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Building Boundaries: The Sources of Nagorno Karabakh's De Facto Statehood

https://www.e-ir.info/2019/03/11/building-boundaries-the-sources-of-nagorno-karabakhs-de-facto-statehood/

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The claims over Nagorno Karabakh (NK), alongside the multiple independency demands in the neighbourhood, have been shaping the relationship between the Transcaucasian states. The question of the political horizon of the region is infused in the broad debate that arises with the end of the Soviet Union, a political collapse that allowed the demands once repressed by the Soviet supranational identity to emerge. Despite the multiplicity of analysis that tries to picture the dynamics of the conflict as a battle between Armenia and Azerbaijan, this paper aims to explain the variety of forces that operate *within* Nagorno Karabakh's enclave – especially the ones related to Nation-Building and State-Making processes.

For that purpose, the remarkable writings of Anthony D. Smith on nationalism, national identity and ethnicity, alongside the rich contributions of the literature on the dynamics of the post-soviet space, may help us to perceive the centrifugal and centripetal forces that keep this rivalry unfrozen. After considering how Karabakh Armenians perceive their status as state and nation, the great challenge of this work is to comprehend whether such claims are enough for the potential recognition of the international community – the ultimate goal of the enclave.

Nagorno Karabakh's Conflict: A Brief Contextualisation

The complexity of the mismatch between *ethnos* and territory in the Caucasus is not an occurrence of the 21st century. In the history of the region, ethnic and religious differences sought to be supplanted by the establishment of administrative units that included Armenians, Azerbaijanis and Georgians – as the example of the Transcaucasia Federation shows us. When the political union proved unsustainable, the Transcaucasian nations sought to consolidate themselves as independent states, initiating a process of territorial demarcation which soon became contested. In this context, the conflicts between Armenia and Azerbaijan, that had already fought over the enclave before their integration as Union Republics of USSR, would escalate substantially during the soviet rule. The turning point of the dispute emerges in 1923, when Nagorno Karabakh was declared an Autonomous Oblast under Azerbaijani rule. Despite the formal arrangements that supported the administrative autonomy of the region, it is noticeable that NK's rights constituted a mere formal statute, since Baku continued to play an assertive role in its internal affairs (Geukjian, 2012).

The Azerbaijani discriminatory policies towards Karabakh Armenians would constitute a critical feature of NK's claims for secession. The ethnic characteristics of the enclave were constantly threatened by the titular nation, especially through the banishment of Armenian history and references in schools and media. The highest positions in society would also be given to Azerbaijani natives, and the preferential treatment was clear not only in the spheres of public life, but also in the national constitution. The threat to culture was added to a strong Azeri policy of migration, which was intended to compensate the dominance of Armenians in the region by an equal number of Azerbaijani inhabitants. On the economic ground, it was not uncommon that the villages populated by distinct ethnic groups were abandoned and deprived from projects and investments (Geukjian, 2012).

The concerns raised by the hostile behaviour of Baku authorities were translated, several times, into claims to unite with Armenia. The most serious of these demands would occur in 1988, when it was hoped that the new Soviet policy

of *glasnost* would facilitate unification. After an intense impasse between Armenia and Azerbaijan over the relocation of the enclave to its ethnic patron state, the Politburo decided that the status quo would be maintained in order to avoid changes in the design of the Soviet borders and the provision of a precedent for the numerous separatist conflicts. However, the revolutionary language of the demand for irredentism would enunciate a new period of violent clashes (De Waal, 2003: 13-15).

The history of successive military confrontation between Armenians and Azerbaijanis, whose apex took place in the context of the wave of independency claims of Union Republics in 1992, resulted in the absolute isolation between the two ethnic groups. In that year, the Armenians would erupt against the Azerbaijani villages in the Karabakh region, with massive killing and the expulsion of the other ethnic group – an episode known as the Khojali massacre (De Waal, 2003: 169-172). After intense human losses and displacement during the war days, the enclave of Nagorno Karabakh turned out to be a mono-ethnic society, constituted exclusively by Armenians (Simão, 2010). Despite the ceasefire signed in 1994, the absence of a direct confrontation does not mean that peace was established. The actions of the OSCE and the Minsk Group seek to dismantle the environment of totalising demands and distrust, although the proposals for the political future of the region – which emphasise the respect for the territorial integrity of Azerbaijan – appear to be insufficient to provide a closure for its final status (Geukjian, 2012).

A Nation Within Azerbaijan's Territory

According to Anthony Smith, the so-called "nation-state" is the only type of political unity permitted and required in the modern world. By that meaningful term, we assume that a nation-state is the scenario of compatibility between the boundaries of a state's territory and those of the homogeneous ethnic group that inhabits it (Smith, 1986: 228-229). Surprisingly, that type of congruence is the exception – not the rule – between modern international entities, the enclave of Nagorno Karabakh being one among many examples of a mismatch between a nation and a state. In order to understand how this imbalance has shaped NK's political claims, one must analyse the way in which those categories – the nation and the state – have been developing in that region. Our first effort, then, is to identify the roots of Karabakh Armenians' national identity.

At the core of nationalism theories is the idea that myths of kinship, symbols and historical narratives are crucial to the genesis of any nation. Following Smith's argument that a nation needs to be built and strengthened by social mobilisation, it is noticeable that the ideological dimension of a community is what gives meaning and purpose to the nation-building processes and what contributes to the sense of national cohesion (Smith, 1986). In this case study, it is interesting to notice that both Armenia and Azerbaijan have developed their own narratives of ethnogenesis in Transcaucasia, relating those myths intrinsically with Nagorno Karabakh's territory (S. O'Lear and R. Whiting, 2008).

Armenia's narrative of its ethnic past, which varies between a theory of the migration of the Arimi-Urumeans' group to the current Armenian mountains and a theory that considers Armenians themselves as aborigines, may be regarded as an attempt to prove that its ethnic presence in the region preceded the Azerbaijani appearance in the enclave. Contrary to the emphasis on the ancient Armenian character of Nagorno Karabakh, Azerbaijani nationalists argue that, though they were not the oldest group in Transcaucasia, the N-K region has been part of its nation-building process and all of its state formations. It is clear that Armenia constructed its perceptions of N-K under the idea that its ethnicity must be protected from external threats, whereas Azerbaijan, as a recent formation, emphasises the integrity of its state's territory. From the perspective of O'Lear and Whiting (2008), the actors involved in the dispute have territorialised the region in mutually exclusive constructs, shaping and promoting these collective memories as a means to legitimise their control of that territory (Geukjian, 2012).

By invoking those historical ethnic cores and myths about the enclave, both states confirm that N-K possesses a fundamental feature for the construction of a nation: this community is seen as 'having a past and a future, a history and a destiny, which is independent of individual aspirations' (Smith, 1976: 244). That sense of a glorious past and the expectation for the revival of what the Armenians consider to be the "golden age" of its ethnic group would be absorbed into the nationalist claims of Karabakh's*intelligentsia* in order to strengthen the community's sense of an authentic identity and to empower its demands for autonomy (Geukjian, 2012).

The development of nationalism among Karabakh Armenians, however, was fostered not only by the revival of those ethnic myths, but also by the way in which the Soviet Union dealt with the range of nationalities that constituted the former soviet space. According to Rogers Brubaker (1994), the accommodation of the diverse ethnic groups occurred through 'institutionalized multinationality', which means that the soviet state not merely tolerated national heterogeneity, but decided, simultaneously, to codify and transform it into a fundamental social category, a decisive and obligatory feature of an individual's status. In that sense, Brubaker argues that ethnicity could be expressed through passports, personal documents and was transmitted by descent, even if a person's place of residence was not correspondent to their national homeland. It is important to emphasise, however, that nationalism was promoted insofar as it didn't challenge the dominance of the soviet regime (Brubaker, 1994: 49-63).

Furthermore, the USSR nationalities policies would be translated into a specific type of territorial organisation: ethnoterritorial federalism. By territorialising nationhood, the Former Soviet Union (FSU) divided its space into a multiplicity of national territories, establishing different levels of autonomy for each of those entities (Brubaker, 1994: 52). Within that nationhood hierarchy, the major ethnic groups coextensive with an external border were given the status of a Union Republic, an entity that possessed the highest level of autonomy when compared to the Autonomous Republics and Autonomous Provinces (Hill, 1992: 104). The formal arrangements of autonomous *oblasts*, the status that characterised Nagorno Karabakh during the soviet rule, though undoubtedly limited by the titular nation's jurisdiction, gave the enclave some institutional basis for questioning the actions taken by the metropolitan state (Lynch, 2004: 24).

The concession of autonomy based on ethnies would thus create the means and the foundation through which those national territories could claim secession. From Svante E. Cornell's (2002) perspective, one of the outcomes of the ethnofederalist solution in the soviet space was the provision of *willing* and *capacity* of action for ethnic minorities. This might be explained by the fact that the autonomous regions possess some key institutional and political features that allow them to demand sovereignty (Cornell, 2002: 252-253). As Geukjian points out, rather than constituting a solution for the national heterogeneity in the FSU, the institutionalisation of ethnic identity proved to be problematic for Nagorno Karabakh since its ethnic borders did not match its political boundaries. In other words, Armenian Karabakh's find themselves on the wrong side of an ethnic border under Azerbaijani rule. Hence, the soviet institutional legacy would offer the basis for the instrumentalisation of identity and for the translation of grievances into political and territorial claims (Geukjian, 2012: 83).

From Cornell's (2002) perspective, the development of statelike institutions is one of the main reasons why autonomous regions tend to possess the capacity to act and claim secession from its metropolitan state. The actions taken by local governments and parliaments increase the minority's sense of political legitimacy, which is reinforced by the establishment of bureaucratic procedures, language laws and decision-making structures. Our next effort, thus, is to perceive how the metaphor of the Nagorno Karabakh's nation dialogues with the community's perception of its statehood.

State-building and D*e Facto* Statehood

The nation-building process can't be isolated from the dynamics of state-building, since state and society are intrinsically correlated (Lemay-Hébert, 2009: 28). Although the emergence of state structures in Nagorno-Karabakh can't be compared with those of early modern Europe, it might be interesting to perceive how its statehood, though unrecognised by the international community, has been developing in consonance with the strengthening of its social cohesion. Considering the specific nature of its political apparatus, the *institutional* approach of state-building, which focuses on the state's administrative capacities to provide services, seems to be insufficient to comprehend N-K's phenomenon. Even though the control over borders, the provision of goods and security and the level of economic development are undoubtedly essential features of a strong state (Lemay-Hébert, 2009), they are not the fundamental basis of NKR claims over its status as a sovereign entity. In order to fill the limitations of the institutional analysis, the *legitimacy* approach seems to be a relevant perspective for this case study.

As Berg and Mölder (2012) point out, the devastation caused by the conflicts in the South Caucasus has limited the ability of secessionist governments to provide the economic and the social conditions for its communities in

satisfactory levels. Despite the variety of problems faced by those leaders, they are able to make their political authority rightful in the perception of the population and, furthermore, to translate vigorous claims for self-determination into internal legitimacy (Berg and Mölder, 2012: 529). It becomes clear that the perception of Karabakh Armenians over the state constitutes not merely a question of the efficiency of its governmental institutions, but rather a question of its capacity to *command loyalty* (Holsti, 1996 apud Lemay-Hébert, 2009: 8) in the face of an external threat: Azerbaijan.

Having incorporated the legitimacy element in the state-building analysis, it is also important to comprehend how institutional features have been operating in the dynamics of those processes. Being recognised as a sovereign state by the international community has been the ultimate goal of secessionist entities such as Nagorno Karabakh: the sovereign status not only constitutes a nominal change, but a material one. In that sense, Peg Scott argues that the interest in recognition not only relies on the identity question, but also on the desire of joining international organisations and their aid and loan programs (Scott, 1998: 5-6). Since the self-determination claims prove to be insufficient for external recognition, the region is faced with the challenge of fulfilling liberal democratic principles and establishing a regime in consonance with the Western model (Panossian, 2010: 148).

A keystone in the liberal doctrine is that the process of institutional building must be democratic. In that sense, direct and fair elections, open media and a vibrant civil society constitute some of the main requirements for a regime to be considered a democracy. In the case of Nagorno-Karabakh, it is notable that a substantial commitment to the development of political institutions has been consolidated. Since the secessionist referendum and the sequent declaration of the independent Republic of Karabakh in 1992, three parliamentary and two presidential elections were held. The last of those processes have been considered competitive, free and fair, constituted of a plurality of party organisations and programs – though the claims for independency prevail in all of them (Panossian, 2010: 148-150). Despite the functioning regime and the public appreciation of democracy, the N-K political scenario is also marked by the complex question of displaced persons, by the unwillingness to accept critics towards authorities and by the existence of martial law, which poses serious limitations to the democratisation process (Berg and Mölder, 2012).

The territorial defense and control is likewise a key element of the state-building process. It is perceptible that Nagorno-Karabakh has been controlling not only all the territory claimed by the republic, but also strategic regions of the surrounding Azerbaijani areas. Since the external threat is the great challenge imposed on the territory, it is not surprising that the N-K's army is the most developed military institution in the South Caucasus – especially because its army is integrated with the Armenian regular forces. Unlike the permeable borders of other *de facto* states in the region, such as the limits between Abkhazia and South Ossetia, the ceasefire line of Nagorno-Karabakh is well defined and fortified (Panossian, 2001).

The performance of the regime in terms of provision of economic and social conditions is a complex issue: on one hand, the non-recognition status limits the employment of international evaluators of its socio-economic situation and wealth distribution; on the other, the evaluation of the population, embedded with ideological perceptions, may not reflect the real circumstances of the enclave. It is known, however, that the damages of the long-lasting war were significant: the social costs of the ethnic Armenian victory over the territory can be perceived through the high rates of unemployment and problematic housing conditions. The government's economic policy in the post-war period would prove to be insufficient for N-K's reconstruction, being the patron state and the Armenian diaspora the main actors involved in the post-conflict efforts of rebuilding the enclave's infrastructure (Berg and Mölder, 2012: 539-541). It becomes clear that the paradox involving legitimacy and capacity is one of the main challenges in N-K's political horizon. In the words of Razmik Panossian (2001), the mismatch between the formal institutions, such as ministries and parliaments, and the informal practices, expressed though power struggles, censorship and quasi-authoritarian behavior, imposes a serious barrier to recognition.

Conclusions

It is undeniable that significant advances in the process of nation-building and state-making have been made in the N-K enclave. Regarding the nation-building process, it is notable that the construction of a narrative about the fate of

the Armenians as an ethnic group and its uniqueness vis-à-vis Azerbaijan provided a fundamental instrument in mobilizing the population to demand irredentism and, in recent years, separatism. With regard to the state-building process, it is noticeable that the Soviet past promoted the means by which the region could claim autonomy, since the national question was institutionally tied to a territory by the Politburo. It is also noticeable that such developments are supported by the Armenian population – inside and outside the region. Despite the economic and social deficits in Nagorno-Karabakh, ensuring security against an external threat remains the fundamental logic behind the state and nation formation.

The legitimacy within the borders of NK, however, contrasts with the legality of its demands, which have been refuted since the Soviet period. Although the principle of self-determination is one of the pillars of international relations, the idea of the inviolability of the territorial integrity of states continues to be a major doctrine in international politics. Even though the efforts of Nagorno-Karabakh to fit the international norms and standards of behaviour are visible – such as the establishment of a democratic regime – it is not clear whether these efforts might be translated into a satisfactory final status.

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Written at: University of Coimbra
Written for: States and Conflicts in the Post-Soviet Space
Date written: December 2017