

Tofa and Tozhu, like many other taiga dwellers, are not specialized pastoralists. Hunting also plays a major role for them. Donahoe therefore additionally describes their notions of rights in wild animals. These rights confirm that property (a relationship between humans regulating access to things, including animals) should be seen in the context of man-animal relations. Furthermore, the domain that Westerners might call the 'supernatural' and others merely regard as the spiritual aspect of nature also plays a role here. From a Tozhu perspective, three types of actors need to be distinguished when discussing property relations involving humans and non-humans: people, animals and spirit animals.

Human-human relations regarding claims to animals, that is to say property in the analytical sense, are regulated through land rights. Tozhu are territorial hunters. Hunting rights are not exclusive, but ownership of a territory has to be respected. Hunting on the territory of another group means sharing the prey with them.

Another aspect of 'ownership' in animals is a notion that animals own themselves. Tozhu believe that the prey gives itself to the hunter, thus establishing an interspecific 'social' relationship.

The third type of actor to be considered are spirit animals. Donahoe cites a story in which a *maral* deer spirit helps an exhausted hunter and his lame reindeer mount. He invigorates both and gives the hunter a mountain goat to eat. Hence a spirit animal enters into a social relationship with a human being and a domestic deer by giving them a wild animal, an act that implies ownership of that same animal. From this perspective, property is a relationship that involves human and non-human entities. The Tozhu are not alone in such views. There is a whole literature on *der Herr der Tiere* (Lord/Master of the animals)¹² in older German anthropology. In the parlance of 'embedding' it may be difficult to decide which relationship is embedded in which. Donahoe states that 'the hunter's rights to take a wild animal, i.e., his property rights to wild animals, are embedded in his social relationship with the *cher eezi* [*Herr der Tiere*].

Donahoe's discussion of Tozhu hunters cum reindeer keepers blurs the distinction between wild and domestic animals to some extent. At least as far as notions of property are concerned, this dichotomy is by no means as fundamental as it is commonly perceived to be. Property, including emic notions thereof, come into man-animal relations in many ways, including the hunting context. Let us list some forms of property that emerge from Donahoe's account.

11. On the other hand, poverty is not automatically attributed to a lack of herding qualities. As the proverb about livestock resembling the shade in the morning and the evening shows, the Rendille have a fatalistic ethic and accept misfortune as a fact of life (Schlee, this volume). As described in that chapter, the very real possibility of sudden livestock losses even gives rise to elaborate arrangements of exchange and an ethic of redistribution. In the pre-communist period this attitude was also characteristic of the nomads of the Eurasian steppes.

12. Zerries (1954) or Hofstetter (1980) can serve as entry points to this literature.

*First Type:***Table I.1** First type of forms of property

Participants in the property relationship	people–people
Object	game animals
Instrument of allocation	divisions of land

The common notion of property, generally accepted in the social sciences, that property is a relationship between people about denying or allowing each other the use of things, is relevant here. In this context, wild animals take the place of ‘things’. Tozhu hunters are territorial. Local groups exclude other hunters from full rights in hunted animals by referring to certain hunting grounds as their own. Divisions of land are thus used to define rights in animals. Exclusion from full rights implies allocation of partial rights. Read as a positive rule (about what people should do, not about what they are forbidden to do) one can also summarize Donahoe’s findings on this form of property as: ‘If you hunt on the territory of another group, you have to share your prey with them’.

*Second Type:***Table I.2** Second type of forms of property

Participants in the relationship	animals and people
Subject and object	animals as autonomous agents who decide their own fate

Tuvan hunters believe that game animals give themselves to the hunter, establishing a social relationship in the wider sense, in which the domain of the social can comprise more than one species, for example humans and non-humans.

This is a widespread idea. The Yukaghir at the other end of Siberia (north-east) report instances of both domestic reindeer and game animals offering themselves to hungry people. Fur animals (the example is squirrels) come closer to the hunter they ‘love’ and elude the unloved one.¹³ In an ancient Indian text a giant elephant precipitates itself from a mountain in order to feed a group of hungry and exhausted men (Jatakamala no. 30, cited by Hofstetter 1980: 43, note 1). Examples of such stories from all over the world and different periods of time, reflecting the deeply felt beliefs of some and the entertainment needs of others, could easily be multiplied. In this perception, animals own themselves. They are autonomous agents who make decisions as to whom they will give themselves.

13. Hofstetter (1980: 41) citing Meuli (1946: 226), where the ethnographic sources can be found (re-edited 1975).

*Third Type:***Table 1.3** Third type of forms of property

Participants in the property relationship	spirit animals and people
object	game animals

Donahoe cites a story about an animal spirit, a *maral* deer identified by the thousand gold branches of its antlers as no ordinary deer. This *maral* makes a fat mountain goat drop dead at the feet of an exhausted hunter. Here the spirit animal is the owner of the game and has the power to give or withhold game animals. The goat as property is transferred from the spirit to a man.

Turning our back to the forest and moving into the steppe, we leave the domain of relationships that are heavily influenced by beliefs typically held by hunters. Kazakhs, more than Mongols, are long-standing pastoralists and perhaps the model example of Eurasian steppe nomads. Their ideas of property were fully developed along pastoralist lines and were not influenced by hunter ideologies.

Still, as Finke's chapter demonstrates, the Kazakh in western Mongolia share with many Africans the problem of rival claims on animals where animals already allotted to one son remain under the ultimate ownership of the father. In Africa, conflicts arise when the son wants to marry and the father considers doing the same, desiring to add a junior wife to the mother of his adult children. Who is going to use these animals as bridewealth or cover the ceremonial expenses? Polygyny of gerontocrats does not seem to be prevalent among Mongolian Kazakhs. Conflicts there seem to arise over the ordinary sale of animals. What Finke reports about obligatory gifts and kin obligations is reminiscent of Africa.

The state frequently figures as an absentee owner. In herds composed of both state-owned and private animals, young animals tend to be ascribed to the private part of the herd. Finke's statistics on surviving young per female in individual and public ownership from the final years of the socialist period clearly indicates this tendency. This resonates with a saying of the Somali and Rendille: a cow of someone who is not around gives birth to a male calf. Pastoralists prefer, of course, female calves because of their reproductive potential. But absentee owners, be they rich Somali or the Kazakh state, tend to be cheated (Shongolo and Schlee 2007: 82).

The state is also the cause of other transfers. Due to a quota system, animals in excess of the number allowed to be owned are left in the care of relatives. The state also infringes on ownership in other ways and shapes the components of what makes up the 'bundle of rights' that constitute effective property. Finke highlights the importance of 'export bans and other state-imposed handicaps on the sale of livestock products'. In this general context of 'multiple rights in animals' we can only note that the market, and how it is regulated or manipulated, is a vital factor in shaping property rights. Livestock markets deserve more comprehensive treatment under separate cover. A start has been made.¹⁴

14. On livestock markets in West Africa, see Waldie (1994); Diallo (2004a, 2004b); Schlee (2004), and, of course, the classic article by Abner Cohen (1965). On north-east Africa, see Raikes (1981); Shaabani et al. (1991, 1992a, 1992b); Little (1996).

The discussion of Finke's findings about the Kazakh state as a livestock owner has led us to the theme of the role of the state in the context of property rights in animals. Generally, states tend to interfere in property rights. Taxation is an example which refers to many kinds of property, dairy farm milk quotas in the European Union, destocking measures in African drylands and quarantine regulations are examples which more specifically affect the livestock economy. Quarantine regulations often do not have the intention or the effect of limiting the spread of diseases, but, like custom duties and restrictions on exports and imports, they may be instruments by which groups of producers which are well connected to the state (like commercial ranchers) may obstruct the access of less powerful competitors (like pastoralists) to the market and thus facilitate their own marketing strategies (Schlee 1990a, 1990b; Schlee and Shongolo 2012). Be that as it may, what all these examples share is that they show the ways in which states affect and limit property rights in livestock.

Where there is an advance of state control – there are also regions in Africa where the state retreats – the state's potential to interfere with the property rights of pastoralists is also on the increase. Due to their socialist past, however, it was in the post-socialist countries of the Eurasian continent and not in Africa that state intervention in property relations took on the more remarkable forms and dimensions. It is therefore to the post-socialist countries that we devote the following pages. Geographically, this leads us back to some of the regions discussed above. We now focus on the effects of the socialist state.

It could be argued that the changes induced by socialism were negligible from the animal perspective, once they remained where they had always been and continued to be controlled by the same pastoralists. In truth, however, this change must have been quite significant even for animals, since the quality of care for those animals directly or indirectly owned by the state was in a constant state of decline. The authors of this volume have provided sufficient examples to prove the point. Even the communist rulers admitted this downturn, attempting to combat it with stick and carrot measures. Their efforts were in vain. Individually owned animals had always enjoyed more care than those that were collectively or state owned. Besides, the animals were negatively affected by changing herding techniques that implied monospecific pasturing and composition of herds, as well as by the narrow specialization within appointed groups of shepherds and their loss of the entire complex of pastoralist skills.

Be that as it may, from the human perspective the change was immense. In the Soviet Union, the role of the state in property rights and relations was almost always direct, destructive, and extremely detrimental to pastoralists and their traditional way of life. This was because collectivization in the late 1920s and early 1930s, coupled with forced sedentarization, had alienated them from ownership in stock and every other means of production. Well-to-do and hard-working pastoralists, whether in the Eurasian steppes and Central Asia or in Siberia and the Far North, similar to peasants in any other part of the country, were at best dispossessed, and at worst deported or even exterminated.¹⁵

15. A plethora of data from all parts of the former Soviet Union leaves little doubt that the majority of peasants, including pastoralists, did not join the collective and state farms voluntarily. Later, however, some of them and their offspring began to claim the opposite, since the fate of those

Pastoralists and their stock were herded into newly-created collective farms (*kolkhozes*) and were ordered to work together. At the same time they were denied any real decision making role. Officially, the *kolkhozniks* held all property, including stock, in communal ownership. In practice, however, the state controlled everything and everybody. It was the state that appointed directors and managers of *kolkhozes*, who were then placed under its all-pervasive, strict supervision and obliged to meet its every demand. Initiative from below was discouraged. Up to the mid-1950s, the collective farms were overexploited by the state, which set excessive production quotas and in one way or another appropriated most of the produce, and were frequently unable to provide their members with as much as a subsistence livelihood.

In the late 1950s, a further step in the alienation of immediate producers from the means of production was taken, albeit in theory more than in practice. Many of the *kolkhozes* were transformed into state farms (*sovkhoses*), where former pastoralists were obliged to work as state employees. The living standards of *sovkhoszniks* even improved, especially in comparison with the *kolkhozniks* of the pre-war period. But low productivity remained a constant worry for these farms, and, as a result, the country experienced a permanent shortage of meat and dairy products. Whether in Chukotka, in Yakutia (Sakha), in Kazakhstan, or elsewhere, in the late-Soviet period the state was forced to provide *sovkhoses* and *kolkhozes* with a variety of subsidies. Since they were not based on sound economic considerations and neglected to take the cost of production into account, they were unable to contribute to solving the main problem. To a large extent, pastoralism ceased to be a family business and its prestige began to wane. The lack of personal responsibility and stimuli made the work of shepherds dull and uninspiring. As a consequence, a chronic workforce shortage became the norm in herdsman husbandry (Khazanov and Shapiro 2005).

It comes as no surprise that several contemporary Russian and Western scholars characterize the *kolkhoz* and *sovkhos* system as a peculiar form of state feudalism, in which the immediate producers were denied a voice in economic decision making and were also divorced from property rights on key resources, and thus lacked stimuli for hard work. In the 1970s, in the best *sovkhoses* of Kalmykia, a semi-desert region in the lower Volga reaches, a herd of eight hundred sheep had to be tended by eight shepherds, even when stock was transferred from one pasture to another by truck and supplied with water tanks (Khazanov, field notes). Before collectivization,

who resisted was known to them all too well. Doublespeak became the order of the day in the Soviet Union. To claim that one's father or grandfather had contributed to the establishment of the *kolkhoz* system was beneficial; to admit the opposite was a grave mistake. This situation continued to the end of the Soviet Union and even later, either because old traditions die hard or because people had very little information about what actually happened approximately sixty years ago, occasionally confusing the state of affairs in the 1970s with that of the early 1930s. Sometimes this misled Western anthropologists, who tended to rely too heavily on official and individual oral histories, without critical analysis. Krupnik (2000: 52) is right in observing that sad memories are often overlooked against the background of post-Soviet nostalgia, even by the native people themselves. Besides, oral histories of collectivization recorded by other anthropologists reveal policies of large-scale repression (e.g. King 2003: 394–95).

one Kalmyk shepherd on horseback assisted only by his juvenile son managed quite successfully to tend the same number of animals.

Various types of cheating and embezzlement, such as illegal appropriation or usage of collectively and state-owned stock and its produce, both by immediate producers and managers, were common and widespread. In addition, some animals were kept in private possession illegally. Originally, *kolkhozniks* and *sovkhozniks* were allowed to keep only a few animals in their individual (personal), but by no means private, ownership. The state periodically made efforts to reduce this number and restrict methods of actual disposal of individually owned animals, while the pastoralists for their part endeavoured to increase the number of their animals, even though it was against the law.

In the early 1970s, Khazanov asked his Turkmen friend and informant how he had managed to lead a well-to-do life in the capital of the republic on the meagre salary of a state employee. He explained that he owned a herd of camel, which he had inherited from his father in one of the distant *kolkhozes* in Western Turkmenistan. Officially camels belonged to the *kolkhoz*, since absentee ownership was forbidden. However, the chair of this *kolkhoz* was his uncle (FB) and simultaneously his stepfather (at that time, levirate was still not uncommon in Turkmenistan), and he took good care of the herd of his nephew. Whenever he needed money he simply asked if he could sell one of his camels, a request that was always met. It is quite legitimate to ask whether his property in stock could be characterized as personal or private. To answer this satisfactorily would mean entering the discussion on the shadow (informal) economy in the Soviet Union, which is beyond the scope of this volume.

Stammler claims that among the Nentsy of the Yamal-Nenets autonomous district the share of personally owned deer never fell below 30 per cent. This figure is high for the Soviet Union and was quite an exception; however, although hard data is unavailable, it seems that the number of illegally owned animals increased during the last few decades of the *kolkhoz-sovkhoz* system. Ventsel also noticed that the Dolgan retained more reindeer in individual ownership than was permitted by the state.

The Chukchi of the eastern extreme of the Siberian Tundra (Gray, this volume) are the most prominent negative instance. Multiple or shared rights in animals are non-existent in their form of pastoralism. Property rights in Chukotka reindeer may well be blurred as a result of collectivization, de-collectivization and re-collectivization in a different form, and because former reindeer herders have become more sedentarized and lost control of or interest in the deer. However, this is clearly not what we mean when we speak of multiple forms of property in livestock in Africa, where different people hold different but clearly-defined rights in the same animal.

The Chukchi fit perfectly into Ingold's classification of pastoralists into milch pastoralists and carnivorous pastoralists as the pure representatives of the 'carnivorous' side.¹⁶ Chukchi reindeer are nowadays primarily 'kept'¹⁷ for sale and slaughter, a characteristic they share with Rendille smallstock in Kenya – and like these, they are not the object of multiple forms of property in the same animal.

16. This is not surprising since Ingold himself took them as an example.

17. They are 'kept' inasmuch as this extremely extensive form of husbandry can in any way be referred to as 'keeping'.

Contrary to once popular theories about the archaic nature of pastoralism,¹⁸ specialized pastoralism is a fairly recent phenomenon and specialized tundra reindeer pastoralism¹⁹ the most recent of all.²⁰ Still, Chukchi pastoralism was fully developed in pre-Soviet times. Large herds were mostly owned by rich individuals who employed herders, and exchange and a market orientation already existed to some extent. In Soviet times, the state replaced the rich man as the owner; and the production, having been a family activity, was reorganized along professional lines. Pure subsistence pastoralism, of a kind often constructed as 'traditional', cannot be located in known Chukchi history.

Even in the Chukchi case, however, one reindeer is not the same as another in the sense that a dollar is a dollar. Notions of property (as we have seen in relations between people) are influenced by relations between people and deer. If someone is allotted a castrated male deer for traction, packing or riding, or if it is common knowledge and has been tolerated for some time that he trained the animal for this purpose, then this animal is his for all practical purposes, irrespective of whether he himself or his father or the state is the formal owner. Following Soviet usage and Verdery (2003), Gray calls this relationship 'personal property' rather than 'private property'.

Collectivization in other communist countries was equally unsuccessful. The first attempt at collectivization in Mongolia, undertaken in the 1930s using the Soviet model, met with rebellion and had to be abandoned. The second collectivization, in the 1950s, was conducted in a more thoughtful way; since then, however, the pastoralist branch of the national economy in Mongolia has stagnated (Bawden 1989: 290ff.).

In China, collectivization, the Great Leap Forward and the Cultural Revolution were disastrous for the Inner Asian pastoralists. However, the government reversed its policy in the 1980s. The communes were dismantled and stock was distributed among individual families through a contractual system of 'household responsibility'. Production for the market is now encouraged. Still, the state retains a high degree of control over the pastoralist production and, implicitly, over the animals (Benson and Svanberg 1998: 144–45; Sneath 2000: 70ff., 129ff.).

Beach (in this volume) describes a specific instance of this control. He has studied a group of Evenki living on the southern fringe of the taiga where it reaches the northernmost tip of China. Their co-ethnics are widespread in Siberia, but these Evenki have been exposed to socialist policies of the Chinese type and are also closer to the consumer market for antlers. For this reason they offer some interesting particularities in comparison to the Soviet/post-Soviet examples.

In abolishing private property, these deer were expropriated by the state and compensation paid. The animals were, however, left in the care of their previous owners, who continued to enjoy the products of the deer, prominent among them milk. On the carnivor-milch pastoralist scale, these southern Evenki represent the

18. For a critical discussion of these theories, see Vajda (1968); Schlee (1991, 2005); Khazanov (1994: 111ff.).

19. Keeping domesticated reindeer has existed for a long time as an ancillary activity. Large-scale reindeer herding for the purpose of meat production is a recent phenomenon.

20. For the Komi case at the other end of the tundra in the European Arctic, see Habeck (2005: 63–68).

opposite of the Chukchi, living in close association with very tame deer and milking them. However, the 'owner', namely the state, claimed first 40 per cent, and later 30 per cent, of another product, the antlers of which were used to produce a sexual potency medicine. The large demand for the latter in China drew antlers²¹ from far and wide. What is the difference between state 'ownership' which in practice extends to only one of several animal products and to just 30 per cent of that product, and a 30 per cent tax on the production of antlers? Much of what 'ownership' is about seems to consist of how people talk about it.

Another way in which the state plays into property relationships is by handling ethnicity as an administrative category. Only Evenkis can become tenants of a state-owned reindeer enterprise. Being the spouse of an Evenki or living like an Evenki does not suffice.

As is evident from his article, the Chinese government still largely subsidizes the reindeer herding of its small Evenki minority group. Although this policy is laced with strong ideological considerations, at the same time it allows the government strict economic and social control over the herders. As the antler business gradually gained in significance for the state, intentionally or unintentionally, it made the Evenki society more stratified. The contract holders with the Antler Company benefited most, although they themselves did not necessarily perform the actual herding work. However, the contract of a holder who did not produce enough could be revoked. Whether this peculiar form of multiple rights in reindeer could be characterized as 'dual ownership' by the state and immediate producers, or as an owner (state)-holder (herder) relationship is essentially the domain of terminology. Herders who are not even permitted to slaughter their deer can hardly be called their owners. On the other hand, to speak of state 'ownership' is equally problematic. We already posed the question above as to whether the difference between a claim to a part of a certain animal product by the state as an owner and a state tax on that product is not simply a matter of terminology.

The postcommunist situation is transitional, still quite fluid, and in some respects contradictory. Besides, it is different in different countries. Mongolia experienced its own variety of 'shock therapy'. All livestock enterprises of the communist period were rapidly dismantled in the early 1990s, and the stock distributed for the most part among the immediate producers (Müller 1995; Schmidt 1995), although the state retains some measure of control over their property, particularly when it comes to selling livestock products. In all pastoralist regions of the Russian Federation, as well as in all countries of post-Soviet Central Asia, denationalization and privatization of stock and other assets resulted in the emergence of a variety of ownership and production units. Some of them were similar to Soviet-type enterprises, albeit on a smaller scale, while others, more advanced on the path of privatization, turned out to be of an ephemeral nature.

It became obvious that, at least in the initial stages of privatization, specialization in pastoralism without state subsidies and other assistance was unprofitable in the

21. Similar efficiency is attributed to rhinoceros horns and dinosaur bones. There is no doubt that these beliefs harm natural heritage and the paleobiological record. The antlers of domestic deer are a fairly simple alternative. It would be interesting to find out the extent to which the introduction of Viagra has affected the market for these animal products.

ex-Soviet Union. It is also remarkable that privatization of stock almost always put ordinary pastoralists at the losing end, since it was accompanied by widespread embezzlement amongst managers and local administrators. A distinctive feature of this situation was the new word ‘prikhvatization’ (grabization) as coined in the Russian lexicon.

This is evident in the Russian North in relation to reindeer herders. It would be wrong to assume that with the breakdown of the Soviet Union the reindeer herders of the Russian North were in a hurry to reverse this situation wherever it occurred. Speaking of the Komi in the European area of Russia, Habeck (2005) explains that it was the *sovkhos* organization that enabled reindeer herders to make claims against the state in terms of pensions and services such as heavily subsidized transport. Ownership can be expensive. Various transfers need to be examined carefully before deciding who is gaining at whose expense. An ‘owner’ could operate with permanent losses rather than deriving benefits from its property, even if the owner in question is the state.²² At the same time individuals representing the state may manage to benefit.

What state ownership means in practice and who exactly ‘the state’ is can vary from case to case. It also goes without saying that assets not owned by the state might still be under strict state control. Ownership can be attributed to major or minor entities constituting the state, down to the lowest level of administration. At all these levels state representatives or state employees may use state resources for the pursuit of collective interests or for personal enrichment. Favouring one’s family or relatives could be seen as a mix of egotistic and altruistic courses of action. Students of morality (not a central concern of the present volume) may find a broad grey zone where different standards apply.

It is true that the number of privately owned animals has increased in the Russian North and that their ownership is far less regulated than during the Soviet period. However, the role of the state or regional administrative bodies in regulating and sometimes appropriating property rights in stock, and especially in pastureland, is still huge. In Chukotka and Sakha (Yakutia), the dissolution of collective and state farms was accompanied by the emergence of a number of so-called ‘municipal’ or similar enterprises controlled, and to a large extent owned – and often embezzled – by local administrations (mainly Russian) inherited from the Soviet period. In the Komi republic, the majority of reindeer herders are still with the former state farms, although for years they have often had to do without their regular wages (Habeck 2005: 5, 49ff., 101ff.). In all these different enterprises, employee property rights in

22. Paradoxical examples of the joys of ownership include land taxation – land tax and agricultural inputs in Romania can be so expensive that Verdery (2004: 156) speaks of land as ‘bad’ rather than ‘good’ in certain cases – laws for the protection of tenants that make it practically impossible to enforce rent payments (this has led to a complete cessation of the construction of rented apartments in Germany), and laws on monument protection that make it impossible for owners of old houses to modify them to the extent that they become suitable for the market. Their only option is to let them fall into decay or to destroy them ‘accidentally’. Protection laws often destroy what they are meant to protect by not providing the necessary incentives for preservation. Where ownership becomes a burden, property (in the sense of assets) will perish.

reindeer are ill-defined and not infrequently exist merely on paper. It would take a good stretch of the imagination to characterize them as collective or joint rights.

Attempts to restore the pre-Soviet practice of family households with privately owned stock operating in kin-based camps, or to create pastoralists' stock raising enterprises and turn them into small-scale market oriented producers, have failed utterly in Chukotka, Taimyr (Ziker 2003b: 368ff.), amongst the Izhma Komi (Habeck 2005: 120ff.), the Tozhu of South Siberia, and in many other regions. In Chukotka, pastoralism has somewhat recovered only due to the measures undertaken by the former governor, billionaire Roman Abramovich. In 2006, his administration began to pay the still existing state farms USD 38 for each animal surviving at the end of the year. Besides, slaughtering of reindeer was forbidden until 2008 and nowadays strict quotas for slaughtering are imposed by the local administration (L. Baskin, personal communication). This example proves that in some cases an involvement of local authorities in pastoralist economies may be quite beneficial.

The prevailing opinion amongst the scholars holds that extracting and mining industries are detrimental to mobile pastoralism, since they damage pastureland, distract migratory routes, and so on. For that reason, in the 1990s, the Russian scholars were very much concerned about the consequences of gas exploration in the Yamal peninsula for the reindeer pastoralism there. However, it has turned out that the Yamal Nentsy have actually benefited from the new development, as the workers in the gas enterprises have been eager to purchase fresh reindeer meat. As the result, the number of reindeer owned by the Nentsy has increased from 380,000 in the years 1951–1991 (average annual figure) to 560,000 in 2006 (L. Baskin, personal communication; cf. Habeck 2005: 229–33). However, the other side of the coin is overgrazing.

The situation in another pastoralist region, namely in Central Asia, is even more complicated (Khazanov et al. 1997; Khazanov et al. 1999; Khazanov and Shapiro 1999–2001; Khazanov and Shapiro 2005; Kerven 2003). An ongoing process of change can be witnessed there, often without clear direction or predictable outcome. With regard to reforms in agriculture in general, and in its pastoralist sector in particular, there is a great difference between Kazakhstan and Kyrgyzstan, which have undergone the most dramatic reforms in the region, and on the other hand, Tajikistan, Uzbekistan and Turkmenistan, where state-controlled enterprises still predominate (Gleason 1997).

While in Kazakhstan and Kyrgyzstan almost all stock is now privately owned, the leaderships of Uzbekistan and Turkmenistan are still unwilling to relinquish their control over the livestock sectors. In Uzbekistan, former *sovkhoses* and *kolkhozes* were converted into new cooperatives or *shirkats*. However, this conversion is not much more than smoke and mirrors. In legal terms, the livestock *shirkats* are supposed to operate as entrepreneurial farms independent of state planning, requisitioning, and the like. But things look a little different in practice, as the state still controls, even dictates, the purchasing price for the most important animal husbandry products.

Besides, *shirkat* shepherd members have even less freedom to determine their affairs than during the Soviet era, while their managers have become more independent of state control. Shepherds are not paid in cash; sheep leased to them are whisked away at will; and in order to provide their animals with optimal

conditions, such as good pastures or fodder, they have to bribe the managers (Zanca 1999). Although the number of privately owned animals has increased, the right of their disposal meets with so many formal and informal constraints that their ownership can hardly be characterized as a capitalist form of private property.

In the same fold, *sovkhozes* in Turkmenistan were converted into farmers' associations (*diyhan birlishik*), in most cases administered (and often mismanaged) by the former Soviet administrations, while the state still controls prices to the detriment of the immediate producers. Animals are leased to shepherds who are obliged to meet certain production quotas. However, despite a presidential decree in December 1995, they are no longer provided with input supplies and services. Nevertheless, the annual produce of the herd has to be shared between the leaseholder and the association. In principle, this leads to an increase in the number of privately owned animals (Ataev 1999: 87–88), but, in 1999, it was announced that shepherds would have to sell their animal output back to the associations at a fixed price (Lunch 2003: 171ff.). Even more than in Uzbekistan this policy makes a mockery of the very idea of capitalist private property.

In addition to these numerous problems, it has turned out that almost everywhere in the ex-communist world many people have lost the skills, knowledge, experience, interest and stamina that are all indispensable to pastoralist specialization. It is no wonder that in many countries pastoralism has lost its attraction and many pastoralists are now turning to other occupations. In the 1990s and early 2000s, in Yakutia (Sakha), many people preferred to be unemployed than to take the tough job of reindeer herding. During the last fifteen years, more than one million people in Kazakhstan, including pastoralists, have moved from rural areas to towns and cities. Even in Mongolia, 40 to 45 per cent of the entire population of the country now live in the capital, Ulaan-Baatar (personal communication, Joerg Janzen). Pastoralism in postcommunist Eurasia has lost the prestige it enjoyed for centuries and even millennia, and it can well be asked if it will ever be restored.

Be that as it may, private ownership was legalized in all postcommunist countries, albeit to various degrees. This again brings to the fore the problem of multiple rights in stock, not only between the state and state-dependent enterprises on the one hand, and individuals and individual families on the other, but also between individuals and individual families. In this regard, the situation remains unstable, and it is too early to conclude whether we are witnessing a return to pre-communist traditions or an emergence of different norms and practices. In addition, these practices even differ in different regions of the Russian Federation, not to mention other countries.

It can as a rule be observed that animals held in private ownership belong to individual owners and/or to nuclear or extended families, but not to kin-groups. In the case of family ownership, the rights of its members in animals, including inheritance rights, are not clearly defined by law, and are frequently regulated by specific individual situations or by a custom that goes back to the period prior to collectivization.

However, it seems that the old pre-socialist pastoralist practice of reciprocity is reemerging in some regions of the postcommunist world, along with the practice of

taking care of animals of absentee owners with varying degrees of usufruct rights. Although they have different origins and acquire different forms, these practices are occasionally linked to the need for people involved in different economic activities to rely on informal and/or kin-based ties, as in Sakha (Yakutia) or Turkmenistan (Lunch 2003: 182–83; Takakura 2003: 131ff.), in the context of a decline in the importance of social relations officially regulated by the state. These practices, however, are described among a limited number of pastoralists groups²³ only, and it remains to be seen whether they reflect (re)established norms, or are merely of a transitional and temporary order.

23. In Kazakhstan, rich and successful stockowners privately complain that kinship obligations are a burden to them (Khazanov, field notes).