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Publisher: Routledge

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Regional & Federal Studies

Publication details, including instructions for authors and subscription information:

<http://www.tandfonline.com/loi/frfs20>

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Available online: 08 Sep 2010

To cite this article: James Hughes & Gwendolyn Sasse (2001): Comparing Regional and Ethnic Conflicts in Post-Soviet Transition States, *Regional & Federal Studies*, 11:3, 1-35

To link to this article: <http://dx.doi.org/10.1080/714004705>

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Comparing Regional and Ethnic Conflicts in Post-Soviet Transition States

JAMES HUGHES and GWENDOLYN SASSE

The rapid retreat of communism from Eastern Europe in the late 1980s and early 1990s was closely chased by an upsurge of violent upheavals that are almost universally referred to as 'ethnic' or 'nationalist' conflicts. One of the most common observations on the conflicts that arose from the collapse of communism is that they are an echo of earlier struggles. This view is shared across the spectrum of thinkers on nationalism, from Modernists to Marxists, and to those who favour a primordialist account of the origins of nationalism. For a Modernist liberal like Ernest Gellner Soviet communism was an 'intervening' force that 'defeated' nationalism so long as it captured and controlled the state. In this sense, communism had been a deep freeze for nationalism, and its demise had thawed conflicts whose outcome, even within his own schema, was difficult to predict (Gellner, 1997: 86). Similarly, the Modernist Marxist, Eric Hobsbawm, argued that 'fear and coercion kept the USSR together' and helped to prevent ethnic and communal tensions from degenerating into mutual violence. The nationalist disintegration of the USSR, according to Hobsbawm, was more a 'consequence' of the breakdown of the regime in Moscow than a 'cause' of it (Hobsbawm, 1990: 168). Primordialist-inspired understandings of conflicts are generally the provenance of parties to the conflict, though the crude stereotyping of 'ancient hatreds' is often widely disseminated by policy-makers and journalists interested in the promotion of specific global or regional security frameworks.¹

We do not propose to challenge the notion that many potential nationalist, ethnic and regional conflicts in the Former Soviet Union were kept dormant under communism. As Ian Lustick has demonstrated, suppression or control is a remarkably effective means of conflict regulation in deeply divided societies (Lustick, 1979 and 1993). Furthermore, the control regime of the USSR cynically manipulated nationalisms by the use of quasi-federal institutional devices, in particular the theoretical right of union republics to secession and pseudo-cultural rights. This helped not only to secure internal stability, but also to project an external image of the Soviet Union as a model of a multinational state for anti-colonial movements in the Third World. The hollow Soviet claim to be the 'sentinel for self-determination', as Walker Connor phrased it,

began with Lenin and Stalin and continued through the Khrushchev and Brezhnev eras (Connor, 1984: 53).

It is undeniable that the end of the Soviet regime released conflict potential. Many of the Soviet successor states have fought ethnic and regional wars with each other or within themselves as part of their nation- and state-building projects. Such conflicts are not so surprising since previous cases of end of empire led to similar conflicts, with battle lines drawn along ethnic and regional fissures. We do contest, however, the widely held notion that the contemporary conflicts in the Former Soviet Union (FSU) can be primarily explained as resurgent unfinished business from past nationalist or ethnic conflicts. We do not deny that the momentum for the half-tied knots of history to be undone or completed is a significant factor in the origins of some conflicts, perhaps most obviously in Nagorno-Karabakh and Abkhazia. We should not overlook, however, the critically important contingent factors, in particular, the political-institutional changes and adjustments to Soviet legacies made as part of the transition, in the causation and prolongation of the conflicts. Furthermore, the 'unfinished business' explanation does not account for the fact that some expected conflicts have not happened, others have been amenable to management by strategies of accommodation, while a few have degenerated into violence for which solutions are as yet elusive. In our view, the non-conflict cases are as important as those where conflict has occurred. One can be easily seduced into complacency by the routine passivity of certain conflicts. The routine, however, is generally a product of structured behaviour, and consequently how non-conflicts have been routinized may yield guidance as to the structures and codes of conduct which may work in the management of post-Soviet conflicts.

We explore regionalism and ethnic conflict in the FSU from a comparative perspective by examining the factors that account for the causation or prevention of conflict. The cases investigated here allow us to evaluate whether the successor states to the USSR exhibit common trends and differences in their responses to the challenges of state-building in ethnically and regionally divided societies. One of our recurring themes is how ethnic and regional conflicts impact critically on other aspects of post-communist transition, such as constitutional design, economic reforms and nation and state-building. To clearly identify the conceptual parameters of the dynamics of conflict and conflict-regulation, we begin by applying the principal theoretical propositions of the significant literatures on ethnic conflict, regionalism and transition to the analysis of post-Soviet conflicts.

ETHNICITY, TERRITORY AND CONFLICT RESOLUTION

Ernest Gellner argued that there was no 'third way' for cultural pluralism between the assimilatory and the nationalizing state (Gellner, 1997). For this lack of sensitivity to the political mechanisms, constitutional architectures and the role of political engineers in the 'thwarting' and managing of nationalist conflicts, he has been rightly criticized (O'Leary, 1998). By now there is a significant body of writing in political science and political philosophy which holds that societies that are deeply riven by ethnic and national divisions can be stabilized by political strategies of regulation. Surveying the range of solutions available O'Leary identified two main instruments: an institutionalist approach that focuses on constitutional and institutional design with a preference for consociational devices, federalism, or autonomy arrangements; and a 'group-differentiated rights' approach (O'Leary, 2001). Federalism is often the key structural or institutional stabilizing mechanism prescribed for ethnically divided states, though it is not without significant problems as studies of post-colonial federations, such as India and Nigeria, demonstrate (Horowitz, 1985: 601–28). Our analysis of post-Soviet conflicts focuses on the former approach. It is concerned not only with how institutions *per se* affect state stability by preventing or promoting conflict, or the efficacy of new power-sharing devices during transition, or indeed whether the state under consideration is a democracy or non-democracy. Rather, it focuses on the institutional foundations of the state-building process itself, democratic or otherwise, which is, in the main, inherited from the Soviet ethno-federal state architecture. This legacy, which has been termed 'institutionalized multinationality' by Brubaker, is presented in many studies as the key contributory factor in the ethnification of politics and the 'ethno-constitutional' crises during the fall of the Soviet Union (Brubaker, 1996; Roeder, 1999: 867). We argue that the Soviet institutional legacy for managing ethnicity and how it was disassembled or reassembled as part of state-building after the fall of the Soviet Union, is a crucial structural factor in the causation of post-Soviet conflicts. Since it was the combination of control and quasi-federal institutional constraints that had managed historical antagonisms in the Soviet Union, it was inevitable that the end of this control regime would refocus attention on the institutional dimension of the Soviet settlement of the nationalities question.

Studies of ethnic conflicts, whether multiple or single-case studies, generally fall within one of two schools. Primordialists view ethnicity as an innate category, and explain ethnic conflict as a struggle for hegemony between competing claims of identity based principally on common

language, shared history, and appropriated territory. Modernists, on the other hand, emphasize that nationalism is an artifice of modernity that is in flux – constantly being constructed and reshaped. Ethnic and regional conflicts are almost universally fought in the name of emotionally charged identity issues such as ethnicity, language, territory and historically conditioned memories and rights. Modernists focus on the role of elites in instrumentally mobilizing the population along ethnic lines for specific political goals, where ethnicity is primarily a label used for political advantage. Thus, ethnic conflict is not inherently different from other types of political activity and likewise should be amenable to political bargaining and incentives (Lake and Rothchild, 1998: 5–6).

A contested territorial issue that is tied to a sovereignty claim is usually at the root of an ethnic and regional conflict. If competing claims are not prevented, regulated or managed by political control or institutional compromise, the resulting discontent can develop into radicalized zero-sum conflicts that eradicate or marginalize the space for political compromise. Such competing claims may be mobilized by ethno-historical mythologies as well as by socio-economic grievances. They may be essentially domestically driven (endogenous), or they may involve the interference of significant external (exogenous) factors and agencies. Brubaker has encapsulated this interconnection by his notion of the 'triadic nexus' between 'nationalizing state', 'national minority', and 'homeland state' (Brubaker, 1996: 23–54; 55–76). Brubaker's notion depicts national minorities as the key state- and nation-building issue, and assumes a degree of political mobilization on the part of these minorities. The latter assumption is problematic in itself, since there are many cases in the FSU where political mobilizations by minorities have been extremely weak. Nevertheless, the major weakness in this explanation is that it fails to address the often overarching influence of great powers or international organizations in the management of ethnic and regional conflicts (discussed below). Sometimes wider diasporas also may have a significant impact on the nation- and state-building process of a homeland state.

There are several elaborate taxonomies which attempt to classify ethnic conflicts and, if appropriate, the means of conflict-regulation employed in order to come to a finite set of strategies. The categories appear to be ever expanding. McGarry and O'Leary identified eight 'end or mend' strategies for the regulation of ethno-national differences (McGarry and O'Leary, 1993: 1–40).² Heraclides details as many as 50 (Heraclides, 1997: 495–8). A taxonomy or classification system does not explain, however, the causes of particular conflicts and why certain strategies are chosen in any given case at any given time. There is also a

tendency to employ vague correlations such as: 'the greater the discrimination – the more likely is organised action' (post-Soviet states offer several counter examples to this claim, for example, the Russian/Russophone-speaking minorities in Estonia, Latvia and Northern Kazakhstan) or 'the more strongly a person identifies with a group the more likely is action' (Gurr and Harff, 1994: 83–4). Both theory and evidence are still lagging behind political developments, for as Carment and James have stated: 'Agreement exists that some combination of economic, political and psychological factors can explain ethnic conflict. Consensus, however, ends at that point' (Carment and James, 1997: 2).

Studies by Horowitz, Rothchild, Nordlinger and others observe that elites may be motivated to play the ethnic card as part of their power-accumulating or profit-maximizing agenda.³ They also stress the importance of cross-cutting cleavages within supposedly united ethnic groups for the management of politicized ethnicity (Horowitz, 1985; Rothchild, 1981; Nordlinger, 1972). This emphasis may be theoretically sound, but in practice cross-cutting cleavages are less likely to generate the modified behaviour sought if a line of cleavage related to the national, ethnic or regional divisions is the dominant one. Similarly, Esman differentiates between ethnic conflicts that are characterized by *internal divisions* within groups (such as class, occupation, ideology, kinship-lineage), those that are driven by *stratification* between ethnic groups (a dominant versus subordinate relationship), and those that involve conflicts between *segmented* ethnic groups (essentially parallel power and status systems) (Esman, 1994: 20). Predicting the scale and intensity of ethnic mobilization seems to have no general rule. Elite-led rather than mass mobilization tends to moderate conflict potential, whereas mass ethnic mobilization may radicalize situations and act as a constraint on elites, limiting their policy and decisional calculus.

Inter-ethnic competition is widely seen as a trigger for conflict along ethnic or regional lines. This is a rather ambiguous term, however, and can involve perceptions related to elite and mass reactions to real or imagined discrimination, or threats to existing privileged status. While the arguments used in a particular ethnic conflict are nearly always couched within a discourse of identity, victimization and discrimination, the list of motivations is often much longer and more complex. The situational context and historical memories can determine which of the ethnic markers become most politically salient, but the key to the conflicts and also to conflict regulation is the rational and instrumental aspect of ethnicity. Ethnic conflict, then, is a political problem requiring a political solution within an institutional context. Formal institutions are critical, observed Horowitz, because they 'structure incentives for political

behaviour' (1985: 601). This point was reinforced by O'Leary who noted that 'the political regime within which national minorities operate, rather than their material or cultural grievances, may best explain their predispositions to be secessionists, federalists, or consociationalists' (O'Leary, 1997: 217). In post-Soviet states, where the content of identity is highly uncertain and under construction as part of the simultaneity dilemma of nation- and state-building and transition processes, institutional design for managing potential conflicts is even more necessary.

One solution to the dilemma of multi-ethnicity in a democratizing state is the de-ethnification of politics, that is, the removal of ethnicity from politics. This is a central pillar of liberal thinking on the political management of multi-ethnicity. Gellner, as we noted earlier, offered us two solutions from European history: assimilation and ethnic-cleansing. In a recent survey of democracy and nationalism Snyder dismissed the promotion of institutionalized power-sharing, and asymmetric federal arrangements in particular, as undermining of democracy (Snyder, 2000: 40). This seems to us to be a rather impracticable prescription for poly-ethnic states undergoing a regime transition. It is not simply the significance of the correlation with democratization indicated by Snyder that matters, but rather as Horowitz explains: '[T]imes of transition are often times of ethnic tension. When it looks as though the shape of the polity is being settled once and for all, apprehensions are likely to grow' (Horowitz, 1985: 190). Times of transition are also interludes of opportunity. A secessionist aspiration, for example, may be revived or invigorated by the preoccupation of the centre with the trials of transition, as the cases of Nagorno-Karabakh and Chechnya suggest.

Comparative experience indicates that policies of ethnic inclusion can be structured through consociational power-sharing or other accommodative institutional mechanisms (Lijphart, 1977). Kymlicka's propositions on multiculturalism offer a range of institutional responses for guaranteeing group-specific rights (Kymlicka, 1995).⁴ Incentives, whether distributive, structural or both, as a means of conflict-management, in particular the use of power-sharing consociational and multicultural institutional designs, have become a key issue for policy-makers and political scientists. Horowitz defined these elements as follows: 'Distributive policies aim to change the ethnic balance of economic opportunities and rewards. Structural techniques aim to change the political framework in which ethnic conflict occur.' (Horowitz, 1985: 596). Others argue that political accommodations may well be dependent on 'deliberate strategies of interethnic generosity' (Hislope, 1998: 140–41).

The debates on divided societies tend to focus on ethnic cleavages, although *per definitionem* the term 'divided societies' covers a whole

range of different cleavages which may vary in strength and political significance or cross-cut one another. A key question to ask is: what are the main politically significant or *salient* cleavages, and to what degree do they cause fragmentation? Do the different cleavages cross-cut and, therefore, counterbalance each other, or do they coincide in a mutually reinforcing manner and intensify political mobilization? How strong is the countervailing effect of an overarching identity or loyalty to the state? Following Lijphart, cross-cutting cleavages and overlapping membership in different groups are now widely regarded as the key mechanism for moderating political attitudes and actions and minimizing the ethnic factor in politics, which may be cemented through institutionalized political parties (Lijphart, 1977). As we observed above, the moderating effect of cross-cutting cleavages on ethno-political allegiances is subject to certain qualifications, for example the extent to which they cut across rather than coincide with each other, the differential intensity of the cleavages and the overall socio-economic context. Cross-cutting cleavages of an equal intensity can simply lead to the formation of antagonistic groups and a further segregation of society. Arguably, the kind of regionalized multi-ethnicity that exists in the FSU is such a variant of cross-cutting ethnic allegiances.

The most generally applied framework for explaining trends in territorial politics is the Lipset and Rokkan model of how cleavage structures are translated into voter alignments and party systems. Derived from their study of West European history, they distinguished between four types of cleavages: centre-periphery (cultural issues), state-church (ideological), land-industry (economic), worker-owner (class). Their argument that West European democratization evolved from a process whereby these cleavages were 'frozen' in a party system at the outset of the democratization process is not clearly relevant to the post-Soviet states where cleavages are less clear-cut and party systems are weak or non-existent (Lipset and Rokkan, 1967: 1-64). Although the Lipset-Rokkan model assumes rational actors, their historical account does not explain how elites mobilized cleavages for their own purposes and who these actors are. Their study, and Rokkan's other work on regions, is more concerned with elaborating structural variation than with explaining the political phenomenon of regionalism. For example, they say little of the nature of the resources at stake and the motivations and strategic choices made by the political and economic actors involved.

The Comparative Politics literature on regions resembles in many ways the literature on ethnic conflict in that it is driven by attempts to classify different types of regions, such as political, economic, administrative and cultural regions. As pointed out by Rokkan and Urwin

in their study on West European regionalism, peripheral politicization results from an incongruity between cultural, economic and political roles – an incongruity which has existed as long as there have been states. Despite the distinctions between different types of regions, scholars of regionalism such as Rokkan, Urwin and Keating tend to concentrate their analysis on regions in which the ethnic cleavage is the predominant one. Their studies of regionalism are dominated by cases of nationalism, such as Catalonia, the Basque Country and Scotland (Rokkan and Urwin, 1983; Keating, 1988; Keating, 1998). Thus, the literature on regionalism tends to conflate regionalism with nationalism within existing states. This trend is reflected in the literature on post-Soviet conflicts, where regional mobilization based on patterns of settlement and the economic policies of the Soviet era have often been subsumed under the generic label of ‘ethnic conflict’. Notwithstanding the inconsistencies in all of the above-mentioned approaches, their shared emphasis on elite mobilization concurs with a central fixture of transitology – the other school of important theories, approaches and models relevant to post-Soviet ethnic and regional conflicts.

ETHNICITY, ‘STATENESS’ AND DEMOCRATIZATION

Perhaps the most common feature of theories of nationalism, ethnic conflict regulation and transition to democracy is that they employ the same level of analysis. These key approaches take the nation-state as the main unit of analysis and, thereby, tend to limit their focus to central elites and institutions. Since national and democratic state-building are viewed as state-level processes, those factors which lie outside this level of analysis, such as regions, tend to be downplayed, if not excluded altogether. Drawing on liberal democratic theory, transitology assumes that ethnicity – or multi-ethnicity to be precise – is destabilizing, especially where there is a territorialization of difference. The ‘ethnification’ of transition politics is seen as an almost insoluble problem with ‘strong causes and weak cures’ (Offe, 1996: 50–81). A comparison with Central and Eastern Europe confirms the trend that democratization and transition in general have been most successful in those countries that are most homogeneous and have few or no serious ethnic cleavages, such as Hungary, Poland, the Czech Republic and Slovenia. It is not coincidental that these are states which ‘benefited’ most from the homogenizing ethnic and racial policies of Hitler, Stalin and Tito.

Transitologists emphasize in the first instance that the zero-condition for transitions is, as Rustow observed, ‘national unity’, by which he meant that the ‘overwhelming majority’ of the population concurs on national

identity (Rustow, 1970: 351). Multi-ethnicity, particularly when territorialized, is widely seen as an impediment to democracy builders. This pessimistic view originated with one of the founding fathers of liberalism, John Stuart Mill, who asserted that democracy in an ethnically diverse state was 'next to impossible' (Mill, 1861 [1974]: 389–90).⁵ Democracy is inherently incompatible with multinationality or poly-ethnicity, it is argued, precisely because the integrity of the state will be threatened by secession (Barry, 1989: 38). This pessimism has been imprinted on a generation of political scientists by Dahl who believed that in societies with high levels of 'sub-cultural pluralism': 'the price of polyarchy may be a breakup of the country. And the price of territorial unity may be a hegemonic regime' (Dahl, 1971: 121). Similarly, multi-ethnicity was rationalized by Rabushka and Shepsle as creating an inexorable logic for ethnic competition and 'outbidding' in plural societies leading to polarization, democratic breakdown and secession (Rabushka and Shepsle, 1972). A cornerstone of democratic theory today is Dahl's observation that: 'The criteria of the democratic process presuppose the rightfulness of the unit itself' (Dahl, 1989: 207). The logic is that states must assimilate or break up: 'If the community is so radically divided that a single citizenship is impossible, then its territory too must be divided' (Walzer, 1983: 62). Linz and Stepan have paraphrased this liberal tradition as the 'stateness' question, suggesting that agreements about 'stateness' are logically prior to the creation of democratic institutions and that democracy and the nation-state form complimentary logics. When post-communist states have been captured by a hegemonic ethnic group, Linz and Stepan argue, they are prone to exclusivist 'nationalizing' policies, rather than assimilation. Such policies may result in homogenization, but they are more likely to instigate and nurture inter-ethnic rivalries leading to conflicts which may obstruct democratization (Linz and Stepan, 1996). Given the multi-ethnic complexity of many post-Soviet states, the inherent pessimism of liberal democratic theory clearly does not bode well for the prospects of successful democratic state-building, and in some respects could be taken as an agenda for forced assimilation or mass expulsions. There is no question that the likelihood of a commitment problem will be greater among a territorialized ethnic minority in a newly democratizing state, and that this creates a voice or exit option in terms of secession-potential. Linz and Stepan single out two institutional means as having a stabilizing effect: consociationalism and 'electoral sequencing'. Consociationalism is a complex political system with a limited record of stabilizing ongoing conflicts (Lijphart, 1977; Horowitz, 1985; O'Leary and McGarry, 1993). Moreover, one of the inherent dilemmas of consociational solutions to ethnic conflicts is that

greater segmental autonomy may entrench undemocratic sub-national elites in power (Lustick, 1979). On the other hand, Linz and Stepan compare Spain, Yugoslavia and the USSR to claim that a state-level solution of better 'electoral sequencing', whereby the first democratic and legitimating 'founding elections' are conducted at the statewide level rather than at the regional or local level, may be an important factor in warding off ethno-political mobilization (Linz and Stepan, 1992).⁶

The second essential condition for transitologists is the importance of elite pacts at the central state level during transition (Rustow, 1970; Higley and Burton, 1989). For transitologists, the key decision for elites in a transition state is whether, as Linz put it, to make democracy 'the only game in town', while democracy itself is widely seen as being 'crafted' or built 'from scratch' (Di Palma, 1990; Fish, 1995 and 1999), and a contingent outcome of actor 'games' (Przeworski, 1992). Inter-ethnic issues or regional diversity in elite bargaining strategies simply do not figure in such analyses. Clearly, we need to take a broader account of the elite factor since how ethnic differences become conflictual or are accommodated largely depends not only on how elites interact during transition but also *which* ones. If as part of the overall post-Soviet constitution-making process an elite pact is inter-ethnic and links centre and periphery, it is reasonable to assume that it is more likely that there will be a strategy of accommodation, whether in the maximalist form of a power-sharing agreement or some form of institutionalized autonomy, or a more minimalist partial elite cooption. Conversely, we can assume that the absence or weakness of an ethnic or regional dimension to the elite pact is likely to inflate the potential for a destabilizing political mobilization along these cleavage lines.

Third, transitology attaches great significance to basic constitutional engineering during a transition and, in particular, emphasizes their stabilizing or destabilizing properties, depending on whether a state opts for a presidential, mixed or parliamentary system. Linz has nurtured the perception that the compromises born of parliamentarism create a better environment for a politically stable democratic transition. In contrast, presidentialism has certain 'perils' that should make it the least preferred institutional option for democracy-builders, the main dangers being that it tends to polarize society, engender authoritarian temptations, foster the personalization of power and retard institutional development. Moreover, the rigidity of presidential terms, it is argued, tends to make such systems less flexible in managing political crises, giving them a predisposition to fall into all-out regime crisis in emergencies. Most transitologists accept that presidential systems are the 'least conducive' to stable democracy in transition states (Linz, 1990 and 1994). A more refined version of this

thesis holds that it is the 'presidential-premier' system that is most unstable of all (Shugart and Carey, 1992), and that is precisely the institutional configuration that predominates in the FSU (Shugart, 1996).

Linz's thesis is patently derived from transition experiences in the ethnically homogenous states of Latin America, and, therefore, of questionable validity in poly-ethnic conflictual societies. Following this line of argument, Horowitz used a case study of Nigeria to demonstrate that instability in ethnically divided societies results more from the use of a Westminster-type plurality electoral system, rather than presidentialism *per se*, which can in practice be an institutional unifier and guarantor of inter-ethnic peace. For Horowitz, Linz had drawn an 'unfounded dichotomy' between presidential and parliamentary systems 'divorced from the electoral and other governmental institutions in which they operate' (Horowitz, 1990). Horowitz offers a strong critique but his solution is still rather narrowly defined, focusing specifically on how the configuration of the electoral system for presidents can be a useful device for managing territorial and ethnic challenges if it maximizes accommodation by promoting inclusion rather than exclusion in divided societies. It leaves open the question of whether a presidential or parliamentary system is the most effective form of constitutional engineering in an ethnically divided society.

The state-centred analytical focus of transitology exercises a levelling effect on diverse state institutional legacies and structures, and also deflects analysis from the interaction between state and sub-state dimensions in shaping transition outcomes. Furthermore, the analysis of conflicts over institutional designs in transition is concentrated on two inter-related dimensions: the choice between presidentialism or parliamentarism, and the engineering of electoral and party systems. By such a narrow focus, transition theorists have neglected the other key dimensions highlighted by the Horowitz critique, namely, the role of other governmental institutions. In recent work, Stepan has admitted the failure of transitology to address the role of state institutions in the management of multi-ethnicity, arguing that federalism can be a key stabilizing device in multi-ethnic states undergoing democratization (Stepan, 1999). In practice, then, the capacity of a new regime to manage ethnic and territorial challenges during a transition will be largely determined by the extent to which a state has a homogenous or heterogeneous society, how it is constitutionally equipped, whether the state is unitary or federal in its structure, and whether a consensus can be forged among elites and key groups to accept the designs.

12 ETHNICITY AND TERRITORY IN THE FORMER SOVIET UNION
THE INTERNATIONAL DIMENSION IN POST-SOVIET CONFLICTS

The study of the international relations dimension of ethnic and regional conflicts has now moved beyond the realist assumption of the state as the sole actor in the international arena, and the focus of attention has switched mainly to the role of supra-national organizations or inter-regional blocs and networks. Only very recently has this discipline begun to incorporate ethnic groups as one of the range of possible non-state actors. Concurrently, the study of ethnic conflict and conflict-regulation has begun to place more emphasis on the internationalization of conflict. States and international organizations outside the conflict zone, however, are still mainly seen normatively as 'mediators' and 'arbiters' promoting or imposing a settlement, rather than pursuing self-interest. In this respect, it is a serious flaw in transitology that it has systematically neglected the role of the international dimension. The studies by Whitehead and Schmitter of the international dimension of democratization have given us some basic analytical tools, such as 'control', 'contagion', 'consent' and 'conditionality' (Whitehead, 1996: 3–25; Schmitter, 1996). We can re-appropriate these tools for the post-Soviet context and evaluate them in terms of templates for centralizing or regionalizing tendencies, demonstration effects, and incentives for conflict-management. Often they are tied to bilateral inter-state dependencies or membership in international organizations, such as the Council of Europe and the EU. Whitehead's and Schmitter's studies, however, offer us a narrow conception of the 'international dimension' by limiting it to the impact of Western democracies on transition countries.

Post-Soviet conflicts are a significant contribution to the 30 or so wars, most of them internal, that were ongoing globally by the mid-1990s. Whether the Cold War was a condenser of certain types of conflicts, literally taking the steam out of them, is debatable. For most analysts, the Cold War led to a stabilized Soviet hegemony over Eastern Europe as part of the international system that allowed it to consolidate a strong control regime that insulated it against ethnopolitical movements. Certainly, we can say that the Cold War had no such effect in Western Europe where prolonged nationalist conflicts occurred in Northern Ireland and the Basque Country. By the end of the Cold War many analysts were deprived of one of their most widely employed labels of convenience for national and ethnic conflicts: the ideological conflict between East and West. From around 1990–91 the causes of conflicts in most parts of the world underwent a redefinition. The disintegration of the Soviet Union and, in particular, Yugoslavia (FRY) realized the worst possible scenario for potential post-communist conflicts. For the first time since the Second

World War, waves of genocidal massacres and mass population expulsions occurred in Europe. This caused many analysts to view the rise of ethnic and regional conflicts in Eastern Europe and the FSU as the continuation of a global trend for such conflicts to move from the developing to the developed world, rather than being a *sui generis* regional phenomenon specific to the post-communist countries (Gurr and Harff, 1994: 13).

Of the 300 or so politically active ethnic and religious groups in the twentieth century Gurr singles out the European ethnic warfare of the early 1990s as the culmination of a long-term trend that began in the 1950s and reached its peak shortly after the end of the Cold War (Gurr, 2000: 53). According to Gurr, 'initiations' of 'ethnopolitical' protests and 'rebellions' in the FSU peaked in 1992 (Gurr, 1996). Following Gurr, Rubin has argued that the lack of new 'initiations' of conflict since 1992 equates to a 'stabilization of the post-Soviet space' (sic) which is accounted for by three factors: state-building, Russian influence and processes of internationalization (Rubin, 1998: 166–8). Post-crisis stability is important to recognize, but it should not deflect us from understanding the nature of the conflicts and the nature of the stability, as conflicts may simply be frozen. A focus on the absence of new occurrences of conflict in the FSU does not explain why the conflicts arose and what mechanisms are used in conflict management and resolution. In fact Gurr and Rubin, like most analysts, subsume a wide range of different types of post-Soviet conflict, whether political, economic, or social, religious and regional under the generic label 'ethnic conflict', thus creating a ubiquitous negative association with state-building in the successor states (Walker, 1996: 3).

The politicization of ethnicity and mobilization for conflict that followed the collapse of the FSU has also added weight to the argument that the late twentieth century saw a fundamental shift in the nature of conflicts away from *inter-state* conflicts within the international order to *intra-state* conflicts (Carment and James, 1997: 2). By the mid-1990s while we see a return to the policy of non-recognition of secession in the international order (Kosovo and East Timor excepted), we also see a shift towards a much more interventionist approach by a plethora of international organizations and multilateral organizations (UN, OSCE, NATO, EU, PACE) in the domestic affairs of 'sovereign' states which is primarily geared to managing the increase in intra-state conflict. This new interventionism is justified partly by the ideology of 'global governance' and partly by the political rhetoric of 'ethical foreign policy' among certain Western governments. The weakening of Russia as a Great Power has also created space for rival powers to expand their influence in post-

Soviet states, from the NATO/EU double enlargement eastward, to the increasing role of the USA, Turkey, Iran and Afghanistan in the South Caucasus and Central Asia. The international influences on regional and ethnic conflicts in the FSU are clearly significant and yet the interaction between the external and internal dimensions of these conflicts is poorly theorized and explained.

We extend the concept of international dimension to include not only the relationship between external and internal dynamics of conflicts, but also the interdependencies between the post-Soviet states and the impact they have on each other. In the FSU the issue of interdependence reverberates in both the links between regional and ethnic conflicts across the FSU and the way in which violent conflicts – in particular those of Nagorno-Karabakh, Abkhazia and Chechnya – and attempts at conflict-management, as in Crimea and Tatarstan, have shaped the perceptions of the elites and masses throughout the post-Soviet states. The involvement of the OSCE in all of the violent and some of the potential conflicts in the FSU provided an additional linkage between individual cases and decision-makers in conflict regions throughout the post-Soviet space. In fact, the OSCE initiatives also assume the comparability of post-Soviet conflict dynamics and promote a common bundle of resolution strategies. OSCE involvement has raised elite and public awareness of the causes of conflicts, the role of external agents and the feasibility of the institutional solutions recommended by the OSCE.

Horowitz's study of post-colonial Africa described how the international dimension of secessionist movements can lead to 'reciprocal secessionism'. Sequences of separatism in one state can have a demonstration effect that propels separatism into action elsewhere where it did not previously exist (Horowitz, 1985: 279–81). This could be a model for explaining the demonstration and contagion effects of post-Soviet conflicts within the former Soviet space. Carment and James define the central issue as 'the conduct of states external to a conflict and the implications of internal changes (most notably democratization) for outside intervention' (Carment and James, 1997: 3). This is a useful initial template for understanding the foreign policies of Russia and the West, in particular the USA, in post-Soviet conflicts, though it sidelines the vital economic interests that are often at stake. The role of transnational linkages between ethnic groups and their diasporas can sometimes be as salient a factor as the impact of international factors on ethnic and regional conflict in general (Carment and James, 1997: 254). What is still missing from these approaches is the impact that transition countries have on each other. In fact, we argue that the interdependent nature of post-communist transitions and post-Soviet conflicts is a sufficiently distinguishing feature to make them a specific type of conflict category.

SECESSION AND RECOGNITION

If the main goal of nationalist movements is to establish an independent nation-state, then nationalist secessionism is the most extreme challenge to the territorial integrity of an existing state. Secession may also, of course, aim to (re-)unify with another state that is seen as an ethnic kin-state or nationalist 'homeland' state. Secession, consequently, is a claim that is generally legitimated by the act of 'national' self-determination. The most basic characteristic of secession is that it is a political act perpetrated against an existing state and ultimately reshapes, however marginally, the existing international order. In this sense, it is essentially an international act, as it depends critically on recognition which is itself determined by the international climate of prevailing interests and norms. Secession may result in the international recognition or partial recognition of a new state, or in non-recognition but *de facto* independence. The right to self-determination today is almost universally applauded in theory, but is highly circumscribed in international practice. The principle of national self-determination was imbued with a qualified moral status in international relations after the First World War by the Wilsonian principles of 'government by consent' for certain national groups in Europe.⁷ The First World War marked a shift to nationalism as the major mobilizing political force in the international political system and, as a consequence, and in a hitherto unprecedented way, the Great Powers acted collectively to manage nationalism over a huge territorial expanse in Central and Eastern Europe through the vaguely defined and selectively enforced Wilsonian principles of self-determination. In the process new nation-states were manufactured where none had previously existed, as in Czechoslovakia and Yugoslavia. Great Power intervention, arbitration and 'hegemonic control' also followed the defeat of Germany in 1945, when Europe was carved up into spheres of influence at Yalta. In a crude attempt at homogenization the Great Powers presided over the forced mass transfers of ethnic populations, mainly Germans, while in the Soviet Union there were mass deportations of Chechens, Crimean Tatars and other 'suspect' ethnic groups.

The principle of self determination was extended to non-Europeans by the universalist claims of the UN Charter of 1945, where Articles 1(2) and 55 enshrined the 'principle' (not the 'right') of 'self determination of peoples'. Adopted just as the era of decolonization was accelerating, Chapters XI and XII of the charter stipulated that colonial powers should promote 'self-government' of 'territories', not ethnic groups, thus reaffirming the norm for colonial administrative demarcations to become the basis for new states (Halperin *et al.*, 1992: 20). The shift from

principle to enforceable right in international law came in 1976 with the entry into force of two international covenants agreed in 1966: the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social, and Cultural Rights. The first article of both covenants declared, 'All peoples have the right of self-determination'. The binding legal effect, however, was accompanied by a number of ambiguities, most importantly over defining 'peoples', which created conceptual incoherence (Lapidoth, 1997:19–23)

Historically, the 'morality' of secession has rarely been an uncontested claim (Buchanan, 1991). Although strictly limited and geographically confined in practice, in the Twentieth Century there were three concentrated periods of self-determination, all of which fell after periods of extreme chaos in the international order: after the First and Second World Wars, and after the Cold War. It is the latter period which we may characterize as the era of 'post-communist self-determination'. The stability of borders was the guiding logic of the CSCE balance of power in Europe established at Helsinki in 1975. Consequently, the key pillars of international norms in Europe during the height of the Cold War were, first, the inviolability of recognized state borders, and second, the demarcation of zones where states had conditional sovereignty dependent upon the interests of Superpowers and Great Powers. The greatest tests for the principle of self-determination came after the Second World War in the post-colonial new states in Africa and Asia. Decolonization embedded the doctrine of *uti possidetis juris* in the creation and maintenance of new states, which held that the established colonial status quo with respect to borders was to be preserved at all costs, and any unilateral redrawing of the boundaries of states by secession was to be strongly discouraged (Shaw, 1996). Exceptionally, disputed territories were given an indeterminate status. Until the war in Kosovo these territories were overwhelmingly outside Europe, or on its periphery.⁸

The recognition of secession in international practice falls into five principal categories (Kingsbury, 1992: 487):

- (1) Mandated territories, trust territories, and territories created as non-self governing units under Chapter XI of the UN Charter;
- (2) Distinct political-geographical entities subject to *carence de souverainete* (the only possible example being Bangladesh);
- (3) Territories in respect of which self-determination is applied by the mutual agreement of the parties involved;
- (4) Highest level constituent units of a federal state which has been, or is in the process of being, dissolved by agreement among all (or at least most) of the constituent units. The precedent for the practice

of *uti posseditis* was set by the decolonization of Latin America, when the internal colonial boundaries of the Spanish empire became, by mutual consent, the international boundaries of the successor states (though they were subsequently reconfigured by war). This precedent was generally followed in the decolonization of Africa and Asia after 1945. In advising on the secessions from FRY the Badinter Judicial Commission for the EU in late 1991 and early 1992 recognized this principle as a 'pre-emptive' element of customary international law when empires or federal states dissolve. We should note, however, that the EU itself did not follow the Badinter recommendations on recognizing secessions but was driven by Germany-led unilateral recognitions (Kumar, 1997: 49–50; Woodward, 1995: 199–222);

(5) Formerly independent territories that are joined to another state which reassert their independence with at least the tacit consent of the established state, especially where incorporation into the other state was illegal or of dubious legality. The problem with the latter category, of course, is that the international order can tolerate illegal occupations over the long term, as the cases of East Timor and Northern Cyprus demonstrate.

During the collapse of the Soviet Union Western international practice on the recognition of secession lacked a consistent rationale. As we observed at the outset, most of the violent and potential post-Soviet conflicts have involved secession. Until late 1991 Western states, in particular the EC and USA, adopted a policy of extreme caution and non-recognition in their foreign policy reasoning on secession in the Soviet Union.⁹ This policy of caution was overturned dramatically in the second half of 1991 in FRY, leading to, as noted above, unilateral recognition of the secession of Slovenia by Germany in December 1991. Claims of sovereign independent statehood by many of the USSR's constituent union republics went unrecognized until the August Coup of 1991 and the physical disintegration of Soviet governance structures. In contrast, a good case can be made that the EC recognition of Slovenia prompted the disintegration of FRY (Woodward, 1995). The conflicts that arose from the collapse of the USSR became hinged on the two conflicting principles: recognition of state territorial integrity versus self-determination. In fact, post-communist state- and nation-building has been informed by a conceptual delusion that is a *sine qua non* for recognition in the international system – the idea of the nation-state – despite the fact that the homogenous 'nation-state', as envisaged by liberal democratic theory, is to a large degree fictional. Only very few states fit this ideal type. Most

states have to continuously engage in the accommodation of ethnic or regional diversity within their boundaries. Many states have had learning curves that lasted decades, if not centuries, to manage competing ethnic and regional claims by regionalization, autonomization, and other forms of self-government, including some West European states, such as Spain, Italy, and the United Kingdom.

The *de facto* collapse of the Soviet Union in late 1991 led Western states to follow the *uti possidetis* doctrine established in previous decolonizations. In practice, the right to recognition as a new 'state' was tied to the highest level of administration immediately below the state. In the FSU, as in many of the cases of decolonization in Africa and Asia, *uti possidetis* legitimated an artificial pattern of state territoriality which had been defined by the colonizing power. Such administrative demarcations were often arbitrary, and generally deliberately designed irrespective of ethnic and other cleavages. While Leninist and Stalinist 'planned' bounding of ethnicity in the Soviet Union was not characterized by the kind of colonial 'scramble' for territory that occurred in Africa, its outcome was often just as crude, creating administrative units without regard to history, ethnicity or geography. In the East European communist federations it was the constituent union republic administrative entities that gained recognition as new states in the period 1991–92. The new 'successor states' were soon confronted with similar secessionist demands from within their own boundaries, as a kind of nested doll 'matryoshka' nationalism kept shifting the challenge inwards and downwards to the sub-state level. Whether secessionist governments were democratically mandated or not, in the interests of international order Western states froze the recognition process and no new secessions were recognized apart from the 15 union republics of the former USSR.¹⁰

This policy of recognition by Western states was justified by the need to maintain stability in the post-Soviet space and conformed with previous international norms. In the collapse of the USSR the rationale for accepting the union republics as incubators for new states is questionable. Leaving aside the obvious issue of the 'administrative' nature of most union republic boundaries, and the generally 'titular' nature of their ethnic definition, let us concentrate on the 'legal' reasoning (which was also applied to FRY). Recognition of union republics was based on their right of secession under the Soviet constitution, most lately that of 1977. Accordingly, only the union republics were founding constituent 'members' of the USSR. Thus, they were the only administrative tier that approximated to 'states-in-the-making'. This ignores key developments in the USSR federal system in the late perestroika period. Gorbachev supposedly once claimed that '*perestroika ne perekroika*' (reconstruction

is not a restitching). What he meant by this was that his reforms did not entail a reassembly of the ethno-territorial patchwork of the USSR. In fact, this was precisely the policy that he drifted into during 1989–90. The groundwork for the refederalization of the USSR was laid by Gorbachev's new treaty-based (*dogovornyi*) constitutional arrangement for power-sharing between the federal centre in Moscow and the constituent units of the federation. A generous interpretation is that his goal was to renegotiate with the union republics the Union Treaty of 1922 on which the USSR was founded (Hough: 1997, 379). A crucial landmark in his policy, however, was the 'Law on the Division of Powers between the USSR and the Subjects of the Federation' passed by the USSR Congress of People's Deputies on 26 April 1990 which radically altered the federal arrangement of the Soviet Union. Previous to this law the principal constitutional distinction between union republic and autonomous republic was that the former was technically 'sovereign' and had the right to secede whereas the latter did not. The new law eradicated this distinction and treated both types of federal unit as 'subjects of the federation'. By equalizing the status of union republics and autonomous republics, and making both equally subordinate to the federal government, Gorbachev may have hoped to deter secessionism by the union republics and strengthen his leverage on them to negotiate a new Union Treaty. Gorbachev had introduced an institutional mechanism for the mutually assured destruction of the territorial fabric of the Soviet Union. Once this law was passed, a secessionist union republic exercising its constitutional right to 'sovereignty' and secession (though there was no clearly defined legal means of so doing) could be faced by similar secessionist demands from an autonomous republic (if it contained one).

There can be little doubt that the law, which coincided with the creation of a more powerful Soviet presidency, was a manoeuvre by Gorbachev aimed at the one union republic that was in the vanguard of the moves to decentralize the Soviet Union – Boris Yeltsin's Russian government – which contained the largest number of autonomous republics.¹¹ After the passage of this law, the language of 'delimiting powers', 'power-sharing', 'sovereignty' and 'secession' became the common currency of the political discourse over refederalization, whether of the Soviet Union, Russia, or other union republics with autonomous units or territorialized minorities. This new federal arrangement was reiterated in the New Union Treaty of June 1991, though its passage into law was pre-empted by the failed August 1991 coup. The concepts embodied in the new Gorbachevian federalism strengthened the claims of secessionists across the Soviet Union, from Crimea to Nagorno-Karabakh and Abkhazia, and in Tatarstan and Bashkortostan in Russia.

Gorbachev's tactic backfired badly, for rather than bringing Yeltsin and the other leaders of union republics to heel, it incited them to intensify the 'war of sovereignties' against the centre. In the course of 1990–91 Yeltsin mobilized Russian nationalism and accelerated Russia's disassociation from the USSR, in the process turning Gorbachev's April 1990 law on its head by appealing to Russia's ethnic republics to 'take as much sovereignty as you can stomach' during a visit to the Tatarstan capital, Kazan, in August 1990. This was a message that horrified nationalist leaders in other union republics with autonomous units, who feared an empowerment of the federal structures and favoured nationalizing state-building projects. Given this context of extreme instability and a rapidly weakening central authority, it is not surprising that once protected minorities which enjoyed a measure of institutionalized self-government in the Soviet system feared the resurgent nationalism of titular groups in the union republics. It was this clash between two radically different concepts of state-building in a multi-ethnic environment, federalization versus nationalizing state, that sparked many of the post-Soviet conflicts.

STATE-BUILDING AND 'SUBVERSIVE' INSTITUTIONS

Logically, we should begin our analysis of post-Soviet conflicts and non-conflicts with those institutions for managing ethnicity and regional issues which were already in place when the USSR collapsed. While Soviet federalism was little more than a sham, the ethno-territorial institutional edifice provided the basis for political mobilization once the Communist Party's monopoly of power and will for coercion disintegrated. Bunce, following Brubaker's earlier account, has argued from a neo-institutionalist perspective that the collapse of communist federations into ethnic conflicts is indicative of the 'subversive' nature of their institutionalization of territorialized identities (Brubaker, 1996; Bunce, 1999). By focussing on how ethnic identities were constructed and territorialized in communist federations, how potential conflicts were controlled and mediated by communist parties, state and other institutions, and how the discourses of nationalism were directed and controlled, Brubaker and Bunce identify four main underlying elements in the rise of conflict:

- (1) the arbitrary drawing of boundaries and redistribution of territory and resources over time;
- (2) patterns of communist-era population settlement and 'settler colonialism' by the hegemonic population (Russian-speaking settlers, mainly Slavs);

- (3) problems arising from the territorial rehabilitation of displaced peoples and back-migration;
- (4) problems arising from institutionalized multinationality.

When the overarching supranational political entity – the Soviet Union – disintegrated, the default mechanism and starting-point for reconstructing elites and political identities, according to Brubaker and Bunce, was the inherent, if hollowed out, institutional autonomization. The disempowered formal ethno-territorial institutions of the Soviet system were empowered by a sudden transfer of elites and political capital from the collapsing Communist Party during the breakdown phase of communism. Since the ethno-federal institutional structure was one of the key interlocking mechanisms for integrating national and sub-national level politics (the other being the CPSU), what was the fate of these institutional legacies of the Soviet era once the state-building projects of the successor states began?

Post-Soviet states have been confronted with the immediacy and simultaneity of two contradictory challenges: they are engaged in a process of nation- and state-building and consolidating the new central 'national' authority, while concurrently grappling with challenges to the centre posed by 'sub-national' ethnic or regional political mobilization and demands for autonomy or secession. Moreover, due to the nature of the post-communist transition process, where state assets are being redistributed and appropriated by elites through pseudo 'privatization' schemes, the political and economic incentives involved in the struggle for power are immense. Such conditions significantly raise the stakes in conflict potential. Issues of self-determination and autonomy may be raised instrumentally by territorialized elites as a response to the central state being captured by a rival elite network or networks. There may be a substantive 'ethnic' content to inter-elite or mass struggles, or this element may be instrumentally employed in conflicts as part of a mobilizing strategy. Consequently, it is important to consider how ethnic and regional conflicts may also be part of a struggle between elites to 'short-circuit' transition processes, to forestall change, and to re-impose authoritarian rule under the guise of 'limited democratization' (Walker, 1996: 11).

Since the collapse of the Soviet Union in the late 1980s, there have been eight violent ethnic and regional conflicts in the FSU and eight significant potential conflicts that have not erupted into violence (see list of Post-Soviet Conflicts). We define conflicts here by their sustained violent nature, as opposed to sporadic episodes of rioting.

With the sole exception of the civil war in Tajikistan, the post-Soviet cases of violent conflict have involved attempted secession. Additionally,

there have been cases of potential conflicts that have not degenerated into violence, though on the whole these cases have involved either demands for greater autonomy short of secession, and thus more readily negotiable, or the imposition of a strong control regime. Consequently, understanding why potential conflicts do not occur, in our view, is as important as explaining those that do lead to violence since they offer alternative strategies for the management of conflict potential.

Existing academic studies of post-Soviet conflicts generally fall into three main categories of explanation. First, there is a rather disparate body of descriptive studies of ethnic and regional conflicts, which while being empirically rich lacks a broader engagement with comparative theory (Forsberg, 1995; Drobizheva, 1996; Arbatov, 1998). Second, there is by now a vast literature on post-Soviet nation-building which rests on the assumption that ethnicity and, in particular, the question of the Russian diaspora scattered across the FSU are the key factors in post-Soviet conflicts (Szporluk, 1994; Kolsto, 1995; Melvin, 1995; Chinn and Kaiser, 1996; Bremmer and Taras, 1997; Laitin, 1998; Smith *et al.*, 1998). Third, there are those studies which are informed by theory, whether theories of nationalism and ethnic conflict regulation, or theories of democratic transition, or more rarely a combination of the three (Brubaker, 1996; Linz and Stepan, 1996; Bunce, 1999).

Previous studies of post-Soviet conflicts have not, in our view, established the appropriate balance between comparison and generalization on the one hand, and rigorous empirical study on the other. Van Evera, for example, emphasizes the role of weak states in the link between nationalism and war using a 'danger scale' that expresses the likelihood of nationalism turning violent on the basis of three types of factors: structural (arising from the geographic and demographic arrangement of a nation), political-environmental (arising from the past or present conduct of a people's neighbours) and perceptual (arising from the nationalist movement's self-image and images of others). He concludes that Eastern Europe and the FSU are danger zones characterized by a rising tide of nationalism and violence, yet offers little empirical evidence to ground his hypothesis (Van Evera, 1994: 34). Similarly, surveying the obvious in several centuries of state-building, Snyder views the dynamics of the historical process of democratization as the main cause of ethnic conflict (Snyder, 2000).¹² In a sketch of post-communist conflicts, he surmises that they are a product of Soviet-era ethno-federalism and regional autonomy, without any elaboration of this point (Snyder, 2000: 40). Comparative studies are sometimes characterized by a lack of regional knowledge which gives rise to serious factual errors. A recent article by Carment and James, for example, confuses the Soviet Union and

Russia, stating: 'Antagonisms within Russia proper – i.e. Tatarstan, North and South Ossetia, Donbass and the Crimea and the Trans-Dniester region – are ongoing' (Carment and James, 2000: 190).

One of the few studies that draws on the three literatures discussed above is that of Roeder (1999: 854–84). Roeder's argument about post-communist state- and nation-building reiterates the doubts inherent in liberal-democratic theory about the sustainability of democracy in ethnically divided societies and about the efficacy of institutional mechanisms for managing ethnicity. Roeder criticizes the promotion of power-sharing as aggravating the ethnification of politics through a polarization of preferences, which ultimately undermines the consensus for democracy. Power-sharing institutions are considered less important for conflict management than demographic and cultural factors. One of these key factors is a quantifiable dimension – the size of the ethnic minority relative to the core nation; the other, however, is an unquantifiable one – the cultural distance between the core nation and the minority (Roeder, 1999: 873–76). Cultural proximity, however, is no panacea for national or ethnic tensions, as the uneasy relations between Russia and Ukraine demonstrate. Most importantly, Roeder's argument appears to be shaped by the notion of 'democracy from scratch'. This neglects the fact that an institutional architecture, and in many cases a multi-ethnic society, were already *in situ* when the USSR collapsed and successor states began their state-building projects, and it dismisses the capacity of institutions *per se* to be an effective means of democratic conflict-resolution. In contrast, our approach emphasizes the critical role of institutions both for the initiation of conflict and for how states may stabilize, manage or even prevent conflict. Roeder assumes that most successor states have experienced conflicts amidst democratization. If this were so, then his conclusion, that a stable democracy cannot triumph in countries that have not solved their 'nation-ness problems', would be valid. For most post-Soviet states, however, a focus on the question of the 'survival of democracy' is premature and tells us little, if anything, about state-building and conflict-management in states that are very much unconsolidated democracies, and with many being strongly authoritarian and sultanistic in character.

It is crucial to remember that we are dealing with new states which suffered a severe debilitation of their institutional capacity as a result of Gorbachev's disastrous mismanagement of reform, the collapse of the USSR, and the strains of transition. By 1991 many of the successor states were in a steadily accelerating spiral into anarchy. In such conditions, how was the Soviet institutional legacy decommissioned, and to what extent and with what effects was it re-engineered or re-tooled to manage issues

of autonomy and centralization? What was the relationship between the handling of the institutional legacy and the descent into conflict and anarchy? These are some of the questions that will be explored in the case studies to follow. Our aim is to distinguish better between causal factors and contributing background conditions by focussing on the role of institutions. If we can identify better the institutional issues at the root of many of the post-Soviet conflicts, then the relative importance of the structural and contingent factors can be reassessed. In particular, we may find that supposedly 'ethnic' conflicts are, in fact, more complex and driven not only by ethnicized political issues but also socio-economic, regional, external and other issues.

The contributors to this volume offer a variety of different analyses and interpretations of post-Soviet conflicts, but collectively they pivot their case studies on four key sets of questions: (1) what are the causes of post-Soviet conflicts, and how unique or comparable are these conflicts when measured against the explanations suggested by comparative politics theory?; (2) to what extent are the post-Soviet conflicts ethnic or regional in nature, and what do they tell us about the ethnic and regional dimensions of post-Soviet transition?; (3) what is the relationship between conflict-management or conflict-prevention and the wider challenge of post-communist institutional engineering, given that some conflicts appear to be intractable while others have been resolved or stabilized?; and (4) how does the interaction between domestic and international factors shape the dynamics of post-Soviet ethnic and regional conflicts?

The above questions capture important aspects of the broad use of the terms 'institution' and 'institutionalization' central to our comparative analysis: the formal and informal nature of institutions, the dynamics between the institutional framework and those operating within it, the question of institutional design, institutional hierarchies and the implications of institutional change – whether the de-institutionalization of Soviet legacies occurred by 'nationalizing' and state-building successor states, and the mode of their reassembly, or their revamping into a new form. Our approach to ethnic and regional conflicts in the FSU is, consequently, informed by a focus on the key role of institutions. In particular, we are concerned as a group with the use of formal and informal institutionalized autonomy as a key device for the management of regional and ethnic challenges, since the political dynamics generated by the granting, denial, withdrawal or prospect of attaining of autonomy appears to underpin many post-Soviet conflicts. Autonomy is increasingly viewed, both internationally and by many of the key actors in post-Soviet conflicts, as the key to conflict resolution. It comes, however, at a price for the parties to conflicts, by diluting or even derailing nationalizing projects

and by constraining secessionism. This is why its realization is so problematic.

What kind of institutions are we concerned with? The predominant behaviouralist school in political science was challenged in the 1980s by a renewed emphasis on the role of institutions – broadly defined – and their central role for mediation and aggregation between structural factors on the one hand and individuals and interest groups on the other hand. Institutions raise issues of inclusion and exclusion, of representation, mediation, efficiency and transaction costs. The economic historian Douglass North, in an attempt to integrate institutional analysis, economics and economic history, defined institutions as ‘any form of constraint that human beings devise to shape human interaction’ (North, 1990: 4). Importantly, his general definition includes both ‘formal constraints – such as rules that human beings devise – and informal constraints – such as conventions and codes of behaviour’. Another useful definition of ‘institution’, focusing on the political process, has been suggested by O’Donnell: ‘Institutions are regularized patterns of interaction that are known, practiced, and regularly accepted (if not normatively approved) by social agents who expect to continue interacting under the rules and norms formally or informally embodied in those patterns. ...Some political institutions are formal organizations belonging to the constitutional network of a polyarchy... Others, such as fair elections, have an intermittent organizational embodiment but are no less indispensable.’ According to O’Donnell, institutions are key elements in the political process because they perform a range of vital functions: they incorporate and exclude, they shape the probability of distribution of outcomes, they aggregate the action and organization of agents, induce patterns of representation, stabilize agents/representatives and their expectations, and they lengthen the time-horizon of actors (O’Donnell, 1996: 96–8). According to these definitions, autonomy can be both a formal or informal institution, that is, fixed by constitutional or legal rules or an informal practice, thus incorporating both *de jure* and *de facto* notions of autonomy. Furthermore, our emphasis on institutions includes both formal rules of the game and the actors involved in playing the game. Institutions, consequently, in addition to structuring the incentives also act as constraints on behaviour.

The contributions to the volume can be broadly divided into case studies where conflicts did not occur because of strategies of accommodation and case studies of conflicts which arose for a variety of historical and contingent reasons. Institutional mechanisms, most importantly different kinds of asymmetric federalism and autonomy arrangements, have emerged as the single most important strategy of regional conflict-prevention and inter-ethnic and regional accommodation

in the FSU. If we understand this as embracing formal and informal institutional mechanisms, then our task is to explain why in some places elites reached a settlement on a new institutional architecture for power-sharing through peaceful negotiation and other cases ended in violent conflict.

Crimea is, perhaps, the case of a conflict that did not occur *par excellence*. Gwendolyn Sasse traces the process of integration of Crimea into post-Soviet Ukraine as one of the key tests of its state- and nation-building. She observes that the Russian secessionist movement that mobilized in Crimea in the early 1990s was not simply a response to perceived Ukrainian nationalizing policies in Kyiv and in the region, but also was impelled by the economic concerns of the regional elite. As Crimea was one of the most 'Sovietized' regions in the whole of the former USSR both in terms of popular attitudes and economic structure (it was heavily dependent on Soviet tourism and MIC industries), Crimea was severely affected by the economic crisis of the early transition years. As Sasse explains, Ukraine's ethnic and linguistic bifurcation between Ukrainophones and Russophones is extremely fuzzy. More importantly, Ukraine is a 'regional state' composed of distinct regions which have never before been united within one independent state. Consequently, the 'new' Ukraine has had to face several territorial challenges from its 'new' regions, rather than clear-cut ethnic challenges, since gaining independence in 1991. Transcarpathia, the Donbas region and, above all, Crimea emerged as potential conflict areas in the immediate aftermath of the Soviet collapse. In fact, fears of forced Ukrainization and economic decline did not result in significant ethno-political mobilization in Transcarpathia, the Donbas and other East Ukrainian regions. Only in Crimea, where there were complex historical, multi-ethnic, linguistic, socio-economic and international factors at play, was there a serious ethno-regional challenge to Ukrainian state-building. Sasse demonstrates how the Crimean challenge was defused by a constitution-making process which locked national and regional elites into the same bargaining arena from 1990 to 1998 and resulted in a special autonomy status for Crimea in the Ukrainian constitution. Moreover, the process of resolving the Crimean issue fostered a more generic civic definition of the Ukrainian state, though it detracted from progress on economic reform.

Another example of a constitutionally embedded accommodation strategy is analysed by Steven Roper who compares the different policies pursued by the Moldovan government in managing the demands of Transnistria and Gagauzia. The Gagauz, a territorially concentrated Turkish-speaking Christian people, declared an independent republic in 1989, but Moldova did not perceive it as a threat to its territorial integrity

and embarked on a negotiation process to accommodate it within the new state. The Gagauz were not only highly Russified and Sovietized, but also largely agricultural and economically dependent on Moldova – factors which appear to have eased the accommodation. The result was a limited but constitutionalized autonomy arrangement agreed in 1995. In contrast, although similar factors prevailed in Transdnistria, which is the Russified, Sovietized and highly industrialized eastern part of the country on the River Dnistr bordering Ukraine, an accommodation proved impossible to negotiate. In this case, the overwhelmingly Russophone regional population felt threatened by the nationalizing policies pursued by Moldova's post-independence governments, in particular the privileging of the Romanian language. It was feared that the promotion of Romanian would be a first step towards unification with Romania. While the linguistic concerns of the ethnic Russian and Sovietized population of Transdnistria were a salient factor behind the outbreak of conflict, inter-elite centre-periphery economic competition was also a significant factor. The Transdnistrian regional elite favoured *de facto* secession in order to resist any political and economic takeover by rival Moldovan elites based in the capital Chisinau. As Roper explains, the Transdnistria conflict had a crippling effect on Moldova's transition politics, forcing the resignation of the government in 1994 and causing a serious neglect of socio-economic issues. Consequently, the early parliamentary elections of 1994 saw a shift in Moldova's emerging party system away from ethno-political mobilization to politics based on more pragmatic and cross-cutting socio-economic issues and cleavages. This culminated in the return of former communists to power in the 2001 elections. The shift away from ethno-nationalism has assisted the move to an accommodation of Transdnistrian separatism on the Moldovan side, but this has been met by an impenetrable radicalization on the Transdnistrian side that has so far prevented a resolution of the conflict.

Accommodation strategies may also be parallel or co-constitutional arrangements. The asymmetric federalism of the bilateral treaties between the Russian Federation and Tatarstan and Bashkortostan are examples of this type. The chapter by James Hughes shows how developments within the Russian Federation set a precedent for preserving and empowering the asymmetric federal institutional arrangements inherited from the Soviet Union. When confronted by secessionist movements, the Russian Federation experimented with extra-constitutional power-sharing bilateral treaties to defuse conflicts, most notably with Tatarstan and Bashkortostan in 1994. A crucial role in the institutional accommodation of separatism in Russia was played by the emergence of a strong presidential patrimonial system under Boris Yeltsin. Thus, in Russia formal and

informal institutional processes of elite bargaining and accommodation were intertwined, at least during the initial period in the immediate aftermath of the Soviet collapse. It was precisely, however, this interconnection of informal rules, institutional flexibility and the personalization of the bargaining process that prevented an accommodation of what proved to be Russia's most serious secessionist challenge, Chechnya, due to irreconcilable personal animosities between Yeltsin and Chechen leader Dzhokhar Dudaev. The bloody military conflict in 1994–96, leading to the Russian defeat and forced withdrawal from Chechnya, was a national humiliation for Russia that intensified inter-ethnic hatred and made politically stable relations between Russian and Chechnya a near impossibility. Russia's launch of a second war in the autumn of 1999 was, in essence, an instrumentalization of the conflict with Chechnya to bolster Putin's domestic popularity and chances of succession in the run-up to the post-Yeltsin regime alternance. The protracted, bitter and bloody nature of the conflict in Chechnya has radicalized positions on both sides and makes a political solution along the lines of the Tatarstan model remote in the immediate future.

Constitutional referents are fundamental to the conflicts in Georgia. Monica Duffy Toft maps the historical background to the conflicts, tracing them to the foundation years of the Soviet Union. In the 1920s Abkhazia was a Soviet SSR alongside Georgia before being downgraded to a subordinate ASSR in 1935 under Stalin. Similarly, attempts to unite North and South Ossetia after the Bolshevik revolution failed and South Ossetia became an Autonomous Oblast' within Georgia in 1922. The democratization reforms of Gorbachev led to renewed claims for constitutional changes which culminated in 1989–90 during the war of sovereignties between the USSR government and the union republics. The contagion effect of separatism by the union republics was strongly felt in particular in those union republics with territorialized autonomous units, such as Russia and Georgia. The conflicts in Abkhazia and South Ossetia were exacerbated by the concerns of national minorities at the rise of Georgian nationalism and the nationalizing policies pursued by Georgia's nationalist president Zviad Gamzakhurdia and continued by his successor Eduard Shevardnadze. South Ossetia and Abkhazia followed the 'parade of sovereignties' initiated by Yeltsin and the autonomous republics of Russia from summer 1990, declaring themselves 'Soviet republics'. South Ossetia demanded reunification with its northern part in Russia, while the Abkhaz wanted built-in institutional and electoral guarantees against domination from the ethnic Georgian majority in Abkhazia. The wave of separatism provoked a backlash from the nationalist dominated Georgian parliament which voted to unilaterally abolish South Ossetia's autonomy

status in December 1990. The conflict in Abkhazia was sparked later when Shevardnadze sent a military force into the republic in August 1992. In contrast, the territorial challenge from Ajaria came from a group who defined themselves as 'Georgians with a different religion'. Ajaria's authoritarian leader, Aslan Abashidze, built close patrimonial ties with the controlling networks at the political centre in Georgia, and successfully negotiated a *modus vivendi* and *de facto* greater autonomy by not questioning the Georgian state- and nation-building process. Such demands were much more easily accommodated within a nationalizing Georgian state than those of Abkhazia and South Ossetia, though Ajaria's autonomy status was not constitutionally entrenched.¹³

Soviet history also resonates in another Caucasian conflict, as Razmik Panossian demonstrates in his study of Nagorno-Karabakh. This conflict has its roots in the politics of Soviet boundary-making in the 1920s and 1930s, which gave the Karabakh Armenians the status of an ASSR within Azerbaijan in 1923 and failed to unite them with their Armenian homeland in subsequent bouts of boundary redrawing. This settlement was potentially explosive given the historical ethnic and religious enmity between Turks and Armenians, but was successfully constrained by the Soviet control regime. The Artsakh (the Armenian name for Karabakh) secessionist movement of 1988 was one of the first ethno-political mobilizations to emerge from Gorbachev's liberalization and led to the imposition of direct rule by the Soviet government in 1989. All-out military conflict erupted after the end of the Soviet Union in 1991 and continued to 1994. The initial drive for secession originated within the region itself and while the Soviet Union still existed, and in fact before the democratizing aspects of perestroika were fully implemented. One of the distinctive features of the Nagorno-Karabakh conflict, compared with those in other parts of the FSU, is that it was not triggered by the post-Soviet nationalizing policies of a hegemonic ethnic group, the so-called 'titular nationality' of a union republic. The Artsakh secessionist movement was an internally produced nationalist irredentism that quickly rallied mass popular support from Armenia *proprie* and its influential diaspora in North America. In the case of Nagorno-Karabakh the de-institutionalization of Soviet administrative structures came from below, rather than from above from an Azerbaijani nationalizing state. In fact, Armenian secessionism intensified a reactive nationalist mobilization within Azerbaijan.

Kyrgyzstan, Kazakhstan and Uzbekistan offer additional evidence for the impact of type of regime on the management of conflict potential. As Neil Melvin demonstrates, Central Asia has emerged as a distinct sub-set of post-Soviet states, characterized by quasi-dynastic authoritarianism and a preference for informal rules and patrimonialism arrangements. These

regimes have, in effect, re-affirmed the control regime of the Soviet era in the management of regional, ethnic and religious diversity, but some have had more success than others. The main trends in state- and nation-building are for centralization and coercion. In Kyrgyzstan, ethnic clashes involving the Uzbek population in the south of the country had already erupted prior to the breakdown of the USSR in the Osh region in 1990. In the period following independence Kyrgyzstan was regarded as the 'democratic island' in Central Asia. During the public debate on how to develop its democracy in the early 1990s the idea of a federation or confederation of the north and the south of the country was raised. President Askar Akaev's rise, however, symbolized the victory of the north over the more Sovietized south, and led to a steady erosion of the nascent democracy in preference for centralized authoritarianism. In Kazakhstan, the early post-Soviet years of 1991–95 were characterized by the containment of a potential ethno-regional challenge from the Russophone north of Kazakhstan by a twin strategy of control, by suppression of Russophone political movements and Kazakhization of administration and security, and the accommodation of Russophone elites by cooption, particularly in the economy. President Nursultan Nazarbaev's authoritarian rule took a gradualist approach to 'nationalizing policies'. In 1995 he implemented a significant territorial restructuring to disaggregate the Russophone northern regions and further centralize control. The lack of mobilization in the north demonstrates the fragmented nature of the Russian community and its 'Sovietness' rather than ethnic Russian identity. Consequently, the preferred option for Russians became 'exit' by emigration to the Russian Federation and not 'voice' in a steadily repressive and neo-traditional Kazakhized regime. Uzbekistan is another control regime, where the inherited regional networks of the Soviet era have been reconfigured by the centralizing rule of President Islam Karimov. For example, the Autonomous Republic of Karakalpakstan, inherited from the Soviet era, continues to exist under the post-Soviet constitution of Uzbekistan. Despite the socio-economic and environmental catastrophe caused in the region by the erosion of the Aral Sea, Karakalpakstan is strictly subordinated by the repressive control regime of Karimov. The violent inter-ethnic clashes in the Ferghana Valley from 1989 demonstrate the importance of territorial disputes among the three states that intersect it (Uzbekistan, Kyrgyzstan and Kazakhstan). Home to a highly intermingled multi-ethnic population, the valley has seen the emergence of a vibrant Islamic mobilization which is largely the product of extreme socio-economic deprivation and demographic problems. Melvin's perspective demonstrates the potential fragility of the highly centralized presidential regimes of the region over managing the complex issues in the Ferghana Valley, which is widely recognized to be

one of the prospective flashpoints for violent conflict in the FSU.

To strengthen the comparative aspect of our study the analysis of ethnic and regional conflicts is not tied exclusively to emerging post-Soviet democracies, or to formal institutional trends, but aims to be as inclusive as possible by incorporating authoritarian and quasi-dynastic regimes in Central Asia and the Caucasus. In the latter cases, informal institutional devices are more evident in the management of multi-ethnicity through informal cooption and reward structures, though this is not to overlook the fact that patrimonial relations are a strong inherited feature in the politics of the whole FSU. While elite and mass ethnic and regional grievances over historical and contingent factors may be closely intertwined in both rhetoric and actual practice, the case studies which follow aim to clarify the relative balance of significance between these elements and the role of institutions in order to identify the primary factors of causation and the driving forces behind the range of post-Soviet conflicts.

ACKNOWLEDGEMENTS

The authors gratefully acknowledge the comments on earlier drafts of this paper of their fellow contributors at the panels on Ethnic Conflict in the FSU at the Political Studies Association annual conference, LSE, April 1999, of their colleagues Brendan O'Leary, Dominic Lieven and Jennifer Jackson-Preece, and of the participants at the ECPR Joint Sessions workshop on Political Transformation in the Soviet Successor States, Grenoble, April 2001.

NOTES

1. A recent article on conflicts in the Caucasus in *The Economist* illustrates this stereotyping very well. A hotchpotch of misreporting of facts and the roles of external actors, such as Russia, USA or Europe, in stabilizing the region, it presents a crude table of the stereotypical characteristics of the parties to the various conflicts. See 'The Caucasus: Where Worlds Collide', *The Economist*, 19 August 2000, pp.19–23.
2. They distinguish between eight different forms of macro-political conflict-regulation in two categories: *Methods for eliminating differences* (genocide, forced mass-population transfers, partition and/or secession [self-determination], integration and/or assimilation), and *Methods for managing differences* (hegemonic control, arbitration [third-party intervention], cantonization and/or federalization, consociationalism or power-sharing).
3. This instrumental interpretation of ethnicity is informed by rational choice theories. There is an expanding literature on ethnicity and rational choice, but for the purposes of this volume the mere acknowledgement that pragmatic choices can underpin ethno-political mobilization will suffice.
4. These are: (1) self-government rights, e.g. devolution of power, federalization, balance between centralization and decentralization; (2) poly-ethnic rights, e.g. the permission to express cultural particularities without fear of discrimination or prejudice; and (3) special representation rights, e.g. a certain number of seats in the legislature reserved for a specific group.
5. Mill's full observation was: 'Free institutions are next to impossible in a country made up of different nationalities. Among a people without fellow-feeling, especially if they read and speak different languages, the united public opinion, necessary to the working of representative government, cannot exist.'

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6. Their argument is that the temporal sequence of founding elections is crucial for state cohesion: 'If in multi-national polities the first elections are regional, ...there will be strong incentives for political contestation to focus on antistate ethnic issues.'
7. Wilson's own Secretary of State, Robert Lansing, insisted that the principle should be applied to 'certain races' only. In creating new states, the Great Powers at Versailles neither respected ethnic self-determination considerations in Europe (as the cases of Germany and Hungary all too clearly demonstrated) or in Germany's colonies, nor indeed in their own domains (Halperin *et al.*, 16–19).
8. Conflicts leading to indeterminate status for territories include those between Israel and Palestine and neighbouring Arab states, India and Pakistan over Kashmir, Greece and Turkey over Northern Cyprus, Taiwan, and Northern Ireland.
9. Most infamously in the 'Chicken Kiev' speech of US President George Bush on 1 August 1991, when he told Ukrainian leaders that 'Freedom is not the same as independence', *New York Times*, 2 August 1991.
10. It remains to be seen how the latest test case for this policy of recognition, Kosovo, will be resolved, but as of April 2001 the territory is militarily occupied by a NATO and Russian force and has an indeterminate status.
11. This appears to be common in state break-ups: the centre argues that peripheries within the secessionist unit should also have the right of secession. Examples include the promotion by UK elites of the 'Ulster Question' leading to the partition of Ireland in 1921, and the Canadian federalists' encouragement of Inuit claims in Quebec.
12. Snyder describes the link between democratization and conflict as follows: 'As more people begin to play a larger role in politics, ethnic conflict within a country becomes more likely, as does international aggression justified by national ideas' (p.27). He also includes the prospects of incomplete democratization: 'Democratization gives rise to nationalism because it serves the interests of powerful groups within the nation who seek to harness popular energies to the tasks of war and economic development without surrendering real political authority to the average citizen' (p.36).
13. Article 1 of the Georgian Constitution of 1995 specifically claims sovereignty over the 'Autonomous Soviet Socialist Republic of Abkhazia, and the former Autonomous District of South Ossetia', but it does not mention the Autonomous Region of Ajaria. Other articles such as 4, 55, 67, 89, treat Ajaria as having the same or similar status as Abkhazia. See: <http://www.parliament.ge/GOVERNANCE>.

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