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SEPARATION AS A SOLUTION TO ETHNIC CONFLICTS:
THE CASE OF NAGORNO-KARABAKH
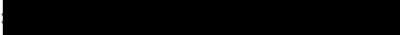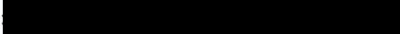By

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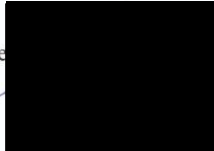Date   :   2 February 2011

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Thanks go also to my family and friends for their support and patience.

This thesis is dedicated to the people of Nagorno-Karabakh, who have suffered a great deal during their long history and who have expressed time and again their strong commitment to freedom and democracy.

To the people of Nagorno-Karabakh

Separation as a Solution to Ethnic Conflicts:
The Case of Nagorno-Karabakh

Hovig Hraj Wannis

Abstract

Ethnic conflicts have attracted the attention of scholars and diplomats in the last few decades. Many theorists have come up with cogent and complex institutional engineering schemes - such as federalism, confederalism, consociationalism and others - as solutions capable of bringing peaceful ends to these conflicts. A vast array of these schemes has been considered for the Nagorno-Karabakh peace process, which has continued for more than fifteen years now. Yet, the conflict remains unresolved. Despite the continuous failures to reach an agreement on one of these schemes, secession has remained "off the table."

Nagorno-Karabakh, the mostly Armenian-populated autonomous region landlocked in the former Soviet Republic of Azerbaijan, was one of the first regions to exploit the pledges of Mikhail Gorbachev's perestroika and glasnost, and to voice its demand for unification with its neighbouring Armenia. This struggle, which quickly turned into violent confrontation, is analyzed in this thesis with the aim of demonstrating the undeniable virtues of secessions in resolving ethnic conflicts.

This study examines the legitimate claims of secessionist scholars to offer secession a fair and equal chance similar to the other schemes as a mean to resolve the ethnic conflict in Nagorno-Karabakh. The question investigated here is whether or not secession offers a viable solution for the Nagorno-Karabakh conflict and potentially for other ethnic conflicts as well.

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Chapter One

Introduction

The fall of the Berlin Wall signalled the end of the Cold War between the world's two super powers: the United States and the Soviet Union. After decades of conflict and instability the world anxiously prepared itself for the promised universal peace. However, just as leaders, commanders, and theoreticians of the 'free' world announced the end of the Cold War, another kind of war was beginning to tarnish the victory celebrations.

From the second half of the last century ethnic conflicts demonstrated their persistence and complexity. With the fall of the Soviet Union the Pandora box of ethnic conflicts was set wide open and the intensity and recurrence of these conflicts preoccupied the agendas of policymakers and theoreticians alike. From Bosnia and Croatia to Rwanda and Albania the world observed nervously as thousands were murdered, massacred, displaced and dehumanized. The tide of ethnic conflict did not rise so quickly and so high anywhere than in the former Soviet Union republics where decades of oppression had veiled the existing ethnic divisions. Nagorno-Karabakh, South Ossetia, Transdniestria, Tajikistan, Daghestan, Abkhazia, and Chechnya all ethnic minorities in their respective mother states fought bloody wars in hope of attaining some type of 'self-determination.' This study will focus on the ethnic conflict in Nagorno-Karabakh. It will examine the utility of partitioning and secessionist theories as successful solutions for this conflict.

The Nagorno-Karabakh conflict contains many intriguing and interesting elements. Disputed historical narratives, ancient hatreds, conflict and wars, occupation, peaceful coexistence, lengthy mediation efforts and transforming external situations are just some of

the features of this conflict. This case may be studied as a model of international conflict and could produce many lessons for other similar conflicts.

The bloody war involving the Armenians of the region and the Azerbaijani army during the last days of the Soviet Union, after the collapse of the USSR, embroiled the nascent Armenian State as well. The Armenians argued that their right to self-determination was protected by international law, while the Azerbaijanis confirmed that the territorial integrity of their State was unquestionable. This complex dispute set off a long lasting conflict which claimed the lives of thousands, turned thousands of people homeless and created a huge refugees' problem. The Armenian-Azerbaijani armed conflict ended in May, 1994. However, the eighteen years long negotiations between Azerbaijan and Armenia have failed to bring the two sides any closer to a comprehensive deal.

1.1 Research Questions and Relevance of the Study

The diverse literature on ethnic conflict and conflict resolution has singled out different solutions to specific ethnic conflicts. Many scholars have even had the boldness to propose generalizations from these theories and have indulged in empirical research and case studies to prove their point. However secession and/or separation have never been one of those popular enterprises. Only recently, and largely due to the work of few dedicated scholars, have secessions and the separation of populations been presented as possible solutions to complex ethnic conflicts. The central question of this study will be why and how partitioning the SSR of Azerbaijan, or in other words granting Nagorno-Karabakh the right to secede, is the only viable solution to the Nagorno-Karabakh conflict. Furthermore, the research singles out the conditions that the process of secession should satisfy and the special circumstances which are found in the Nagorno-Karabakh case which make the success of this solution highly possible and even desirable.

This research contributes to both the International Relations literature and studies on Nagorno-Karabakh case. International Relations is a field dominated by conflict and conflict resolution studies reflecting the general state of affairs in the world. This thesis, delving into the ethnic conflict literature, exploring the field of partitioning theories, examining some of the criticism against secessionist arguments, and above all arguing that partition could be a viable solution for the Nagorno-Karabakh problem, will contribute to the literature on ethnic conflict and secessionist theories, helping to add some much needed value to the yet implausible theory of secession. On the second level, the level of the Nagorno-Karabakh problem, this research should add to the ethnic conflict literature on Nagorno-Karabakh with the aim of offering a realistic approach to bringing the problem closer to a solution.

This thesis also tackles few controversial and complicated questions. The key question throughout the study will be whether or not secession is the best solution for the Nagorno-Karabakh problem. The study will also contribute to answering several other relevant concerns, such as where and when can secession be considered the best answer to ethnic conflict? Is secession a last resort, does it really save human lives? Does it trigger or result in instability and disorder in the future?

These questions are important for both their theoretical and policy-making implications. Ethnic conflict and conflict resolution techniques and efforts have occupied politicians, leaders, international organizations and academics. The search for a peaceful world and regular relations between nations and states is definitely as important as any other issue in political science and in politics in general. Consequently, questions such as whether or not secession as a technique could be successful in solving a certain ethnic conflict is not only of great academic relevance but also might lay the basis, if successful, for a new kind of world order, where ethnic self-determination could become one of its essential pillars.

1.2 Methodology

The research method applied in this study is the case study model, where the Nagorno-Karabakh problem will be discussed and analyzed as an example of a protracted ethnic conflict. As mentioned above, the Nagorno-Karabakh conflict contains almost all the aspects of an ethnic conflict, has experienced a long lasting negotiations process, and has lived out a de facto separation 'solution' for the last fifteen years. Hence, its selection as a case study is genuinely justified and helpful for studies of ethnic conflict.

However, as with any research based on the case study model, this study suffers from being too focused on a single problem and hence being misrepresentative of the general problem. This argument is a source of on-going debate in the social sciences, and proponents of the case study model have been so far able to demonstrate the capability of their model to highlight and produce some really helpful theories and lessons. Another limitation that thwarts this work, due to the constricting perimeters of the MA thesis, will be the absence of personal interviews and field research which would have added some new and interesting data to the study. Consequently, this thesis relies on the available literature.

1.3 Plan of the Thesis

This thesis is divided into five chapters. The next chapter defines ethnicity and presents the different arguments concerning ethnic conflict. It focuses mostly on partition theory, debates its advantages and disadvantages, responds to some of its critics, and performs a comparison between partition and other available ethnic conflict resolution tools. The third chapter offers a historical overview of the Nagorno-Karabakh conflict, highlights the contradictions in the dual historical narratives and focuses on the mediation efforts aimed at solving the conflict. The fourth chapter investigates the applicability of partition theory to the N-K conflict. It argues that along the way to achieve its current status N-K has gained many of the features

required for partition and independence. This chapter also considers independence as the ultimate outcome of partition and argues in favour of granting N-K that right. The final chapter spells out the implications of the arguments presented in the thesis, and deduces conclusively that solutions that do not bring complete peace to conflicts leave them prone for future violence. And, there lies the uniqueness of partition theories.

Chapter Two

The Theory of Partition

2.1 Introduction

This chapter examines the defining characteristics of ethnicity, its scope and the challenges posed by its complexity to politicians and researchers alike. Obviously, in the vast field of social and political sciences, there is no resolution over this concept and the groups it encompasses. The chapter also studies ethnic conflicts, attempting to draw conclusions about their causes, forms and types. It unpacks the primordialist and instrumentalist explanations of ethnic conflict. In searching for the causes of ethnic conflicts, this chapter presents the levels of analysis approach and its adaptation to the field of ethnic conflict studies as a convenient tool for exploring the reasons behind the occurrence of these conflicts. After discussing the human nature and nation-state levels, the systemic level of analysis is then afforded special care. The security dilemma approach is also analyzed in depth. The final, and largest part of this chapter, is devoted to studying partition theory as laid out by some of its most important proponents. The chapter then engages in determining the characteristics of partitions and the conditions that a successful partition must satisfy. The three customary foundations for endorsing secessionist claims - humanitarian, security dilemma and traditional realist - are also explained and discussed, with special emphasis on the dispute between complete and incomplete partitions. The chapter then presents all the criticisms against state partitions and the counter arguments as presented by the different advocates. The chapter ends with a comparative analysis of available ethnic conflict resolution tools and the advantages that partitions hold over other mainstream solutions.

2.2 Defining Ethnicity

Analyzing ethnic conflicts would have been a much less demanding task had scholars in the field agreed on a clear and accurate definition of the phenomenon called ethnicity. As a matter of fact, the complications begin with the naming of the phenomenon itself. Apart from the confusion between nationalism, nationhood, national identity, and ethnicity, there is also the perplexity of distinguishing between ethnic identity, ethnic group, and ethnonationalism. All these terms complicate the task of understanding the already complex phenomenon of ethnicity. For purposes of clarity and precision, I will use the word ethnic identity as the pivotal determinant in this study.

Alexander Downes defines group members associated together on the basis of their ethnic identity as "a group of people who believe themselves to form a distinctive community because of characteristics that they hold in common, including a myth of common descent, shared historical memories, an association with a homeland or historic territory, cultural attributes such as language, religion, appearance, or color, and a sense of solidarity" (2001, 68). Along the same lines, Anthony Smith describes the "ethnic community" as "a named human population with a myth of common ancestry, shared memories, and cultural elements; a link with a historic territory or homeland; and a measure of solidarity" (as cited in Brown 2007, 210). Enid Schildkrout also adds his description of the "ethnic unit." It "is the idea of common provenance, recruitment primarily through kinship, and a notion of distinctiveness whether or not this consists of a unique inventory of cultural traits." This definition shares Max Weber's analysis on the common descent factor, "whether or not an objective blood relationship exists" (as cited in Horowitz 1985, 53). Ted Robert Gurr speaks of another less obvious but important factor when defining ethnic identities. He believes that the degree to which a group is treated differently from its surrounding groups plays a major role in shaping

the ethnic identity of that group. "If an ethnic group is treated differently, by denial or privilege, its members will become more self-conscious about their common bonds and interests" (2007, 168). When a minority group in a multiethnic state is discriminated against, the attachment between the members of that group will grow naturally as an act of alliance against a common enemy. Similarly, if a minority group, usually a leading clan in a state, enjoys certain special privileges, the awareness of the members of that group about their commonness will rise dramatically. This privileged status will also lead to a rise in the ethnic awareness of the other groups who will logically feel discriminated against.

The one thing common in the aforementioned explanations of ethnic identity is the conviction that there are a number of factors which unite a group of people and that the amalgamation of these factors creates an ethnic identity. For Downes these factors are common descent, shared historical memories, shared cultural attributes, and an association with a territory. Smith reiterates the same factors and adds the notion of solidarity to the mix. Following Smith, Brown's list of six elements necessary to call a group an ethnic group includes, other than the mentioned characteristics, a clear name for the group and a degree of self-awareness (2007, 210). David Wippman highlights the common origin and shared cultural values factors (1998, 3). Chaim Kaufmann, in his own definition, adds the shared racial characteristics element to the necessary factors, along with shared culture, common descent and "territorial origin" (1996-97, 138). The difficulty begins when we try to distinguish between the most and the least important elements.

Scholars treat common descent in different ways. There are those who refute the authenticity of common descent arguments and consider it a popular belief based on a myth. Others do not focus much on the authenticity of the argument and consider it a belief held by groups without the necessity of analyzing its accuracy. While still other scholars, believe in a scientific explanation and in the correctness of the common descent argument. The shared

culture factor holds different weight and importance for different scholars. The definition of culture itself poses a challenge to every researcher. Gurr believes that groups unite around cultural bonds, in addition to historical ones (2007, 163). In refuting the claims of those who try to bring ethnic identities down to potentials of material gains, he insists that it is not possible to overlook the importance of cultural identity in uniting ethnic groups. "The decisive factor is that ethnopolitical groups organize around their shared identity and seek gains or redress grievances for the collectivity" (Gurr 2007, 168).

Territoriality, an element mentioned by Smith, Kaufmann and others, creates additional problems with the notion of ethnic identity. Territoriality, according to many scholars, is a defining factor of another concept; nationhood.

According to Ben Fowkes, nationhood is a stage further than ethnicity. There is a debate around whether a nation is based necessarily on ethnic premises. Eric Hobesbawm, for example, argues that "nationalism and ethnicity are different, indeed, non-comparable, concepts. Nationalism is a recent political philosophy, while ethnicity expresses primordial group identity" (2002, 3). Smith, meanwhile, insists that "nations require ethnic cores if they are to survive" (as cited in Fowkes 2002, 4). The connotation that nationhood is a developed stage of ethnic identity, which mostly expresses itself in the shape of a political organization, namely states in this century, appears to have created a middle ground in the scholarly debate.

 Although an accurate description of these concepts could spare scholars a lot of unwarranted troubles, the debate about ethnic identity and the linkage between it and nationhood cannot be resolved in this study. While analyzing ethnic conflicts and studying the success of partitioning states in resolving these conflicts, this study considers ethnic identity as an established phenomenon in line with Lea Brilmayer's assertion that "Human beings can only truly flourish in communities that have some more or less secure existence. People need community to develop the kind of personal ties that lead to familiar and romantic

love, professional satisfaction, friendship, intellectual stimulation, and creative fulfilment. Shared practices and cultural traditions shape our identities and give us a sense of belonging" (1998, 61).

2.3 Explaining Ethnic Conflict

Two theoretical approaches dominate the explanations of ethnic conflict: the primordialist and the instrumentalist. Primordialists believe that ethnic groups are ancient creations that are unlikely to change significantly over time and that conflicts between them are inevitable. Instrumentalists, on the other hand, argue that there is very little historical significance to existing ethnic identities and that they are subject to changes over time, implying that hatreds and ancient grievances are desperate creations of adventurous ethnic politicians.

The gap between these two contending philosophies appears to be huge. Indeed, they are almost mutually exclusive. Primordialists believe strongly that ethnic identities are fixed by birth and that conflicts between these identities are natural (Levy 2007, 16). Carter Johnson believes that ethnic conflicts are conflicts between two groups having identities that are very difficult to change, often based on the origins of the group members. "It is this component of an ascriptive identity, and the politicization of that identity, that distinguishes ethnic civil war from other forms of civil war" (2008, 145). John Stack explains that group identities are shaped by ethnicity and these identities are passed down from a generation to another (as cited in Brown 2007, 211). Von Geothe stresses that "at least [some] of the features of ethnicity are present objectively in the sense that they can be observed from outside." These features, stated out by Smith in the previous section, are constant and define each ethnicity.

Kaufmann agrees that unchangeable ethnic identities are one of the difficulties in resolving ethnic conflicts. "Ethnic identities are hardest, since they depend on language, culture, and religion, which are hard to change, as well as parentage, which no one can change" (1996-97, 141). Donald Horowitz, who does not subscribe to any of the two explanations, agrees that ethnic identities are usually hard to change, especially because they are based on birth and blood. He explains that for a change in people's ethnic identity to occur people need to forget their ethnic origin totally; something that is very hard to attain (1985, 51). Along with other elements which will be discussed more in depth in the following section, these observations have led a great number of researchers to conclude that ethnic conflicts can be only resolved when groups are completely separated from each other.

Instrumentalists refute the idea of ethnic differences being natural. Their standard argument is that political leaders play on these differences to achieve other targets (Levy 2007, 12). Paul Brass elaborates this point further: "Ethnic communities are created and transformed by particular elites in modernizing and in post-industrial societies undergoing dramatic social change. This process invariably involves competition and conflict for political power, economic benefits, and social status between competing elite, class, and leadership groups both within and among different ethnic categories" (as cited in Brown 2007, 211). Furthermore, they argue that people have a collection of "ethnic identities" to choose from in different circumstances (Fowkes 2002, 2), indicating that ethnic identities are not constant and unalterable, but, on the contrary, people can pay allegiance to different identities in different times with the aim of achieving their own greater good. Hence, instrumentalists argue that ethnic conflicts can be resolved through negotiations and power sharing arrangements, without the need to resort to total separation of the population.

Milton Esman's approach, which bridges the primordialists and instrumentalists divide, is very helpful in understanding ethnic enmities:

Ethnicity cannot be politicized unless underlying core of memories, experience, or meaning moves people to collective action. This common foundation may include historical experiences, such as struggles against outsiders for possession of a homeland, or cultural markers, especially language, religion and legal institutions that set one community apart from others. Ethnic identities are also contextual, adaptable to and activated by unexpected threats and new opportunities; they can be oriented to fresh goals, and they can be infused with new content. Historical myths can be shaped from imagined pasts to legitimate current goals; boundaries can expand and contract. Thus every ethnic collectivity and solidarity can be located on a spectrum between (primordial) historical continuities and (instrumental) opportunistic adaptations (Brown 2007, 211).

Esman's clarification does not rule out the fact that ethnic identities can be manipulated and taken advantage of in order to pursue political agendas, however, it does assert the reality that some or most of those ethnic identity characters have to previously exist, for political leaders to be able to take advantage of. As Demet Mousseau argues, the reason behind this divergence in approaches between primordialists and instrumentalists is largely due to the fact that primordialists focus more on the psychological or biological factors, while instrumentalists highlight political and socio-economic factors as major causes of ethnic conflicts (2001, 549). Therefore, the disparities between both approaches can be bridged and their convergence provides scholars the best tools for studying ethnic conflicts.

Away from this traditional theoretical divide, scholars have attempted to explain ethnic conflicts and to analyze the reasons behind their occurrence. Many scholars agree that some of the difficulty in analyzing and finding solutions for ethnic conflicts, along with the fluid and unpredictable nature of the phenomenon, is due to the deficiencies of the scholars, who have generally ignored defining ethnic conflicts (Tishkov 1999, 574). Donald Horowitz points out that for a long time after the Second World War, ethnic conflict was considered as a side-effect of another problem: modernization, persistent traditionalism, or class antagonisms (1985, 13). He also highlights that scholars have largely overlooked the fact that there are major differences in the development of social and political events in the West and in Africa and Asia. In Europe, the Reformation, Enlightenment and the Industrial Revolution

have had immediate and clear effects on the progress of history. In Africa and Asia, similar forces have been absent (Horowitz 1985, 20). This fact has led researchers to commit two common mistakes: they either study ethnic conflicts marginally, as part of a different, bigger phenomenon, or project the subjective and objective elements of western political development on Asian and African cases. Hence, ethnic conflict analyses have struggled to achieve major breakthroughs.

Valery Tishkov defines ethnic conflicts as "any forms of civic clash within or across state boundaries when at least one of the warring parties is mobilized and organized along ethnic lines or on behalf of a certain ethnic group" (1999, 576). Kaufmann sees them as "disputes between communities which see themselves as having distinct heritages, over the power relationship between the communities..." He distinguishes ethnic conflicts, which involve clashes about the division of power between the communities, from ideological civil wars which are usually about "how the community should be governed" (1996-97, 138). Horowitz, meanwhile, maintains that mutual exclusiveness is not necessarily an essential feature of ethnic conflict. For Horowitz, "Conflict is a struggle in which the aim is to gain objectives and simultaneously to neutralize, injure, or eliminate rivals" (1985, 95). For Wippman ethnic conflict is a competition over territories and state power (1998, 2).

Undoubtedly, the central question in the study of ethnic conflicts is what explains these conflicts. This problem has been studied from different perspectives. Jack Levy offers a methodology for studying the reasons behind ethnic wars. He adapts the traditional levels-of-analysis approach. His main obstacle is fitting an approach designed to analyze inter-state wars into one capable of explaining intrastate conflicts. This approach analyzes the causes of war on three levels. First, the human nature level, where the characteristics, preferences and the psychologies of mainly the leaders of the group are the most important explanatory variables. Second, the nation-state level, which considers political, economic and societal

variables of the state, their structures, decision-making processes, and the role of the public opinion. Third, the systemic level, which considers elements such as the anarchic nature of the system, the distribution of powers between the major players, and military and economic alliances (Levy 2007, 4). Although these levels do not comprise the whole spectrum of ideas offered by scholars in order to explain ethnic conflicts, however they go a long way in offering reasonable guidelines for any analysis of the causes of ethnic conflicts.

A large number of scholars use the human nature level of analysis to explain ethnic conflicts, mostly in terms of rogue leaders taking advantage of their people's ethnic allegiances to achieve their private ambitions. Leaders facing opposition and domestic problems might resort to conflict and the use of force to increase their popularity and gain support. They often promote historical myths, glorifying the history of their people and demonizing the adversaries in order to provoke the sympathy of their compatriots against the 'foreign enemies.' Trying to revive declining public support and to beat potential political competitors is a legitimate reason, according to Michael Brown, for certain political leaders to play the "ethnic card."

> Those who are in power are determined to fend off emerging political challengers and anxious to shift blame for whatever economic and political setbacks their countries may be experiencing... When power struggles are fierce, politicians portray other ethnic groups in threatening terms and inflate these threats to bolster group solidarity and their own political positions; perceived threats are extremely powerful unifying devices (Brown 2007, 221).

Furthermore, several scholars warn of the danger that relationships between criminal elements, leaders with ethnic agendas and people with mutual grievances could present utilizing nationalism as a cover. Leaders looking to preserve their own interests, allow criminal groups to take advantage of their peoples' ethnic dissatisfactions and turn it into hatred and induce violence and wars. V.P. Gagnon argues that most of the ethnic conflicts being fought nowadays are the result of "purposeful actions of political actors who actively

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create violent conflict, selectively drawing on history in order to portray it as historically inevitable" (1996-97, 166). He further elaborates that conflicting elites will use the "ethnic card" when political participation in the past had been based on ethnic identity, when international situation allows such an act and when they are accepted as legitimate defenders of the ethnic group (Gagnon 1996-97, 139).

These theories focus on the desire and the motives of political elites to utilize ethnic identity and nationalist ideas to achieve their own targets. However, the likelihood that these tactics will succeed, and the reasons behind their acceptance by the large public, are issues marginally discussed by Gagnon, Snyder and Horowitz. Gagnon and Snyder focus on the role of democratization and the freedom of the press and their control by the government in advancing and popularizing ethnic solidarity and nationalist ideas. Gagnon warns that when institutions are not prepared to absorb the political debates that ensue from press freedom, "nationalist mythmakers hijack the public discourse" (Snyder and Ballentine 1996-97, 62). The control of information and mass media plays a decisive role in polarizing and mobilizing the masses and guiding them towards extreme actions.

Horowitz argues that sometimes followers follow their leaders into ethnic conflicts even though there are no apparent material gains for them (1985, 131). He mentions examples of conflicting African tribes where the chiefs were the only ones to gain from ethnic conflict and yet they succeeded in convincing the general masses of the illusionary threats that the other tribe presented. However, Horowitz states that elite manipulation must not be over-emphasized. He acknowledges that in many instances, it is difficult to observe the economic gains or the general interests of the parties of an ethnic conflict or of that of a secessionist group. He finds the words of a French Canadian separatist most revealing in this regard: "English Canada puts up with a lower standard of living in order to remain

independent of the United States. Why don't they credit us with the same sort of pride?" (1985, 131).

Horowitz twists some really important cords when he warns from the threat of focusing too much on scenarios of leaders manipulating ethnic affiliations and group solidarities in pursuit of their personal agendas. As some scholars have been quick to point out, it is almost impossible for political leaders to play on the ethnic identity card if there was no credibility whatsoever in their claims of ancient hatreds and historical clashes between the groups. Though Brown correctly points out that many other groups who share equally disturbing pasts have not experienced conflicts or fought wars, it is well documented that most ethnic groups in conflict share historical grievances (2007, 209). In other words, if ethnic groups have not experienced any mutual wars, conquests, massacres or genocides in their history, if their roads have never crossed each other, then no leader can create a level of hostility between them and manipulate it in favour of his ambitions. Explaining ethnic conflicts certainly requires a much more thorough and conclusive investigation of the conditions and circumstances under which ethnic groups clash with each other. Consequently, the human nature level analysis cannot be regarded as sufficient for explaining the causes of ethnic conflicts.

The second level of analysis, the state level, contains much more convincing arguments about why ethnic conflicts transpire. Political, economic and cultural factors, presented as reasons of ethnic conflict, all feature under this general heading. On the political level, resentment and sense of injustice felt by a group significantly underrepresented in national political institutions can lead to violent reactions. This bitterness is felt most strongly when a group in a state representing a decent numerical proportion of the general population is often deliberately excluded from public service, the army and the security forces. This situation is experienced repeatedly in many African and Asian countries. It does not only

increase the feeling of injustice and hatred within the excluded ethnic group, but also makes them believe that they have no other alternative than to form their 'own' public service, army and security forces. The likelihood of this happening rises considerably in closed authoritarian regimes. It is obvious that nationalist exclusionary ideologies will nurture bitterness and dissatisfaction and eventually lead to conflicts and war in states where citizenship is awarded on the basis of ethnic identity and where significant portions of the population are left out. Intergroup politics could sometimes cause violent conflicts when the interests and aspirations of the groups are incompatible. This situation is especially felt when states containing two or more conflicting groups are surrounded by neighbouring states affiliated to one or more of those groups. In these cases, the surrounding states play a hugely destabilizing role and, rightfully or not, allow the ethnic group associated with them to make bold demands. A similar, but reverse threat can be set off when a state including two or more conflicting ethnic identities receives huge numbers of refugees, also affiliated to one of the groups inside the country, fleeing from neighbouring states.

Furthermore, the weakness of the state's apparatus, which may at times be considered as a systemic problem, poses multiple threats and creates a degree of unease between the different groups who anticipate the fall of the state and prepare themselves to make independent or secessionist claims. In such environments, fear of the future and fear from each other grows quickly and disproportionally and can trigger a regrettable chain of events. As Lake suggests, it is important that groups transmit clear and transparent information about their aims and wishes in order to avoid conflicts (Lake and Rothchild 1996-97, 102). Unfortunately, in similar circumstances, the lines of communication between the groups and their willingness to trust each other's declared intentions shrinks considerably, and conflicts become inevitable. This is why many traditional realist and security dilemma theorists have focused their efforts on trying to stress the importance of establishing clear and trustworthy

communication lines between the parties to avoid transmitting confusing and threatening images of each others' intentions.

On the economic level, "Unequal economic opportunities, unequal access to resources" and disproportionate standards of living all give birth to a feeling of unfairness and discrimination. The geographical division of the country's wealth generates contrasting feelings for different groups. The groups living in the poorer regions feel discriminated because of the unequal division of the country's national treasure in case the wealth was distributed on the basis of local governments. Moreover, if the wealth was distributed equally on the national level, the groups living in the wealthier regions will feel discriminated against. In both cases, the ethnic groups will struggle for a higher degree of self rule. Economic development and modernization might even deepen the economic problems. "Migration and urbanization disrupt existing family and social systems and undermine traditional political institutions; better education, higher literacy rates, and improved access to growing mass media raise awareness of where different people stand in society" (Brown 2007, 217). The difference in level of literacy between ethnic groups creates real problems for those groups, especially if that advantage is translated into political and economical supremacy. This causes further instability and might give rise to unrealistic demands.

Cultural discriminatory policies might include education, language usage, and religious freedoms. Existing and sometimes inaccurate historical stories and experiences aggravate resentment and dissatisfaction between ethnic groups. The rise in religious awareness and in religious extremism has hardened ethnic identities all around the world. Religious differences or perceived sectarian divisions have been responsible for several ethnic conflicts from Lebanon to the former Yugoslavia to Nigeria. Linguistic differences have triggered many conflicts all around the world. The Quebecois example in Canada is a

case in point. Despite not turning into a violent conflict, the Quebecois demand of secession remains a case of partition-claims based on linguistic division.

The dominant explanation of ethnic conflict is the systemic level of analysis advanced by the realist school of thought. This theory considers that in an atmosphere of anarchy the major players in the system, the nation-states, act to protect their security and enhance their interests. Realists suggest that wars occur not because states or groups prefer war to peace, but because many states in their efforts to protect and strengthen their own security threaten other states and trigger a spiral of actions described most efficiently as the 'security dilemma.' Given the anarchic nature of the international system, states have to take care of their own security by building weapons and strengthening their military capabilities. These actions, unfortunately, threaten other states, who feel that the comparative strength developed by that state can eventually trouble their security and stability. This prompts them to engage in a process of armament which in turn results in making the former state to even add its military build up. Hence, a security dilemma is the situation when a state (or group) aiming to strengthen its own security is considered a threat by another state (or group) to its security. This second state (or group) responds in ways that further threaten the security of the first state (or group), hence decreasing its own security.

Levy finds that the situation between states acting to advance their own security and ethnic groups struggling to preserve or enhance their existence is very similar (2007, 9). He argues that when the distribution of power between ethnic groups is altered, these groups read the situation as resembling a state of anarchy. "With uncertainty about their future and with fear for their security, these groups define their highest priority to be security against physical and economic threats." These groups might have no intention of fighting against other groups, but might wish to increase their own security. This may in turn cause misperceptions

and trigger a conflict spiral (Levy 2007, 9). This is the realist analysis of ethnic conflict where the unit of analysis changes from states to ethnic groups.

Posen and Kaufmann offer further analysis of this argument. Posen suggests that when empires collapse they usually trigger a high sense of untrustworthiness between ethnic groups, who become very suspicious of each other's intentions (Posen 1993, 31). This environment, added to the military capabilities of each group, poses grave dangers to peace and stability. Banton has observed that many ethnic conflicts, in Chad, Sri Lanka, Cyprus, the former Soviet Union, have escalated when empires failed "to guarantee the political frameworks they had established" (as cited in Fenton 2004, 182). Furthermore, Posen believes that since inter-group cohesion is considered a military asset and an advantage in offensive war acts, a group's efforts to foster identity awareness and communal cohesion could be regarded as a threat by the other party (1993, 31). Downes also believes that crumbling multi-ethnic states create an environment very much resembling that of anarchy on the international scene (2000, 7). However, his analysis of the strategic significance of ethnic cohesion differs slightly from that of Posen's. He argues that in ethnic conflicts, nationalism acts as a defensive and offensive weapon simultaneously; hence, its effects on ethnic conflicts are impossible to recognize. After all, nationalism helps in bringing groups together and increasing their cohesiveness, something which adds to the group's offensive military power. Similarly, nationalism inspires people to fight vigorously for their homeland (Downes 2000, 7).

Another factor which, according to Posen, might act as a source for creating offensive or defensive advantages to one side or another is demography. "Political geography will frequently create an "offence-dominant world" when empires collapse. Some groups will have greater offensive capabilities because they will effectively surround some or all of the other groups. These other groups may be forced to adopt offensive strategies to break the ring

of encirclement. Islands of one group's population are often stranded in a sea of another. Where one territorially concentrated group has "islands" of settlement of its members distributed across the nominal territory of another group (irredenta), the protection of these islands in the event of hostile action can seem extremely difficult … the brethren of the stranded group may come to believe that only rapid offensive military action can save their irredenta from a horrible fate" (Downes 2000, 7). Downes then insists that ethnic conflicts can only be stopped by eliminating the security dilemma, which means, creating a homogeneous and defensible territory.

Kaufmann also believes that the security dilemma is usually further exacerbated by the intermingled state of the population (1998, 122). He warns that "intermingled population settlement patterns create real security dilemmas that intensify violence, motivate ethnic 'cleansing,' and prevent de-escalation..." (Kaufmann 1996-97, 137). Brown agrees that sometimes the relative mix or separation of ethnic groups has decisive implications on the eruption of ethnic conflicts (2007, 214). Downes, echoing Kaufmann, reiterates that when civilians from warring ethnic groups are mixed together during an ethnic conflict, the level of violence rises severely. "Civilians on both sides are rendered vulnerable to ethnic militants because no defined front exists to separate them. Offensive action to purge ethnic enemies is thus easy—because attacking isolated civilians is simpler than trying to defend them—and desirable, since it creates secure (i.e., homogeneous) areas for one's own group" (2000, 5).

One important deficiency in this security dilemma analysis is the fact that most ethnic conflicts do not take place in an atmosphere of anarchy where no authority exist to keep order and stability. It is true that when ethnic conflict begins state organs lose much of their efficiency, and some argue that state organs will fail because of ethnic conflicts, nevertheless, they will maintain a certain level of control on everyday life.

Mousseau, in his analysis of ethnic conflicts, focuses on the impact of regime types on ethnic conflicts. He suggests that well-established and stable democratic systems are capable of solving ethnic tensions through accommodation and peaceful political mechanisms. He also suggests that autocratic regimes are resistant to ethnic violence since the authorities can oppress their populations in a way that they are deposed of any political or military means of resistance (2001, 550).

Another important aspect of ethnic conflict analysis is the spiral effects of ethnic conflicts and settled ethnic identities. Several researchers have noted that while solid ethnic identities are partly responsible for ethnic conflicts, ethnic conflicts themselves can contribute to the strengthening of ethnic identities. Kaufmann suggests that in ethnic wars extreme nationalist ideologies and mass murders severely sharpen the ethnic awareness of the groups. Compromises and cross-ethnic pleas are likely to fall on deaf ears. The groups are in no position and have no desire to find middle grounds or to realize settlements based on mutual coexistence (1996-97, 137). Downes believes that ethnic wars eliminate the possibility of ethnic groups trusting each other and building confident relationships afterwards. This results in further complicating ethnic conflict settlements, since most solutions require a degree of mutual trust between the groups (2001, 71). This sense of distrustfulness grows rapidly and disproportionally during ethnic conflicts, especially because ethnic conflicts. Eventually, every group will reach the conclusion that it cannot live in peace with the other groups, and hence must have its own state in order to govern itself independently.

All these hypotheses and approaches are yet to accumulate into a best practice or an agreed theory for examination of ethnic conflicts. This fact poses tremendous challenges for scholars studying the field and attempting to analyze and resolve various ethnic conflicts. For the purposes of this study and maybe future studies, it is useful to underline the following three consistencies. First, ethnic conflicts are not static. Their motives, intensity and

consequences are varying in time and place. Furthermore, ethnic clashes between two groups could escalate very quickly; however, the analysis of their causes will almost undoubtedly reveal a long pattern of grievances and enmity between the two groups. This brings us to the second and third common aspects of ethnic conflicts, which are a degree, usually high but sometimes very low, of painful past relationships between the two groups and a propensity to turn violent and destructive. It is exactly these consequences that most researchers attempt to overcome when offering their theories for resolving ethnic conflicts.

2.4 Searching for Solutions to Ethnic Conflicts: Partition

This study argues that partition is the best available solution for ethnic conflicts under some circumstances. This statement presupposes that there are other viable solutions for ethnic conflicts, and that partition is not necessarily always the best solution. This section will examine the situations where partition might be more successful than any other conflict resolution technique and cases where partition might not be the best remedy for a given conflict.

Partition is the division of the formerly unified territory of a state into two new states. Jaroslav Tir defines partition as "an internally motivated (i.e. secessionist) division of a country's homeland (i.e. non-colonial) territory that results in the creation of at least one new independent secessionist state (e.g. Eritrea) and that leaves behind the now territorially smaller rump state (e.g. Ethiopia)" (2005a, 545). According to this statement, the separatist movement has to be indigenous and not motivated or sponsored by outside powers. Naturally, all major ethnic conflicts have their regional and international implications; many states or other political actors engage in ethnic conflicts indirectly through funding, offering political and logistical support, or allowing fighters to use their lands as bases for training and instigating attacks. This support can be explicit or covert. In any case, the external party

should remain in the status of supporting one of the warring sides and not become directly involved in the fighting. In some cases, where the level of involvement of the external party especially in starting the conflict is hard to identify, the genuineness of the separatists' cause could be undermined.

Almost all the scholars who propose partition as a solution to ethnic conflict either endorse it because they are convinced that all other measures have failed, or because partition is believed to entail lesser evils than the other options. Downes, basing his argument on several studies and collected data, states that autonomy, power sharing agreements and federalism have all failed in restoring peace and curtailing a return to violence. He insists that re-establishing stability and avoiding future challenges can be achieved either through helping one of the conflicting sides to win the war outright and control the other party, taking into consideration the dangers of mass killings and genocides that the party might employ, or through partition whose consequences are much more tolerable (2001, 74). Horowitz and Jan and Birgita Tullberg agree that, although in itself costly, sometimes partition can be the least dangerous alternative (Horowitz 2001, 591); (Geotze 1997, 264). Winston Churchil has expressed this paradox the finest when stating "separation is the worst solution, except for all the others" (as cited in Kauffmann 1996-97, 299).

Partition, after all, has several unique characteristics which allow it to be an agreeable solution for ethnic conflicts. Its success does not depend on the two or more fighting parties trusting each other after a bloody war that usually nurtures fear and hatred, which is often the case with other solutions; avoids the dangerous return of refugees to their initial locations, causing anguish and anger; and awards the parties most of their demands: separate territories and self-rule, bringing extremist demands to a minimum.

Partition rests on four essential foundations: "independence, separation of population, defensible borders and a balance of power" (Downes 2001, 74). Independence is essential for

achieving successful partitions, because it is the key guarantor of group survival. Ethnic groups no longer feel threatened. More accurately, threats to their survival reduce considerably because they know that they do not have to live in the same state with their rival ethnic groups. With independence and separate states, total separation of ethnic groups is a necessary precondition for achieving full partition and attaining peace between the groups. Employing partition and leaving minorities behind is an invitation for genocide and prolongation of the conflict.

Establishing defensible borders between the partitioned states helps in decreasing the likelihood of a return to violence. Defensible borders act both as deterrents against possible foes, and contribute to lowering the fears of the new state itself. Natural borders, such as mountains and rivers, are of great value. However, in the absence of natural obstacles, artificial walls, barbed wires and demilitarized zones with international peacekeepers may perform wonders in keeping wars and conflicts at bay. Nonetheless, even with defensible borders, if one of the new states is much stronger than the others then the possibility of return to violence remains high, because that state can be encouraged to occupy the weaker states without much effort. Consequently, a balance of power between the new states must be maintained to avoid wars. The balance of power will raise the cost of war for any of the states who consider invading another state. Of course, establishing a balance of power is not an easy task. Frequently, a balance is achieved through external aid and/or military alliances with third parties (Downes 2001, 76).

Downes reaffirms that even if all these factors were to be present peace cannot be deemed inevitable. The one and only advantage partition theorists are ready to promise is that "partition is more effective than alternative institutions at reducing the likelihood of a recurrence of violence among the parties to the dispute..." (Chapman and Reoder 2007, 677). However, beyond this assertion, the paths of partition scholars split. There are those who

endorse partition on humanitarian basis, others who believe it to be a natural extension to the security dilemma, and yet others who approach it from a traditional realist perspective. John J. Mearscheimer has argued in favour of separation on humanitarian grounds (as cited in Kaufmann 1996-97, 137). Mearscheimer sees that the international schemes for keeping Bosnia united are not only unrealistic and have proven to be a failure, they are also prolonging the suffering of the Bosnian people and adding to the dangers of a new civil war. He proposes a clear partition of the Bosnian territories, awarding the three fighting groups their share of the land. Johnson, meanwhile, asserts that pro-partition scholars have traditionally underlined humanitarian issues. "When scholars and policymakers have proposed partition, it has been as a last resort, to end ethnic wars when widespread massacres and forced population transfers have already begun to occur and where long-term military commitments by the international community are either not forthcoming or are unable to provide peace" (Johnson 2008, 142).

The second view holds that when states weaken or collapse, and especially if their population is ethnically diverse and mixed, that could lead to a state of anarchy, where only separation of population could end ethnic conflicts. The third view suggests that ethnic conflicts harden nationalist sentiments and mutual hatreds to a level where the recreation of the multiethnic state becomes almost impossible. Then, the only solution left is to separate the population and to establish two different independent states.

This argument between 'complete' and 'incomplete' partition is one of the most important aspects of partition theory. Complete partition is a partition where together with the complete separation of ethnic groups, every group is awarded its own independent homeland. Incomplete partition, meanwhile, does not necessarily require the establishment of separate states, and sometimes relatively small ethnic groups could be left behind. Kaufmann, who is considered a representative of the second school, believes that security dilemma threats can

be reduced or even abolished without necessarily establishing two independent states. He contends that if ethnic groups are separated in a way that no armed minorities are left in the territory of the other group and if the separated groups have sufficient self-defence potential as to deter any possible future assaults, and if the level of autonomy is so complete to address all the concerns of the groups, then peace can be achieved without the need to divide the state into two new states (Kaufmann 1996-97, 162).

Downes counters Kaufmann's argument with a powerful criticism. He believes that the level of security and protection to ethnic groups which Kaufmann believes autonomous status could provide is unattainable, unless they are equivalent to de facto independence. Furthermore, "For groups to have enough leverage to defend their core interests lacking any real central influence, they must have armed forces to back those interests up. However, ... states cannot have multiple armies that answer to different political authorities" (Downes 2000, 21). It is only when full partition is implemented, with complete separation and independent states that the likelihood of peace and democracy rises. Downes returns to the Bosnian case to show the low likelihood of success of cases based on joining groups back together in a unitary state. He believes that 15 years after the Dayton Accords in Bosnia the situation has not experienced significant change. Large numbers of the Croat population have moved to Croatia, nationalist parties have repeatedly won in the local elections, each community still maintains its military force, and support for the federal status continuous to be discouraging. David Chandler states: "The extended mandates of the international implementation of the Dayton settlement, which have undermined all the main parties, have not created a political basis for a unitary Bosnian state, except in so far as it is one artificially imposed by the international community" (as cited in Downes 2000, 25).

Ethnic separation and population transfers are one of the thorny issues of partition theory. While Kaufmann, Downes and others insist that it is a prerequisite for ending ethnic

wars, other scholars point out to the pain and suffering this process can cause to people, especially in light of the fact that most of these transfers are done in violent circumstances and by force. Kaufmann cites detailed data of civil wars to verify that ethnic separation is the key to ending civil wars. He believes that demographic separation is an essential prerequisite for partition to succeed. "Once ethnic groups are mobilized for war, the war cannot end until the populations are separated into defensible, mostly homogeneous regions" (1996-97, 150). Indeed, well before Kaufmann Louis Wirth had proposed after the Second World War that "It will be wise in the forthcoming peace settlements to recognize the importance in the drawing of national boundaries of the distribution of ethnic groups and to be prepared for the transference of people to more congenial states in case ethnic boundaries must be violated." To strengthen his suggestion, Wirth had cited the "fairly satisfactory exchange of Turkish, Bulgar, and Greek populations after the Graeco-Turkish war of 1919-23..." (as cited in Lijphart 1977, 45). Norman Pound had also pointed out that "partition and its consequences may be a small price to pay for [avoiding] internal strife and even civil war" (as cited in Lijphart 1977, 46).

Critics argue that moving people out of their birth place inflicts huge psychological damages. This relocation often accomplished through coercion accompanied by murders and genocide creates humanitarian problems and could also endanger the stability of neighbouring states. However, as argued earlier, these threats remain more tolerable when compared to the hazards of continuously recurring ethnic violence. Kaufmann notes that "The one new conflict generated since Israel's independence, the Palestinian intifada, was caused in large part by Israel's policy of planting Jewish settlements in the West Bank and Gaza, in effect remixing populations that had been separated" (1998, 147).

While the features and characteristics of partition are debated heatedly, the bases or causes of secessionist demands are not analyzed in the same depth and with the same rigour.

Horowitz is one of the rare scholars who has tackled this issue carefully and has identified different rationales for secessionist demands. He states that the relative time of arrival of the ethnic group to the land in question is of great relevance to claims of ownership to that land. However, those claims are usually tainted in political context and are subjectively brought forward. The historical cycle of events is generally hijacked by each side, whose presentation of them tends to exclusively validate their 'ownership' of the land. Several scholars have argued that better economic standard is the reason behind many separatist movements. This argument is made on the grounds that wealthier regions in a state, especially when ethnically distinct from the rest of the country, will struggle to leave the state in order to get rid of the burden of the poorer regions. Horowitz points out, however, that this logic is not accurate. There are many poor regions that have aspired and fought for secession; Southern Sudan, Southern Philippines are few examples. These regions have made claims for partition even though they sought separation from a wealthier state. Horowitz, however, speaks about a minor exception. He believes that although poor regions stand to lose from secession, the elites in those regions might gain from the creation of more opportunities in a new smaller state. This fact, however, does not have a strong effect on the rate or size of separatist movements (1985, 235-241). .

The reasons and motives behind partition demands are obviously a very complicated and sensitive issue. Factors which may seem to have exacerbated or accelerated ethnic conflicts and played a significant role in creating them in some cases may not have any impact, or, may have relatively less influence in other cases, even if most of the other conditions seem to be similar. Elements which have been considered responsible for instigating secessionist claims have had a totally reverse impact in other cases. These complexities have apparently kept scholars away from delving into this challenging topic,

and led them to focus all their effort on debating the advantages and disadvantages of partitioning a state.

Critics of partitions have been ruthless in their evaluations. They see partition as a total failure. In their view, partition triggers a chain of recurring conflicts and violence, it causes grave pain and suffering, it adds to the instability of the state and the region, it gives birth to economically unfeasible states, it creates a bad precedent for other conflicts, and instead of promoting peace and democracy it undermines democracy and lowers the chances for peace. Scheaffer argues that "the division of countries into separate states has been a singular failure and not only...an immediate failure; it has proved to be an enduring problem" (as cited in Chapman and Roeder 2007, 677). Many scholars also fear the precedent that partitioning a state could create. It could be a license, they argue, for notorious nationalist leaders who want to establish their own national state, to kill as many people as possible until the international community yields to their claims.

Amitai Etzioni believes that separation and independence do not lead to the establishment of democratic governments. He argues that self-determination when leading to homogeneous states contradicts the meaning of democracy, since democracy is built upon social pluralism. He insists that "We should withhold political and moral support unless the movement faces one of the truly exceptional situations in which self-determination will enhance democracy rather than retard it" (1992-93, 28). Moreover, Etzioni is convinced that since partition leaves newly formed minorities in the separated states even weaker, it allows the majorities in these states to discriminate even more against the remaining minorities, hence, jeopardizing the very essence of democracy (as cited in Chapman and Roeder 2007, 677).

However, the strongest argument against secessions is that they cannot be successful without large population transfers which are very costly and hard to achieve. Its opponents

underline that these transfers violate fundamental human rights and seldom avoid violent acts (Johnson 2008, 150). Horowitz also insists that population transfers are usually impossible and cause great tensions and casualties (1985, 591). Another criticism which Horowitz directs against partition is the inaccuracy of the assumption that partition works because it leads to homogeneous states. Horowitz argues that most of the regions struggling for separation are usually heterogeneous themselves and that after ethnic wars smaller minority ethnic groups will usually remain in the separated states (1985, 589).

Nicholas Sambanis also argues that no pro-partition theorist has been able to produce "an operational criteria" for implementing partition in different circumstances. Sambanis finds partition to be a very insensitive solution, since it leads to many misfortunes and population transfers. Moreover, partition leads to undemocratic regimes since the newly formed states would repress their own minorities. The two successor states might also continue to fight each other. He rejects the claim that partition solves ethnic conflicts by creating two ethnically homogeneous states, since partition most of the time creates new heterogeneous states. He cites empirical research outcomes to declare that the notion that partition reduces war recurrence in the future is inaccurate (2000, 479).

Downes and Johnson suggest that Sambanis commits a few methodological errors in his framework of analysis. First, Johnson points out that Sambanis considers that the creation of new borders represents partition, instead of going further and considering the cases where ethnic group separation followed the partitioning of the land. Downes also responds to Sambanis's and others claims that partition increases violence, by arguing that "much of the violence ... associated with partition can be reduced by more completely separating groups in conflict, and constituting these groups into individual states reduces the risks even further" (2000, 40). Kaufmann also notes that violence after partition in Ireland, India, Cyprus and Palestine have been caused not by the act of separation but rather because of incompleteness

of the separation process (1998, 121). Furthermore, to those who warn that partition transforms inter-state conflicts to intra-state wars, pro-partition advocates counter that, even if that was true, greater international attention and diplomatic engagement on the intra-state stage lowers the level of violence. "As for solving ethnic antagonisms, it is not clear whether this is within anyone's power. At a minimum, the separation of warring ethnic groups reduces the security threat, which may give moderate politicians within each group a chance to be heard" (Johnson 2008, 151). Tir, who himself expresses concerns about the prospects of partitioned states leading to violent clashes, cannot find empirical evidence to support his claims, and ends up agreeing that the conclusion that all secession lead to new disputes and conflicts is hugely exaggerated (2005b, 730). Johnson concurs that complete partition, involving physical separation of population, is a very useful mechanism for preventing the recurrence of wars (2008, 143).

Downes challenges the claim that partition has a domino effect and hence should be avoided in order to curtail international instability. He does not agree that partitioning states could lead to unlimited and exaggerated secessionist demands; on the contrary, he points out that if the logic of precedent was correct, than the tide towards preserving unified states should have deterred secessionist movements. Downes cites the empirical analysis carried out by Håvard Hegre, Tanja Ellingsen, Scott Gates, and Nils Petter Gleditsch in *Toward a Democratic Civil Peace? Democracy, Political Change, and Civil War, 1816-1992* as a quantitative proof of the inaccuracy of the claim that partitions have a domino effect (2001, 87). Tir backs up this argument, pointing out that "The empirical findings show that partitions are not particularly better (or worse) at preventing war reoccurrence than other methods" (2005a, 547).

Kaufmann defends partition against the claim that it leads to undemocratic states. He asserts that states that resulted from the partitioning of Palestine, Cyprus, India and Ireland

are either democratic or as democratic as their predecessors and their neighbours (1998, 152).

After all, some of the most ruthless totalitarian states in history have been strong unitary

states, sometimes with a homogeneous population.

Another criticism which has called for some strong responses from pro-partition

scholars is the notion that partition renders states economically unviable. They consider the

proposition to be a myth aimed at undermining secession designs. Downes challenges these

critics to single out even one state that has failed for economic reasons (2001, 88). Even

Horowitz finds that these criticisms sometimes go out of line and become exaggerated. He

contends that there is "No doubt that many countries once proclaimed 'unviable' have

survived" (1985, 261). After all, in the era of globalization, it is hard to see how a single state

would become economically doomed, when most state economies are part of a big

international economic cycle; and international resources as well as trade are open to all.

Proponents of complete partition, who believe that solutions which stop short of

population transfers are destined to fail, argue that the peaceful transfer of populations

ensures the safety of people and minimizes the numbers of casualties in the conflict. They

believe that population movements are inevitable in wars and conflicts, so the more these

movements can be organized the higher the level of the security of the transferred population.

Moreover, they warn that the return of refugees or displaced persons after the end of the

conflict raises the risks of repeated bloodshed and renews mutual hatred and resentment.

Mearsheimer sights the difference in the separation cases of Slovenia and Croatia in the

former Yugoslavia as evidence of this argument.

> Slovenia seceded with little violence from Yugoslavia in 1991 and has since been at
> peace with itself and its neighbours. The key to its peace is its homogeneity: 91
> percent of the people are Slovenes; fewer than 3 percent are Serbs. Croatia fought a
> bloody war of secession from 1991 to 1995, which was finally resolved when Zagreb
> expelled most of Croatia's sizable Serb minority at gunpoint. That expulsion set a poor
> example of how groups should separate, but it did bring an end to the Serb-Croat
> conflict" (Mearsheimer, 134).

Similarly in Bosnia, according to Mearsheimer and Van Evera, the US should have endorsed and carried out a full partition plan. There should have been three states; one Croat, one Serb and one Muslim. Moreover, the Muslim state should have been given defensible and viable borders without enclaves in Serb or Croat dominated regions. This solution should have been further cemented by arming the Muslim state to create a balance of power between the three states and by carrying out necessary population transfers (Mearsheimer and Van Evera 1995, 21). The creation of ethnically homogeneous states out of partitioning mother states is the key to success. However, the establishment of a minimum balance of power between the newly formed states is an indispensible element accompanying ethnic unmixing of populations, especially for the advocates of the security dilemma. Every state should have minimum capabilities to defend itself and deter the other states from targeting it. This balance of power could be established either through the calculated division of territories, or through supplying the parties with adequate military powers or by forming necessary alliances with the new states.

Still, partition enjoys many other advantages when compared to other conflict resolution tools. It frees the groups from the perils of having to merge their armies and leaderships together after bloody conflicts, and to co-exist in harmony. This risk is a real obstacle in the way of negotiating peaceful settlements for ethnic disputes, which is usually taken rather lightly by international mediators who consider them to be negotiating manoeuvres. If these physical and political security concerns are not dealt with adequately from the beginning when attempting to solve ethnic conflicts all such efforts are destined to fail.

With all its benefits, partition does not stand alone in the field of ethnic conflict resolution theories. According to Horowitz, the "contemporary fetish about sovereignty" and

the fear of external interference are the factors which fuel the strong stance against partition (1985, 589). In the words of Samuel Huntington: "The twentieth century bias against political divorce, that is, secession, is just about as strong as the nineteenth century bias against marital divorce" (as cited in Lijphart 1977, 46). The general perception is that awarding ethnic groups greater share of governance and participation in decision-making processes should be sufficient to reduce ethnic hatreds. These solutions, which include power-sharing arrangements, regional autonomy, and federalism, are deemed to be more effective tools for solving ethnic conflicts because they constitute a middle ground between protecting group rights and preserving states' territorial unity. As seen earlier, many realists argue that so long as groups are equipped with the necessary conditions to protect and govern themselves, the political framework which ensures those conditions is not of great relevance. The advocates of this approach point out to consociationalism, autonomy and federalism as practical tools for achieving their aims.

Autonomy is an agreement or arrangement between a state and an ethnic group to award the group a considerable level of self-rule. These agreements usually keep the constitutional system of the state intact. This could however act against the success of autonomy at times, since it leaves the agreement without necessary institutions to supervise its functions and to exert limits on the central government.

Gurr and Nordquist believe regional autonomy to be an effective solution for ethnic conflicts. They contend that group rights must be recognized and given full opportunity to manifest themselves in order to avoid partition (as cited in Cornell 2002, 250). They argue that granting groups those rights would dissuade them from struggling for secession. Downes, however, notes that autonomies have no power to hold states by their words. States have no binding conditions to commit to the agreement of granting ethnic groups self-rule and not revoking it at any given time (2000, 18). Furthermore, regional autonomy can be accused of

institutionalizing differences. By awarding a certain group the advantage of self-rule, they may provoke the objection of the majority population might see that advantage as a discrimination against them. Additionally, whereas partition limits the appetite of ethnic groups to fight each other, autonomy, on the other hand, as Chapman argues, raises the possibility and likelihood of clashes by providing groups tools such as veto powers, protests, and strikes (Chapman and Roeder 2007, 681).

Interestingly Cornell, as well as other writers, warns that autonomous arrangements can lead to greater autonomy demands and eventually to secessionist claims. The creation of autonomous regions fosters "secessionism because institutionalizing and promoting the separate identity of a titular group increases that group's cohesion and willingness to act, and establishing political institutions increases the capacity of that group to act" (Cornell 2002, 252). After all, the key to mobilizing ethnic groups is their sense of cohesion and solidarity, and undoubtedly, granting them the environment where they can easily foster and raise those sentiments could very well lead them to mobilize further and demand a separate state.

Consociationalism is another power-sharing arrangement. It is usually based on four essential pillars: territorial or cultural autonomy, proportional representation in all the branches of government, veto power to all groups on important issues, and a grand coalition of all the composed ethnic groups. Arend Lijphart, who is the most prominent theoretician of the consociational module, explains that grand coalitions can take many forms. They can be a coalition cabinet including all the parties, a special committee with extensive powers, a coalition of the top officials in the state who represent the different groups (1977, 25). Schneckener contends that for the successful implementation of power-sharing modules several necessary elements must be secured: there should be a minimum equilibrium between the groups inside the state; the socio-economic differences should not be very large and evident; and each group must accept specific elites as leaders who should believe in moderate

pluralism rather than nationalist schemes. All groups who are part of the arrangement must foster a tradition of compromise and mutual understanding (2002, 211).

These power-sharing arrangements suffer from a number of major flaws however. They are based on the assumption that the ethnic groups in question enjoy a considerable level of confidence in each other and they are ready to cooperate constructively and effectively to allow for the system to function. Horowitz criticizes Lijphart's and Eric Nordlinger's consociational schemes because they build on the premise that each ethnic group has a single leader or party. He states that if that was to be the case then cooperation between those parties would have been predictable and beneficial. However, bearing the fact most ethnic groups in heterogeneous states are not represented by one single party this suggestion cannot hold ground. "In short, a principal limitation on interethnic cooperation is the configuration of intraethnic competition, both present and anticipated" (Horowitz 1985, 574). Another problem with consociationalism is that it increases ethnic sentiments and makes it harder for groups to cooperate with each other. Since elections in these systems are almost census on the amount of vote each group can receive, every party appeals to its own group with an extreme rhetoric with the hope of increasing its own turn out. They even play the game of demonizing the other group in order to raise fear and anxiety in the group and trigger a large turnout. This process, exaggerating mutual fear and distrust, while increasing the votes of each party, decreases the likelihood of cooperation between the groups in the future. Downes shows, via empirical evidence, that although power-sharing arrangements have been successful in settling relatively few conflicts, similar settlements in Lebanon, Rwanda, Chad and Angola were short lived and conflict resumed at later times (2001, 92).

Federalism shares most of the characteristics of autonomy modules, except that it presents governments and groups with more rigid institutional controls and grants groups wider protection. Critics of federal systems argue that they are ineffectual and may even lead

to state collapse. "Empowering groups could ameliorate their discontent but it could also reinforce group identities while providing resources that groups can then use to bring more pressure on the state" (Elkins and Sides 2007, 693). Federalism might face big problems if relatively wealthier regions feel that they are funding of poorer regions. In some cases, they may even look to exit the federation.

Other conflict resolution structures which deserve further discussion are third party interventions, assimilation strategies and outright wars ending with genocides. External interventions by the international community or world superpowers are the most fashionable tools for ending ethnic conflicts in the contemporary world. But as Downes underlines these interventions cannot bring peace to conflicts. It is true that third parties might guarantee the security of the groups for a given period of time mainly through direct military presence, but most groups will be reluctant to disarm, especially knowing that the third party will leave sooner or later and they will have to live with their current foes (2000, 11). As for assimilation strategies, Lijphart and Nordlinger believe that they have been rarely successful and require a very long time to be tested (Lijphart 1977, 45). Finally, the complete defeat of one of the warring parties is the surest and most effective way of ending an ethnic conflict. However, it would completely contradict the mere essence of conflict resolution which aims at securing peaceful existence between ethnic groups.

After discussing all the major available alternatives to partition, it is useful to highlight that most anti-partition advocates retain in their hypotheses either an implicit or explicit reference to the notion that in some contexts partition could be considered the best option to end and prevent recurrence of ethnic conflicts. Lijphart believes that geographically concentrated plural societies are best suited for the application of federal or even partition modules. He believes that problems arise when populations are not separated territorially and there are not clear boundaries between them (1977, 45). Horowitz endorses the idea that "if it

is impossible for groups to live together in a heterogeneous state, perhaps it is better for them to live apart in more than one homogeneous state, even if this necessitates population transfers" (1985, 588). Tir, on the other hand, states that peaceful secessions are likely to succeed because the minorities, who are left on the other side of the border, will feel relatively safer than when partition has occurred through violent conflict. He then recognizes the benefits of partition but is sceptical about the suffering it may cause when implemented through violent means (2005a, 737).

Alternatively, Kaufmann is convinced that conflict resolution techniques which aim at keeping multi-ethnic states intact are destined to fail. He argues that power-sharing arrangements, whether federalism or other frameworks, are especially ineffective after ethnic civil wars, "because they do not resolve the security dilemma created by mixed demography" (1998, 122). Chapman reiterates the same idea when he claims that "after civil wars of nationalism," partition "is better than de facto separation, autonomy, or unitarism at preserving the peace among the parties to the previous conflict and fostering democratization" (Chapman and Roeder 2007, 689). Lynch indicates that one of the reasons for the failure of power-sharing arrangements, especially in the contemporary world, is the supposition by third party mediators that independence claims are bargaining cards by those who demand it and that they would be willing to relinquish once favourable conditions are presented. "On the contrary: sovereignty is non-negotiable for the de facto states. They may be willing to negotiate a new relationship with the metropolitan states, but not one based on a federation. At most, the self-declared states will accept confederal ties with the metropolitan state" (Lynch 2002, 838).

Kaufmann offers a comprehensive analysis of the keys to successful partitions for ending ethnic war (1998). He acknowledges that partitioning states and exchanging populations must be a last resort when all other measures fail or are clearly unsuitable for

avoiding or ending ethnic conflicts. A careful and conservative limit of interethnic resentment must be identified, beyond which separating states and transferring ethnic groups can be acceptable. After all, Kaufmann points out, "no one wants to dissolve the diverse societies, even deeply troubled ones that have any hope of avoiding massive violence and attaining civil peace" (1998, 155).

Although the ethnic conflict literature does not demonstrate clear and decisive indicators of whether partitions should occur more or less frequently, Kaufmann insists that partitions should never occur unless the national communities are already largely separate or will be separated during territorial separation. Partitions that do not split hostile populations actually increase violence. Consequently, Kaufmann asserts that the international community should stop trying to prevent the movement of refugees away from the threats of ethnic massacres and should instead support and safeguard their resettlement. Their policy of bringing "safety to people, and not people to safety" cannot be implemented in the midst of ethnic wars, and attempts to do so are likely to cost the lives of some of the very people they are supposed to save (1998, 155).

2.5 Conclusion

This chapter has shown that the evidence does not support the claims that autonomy and federalism solve ethnic conflicts and contribute to bringing peace to conflict prone regions in the world. This strengthens the argument that partition of states and separation of ethnic groups are necessary in extreme cases to end ethnic conflicts and re-establish peace and order.

Studying the Nagorno-Karabakh conflict in the next chapter reveals the interethnic resentment and unbridgeable confidence gap between the two populations, which renders every solution short of total partition ineffective. Moreover, the current levels of peace and

stability managed to be preserved for the last sixteen years could crumble immediately in case the pre-war mixed demographic situation is allowed to be reconstituted through the encouragement of the return of Azerbaijanis to Nagorno-Karabakh and Armenians to different Azerbaijani cities.

Chapter Three

The Nagorno-Karabakh Conflict

3.1 Introduction

The Nagorno-Karabakh (henceforth N-K) conflict, one of several that broke out simultaneously with the demise of the Soviet Union, is a complex and multilayered clash between two neighboring nations. Understanding the war in N-K requires going beyond the clash between the notions of self-determination and territorial integrity which has hitherto characterized analysis of the conflict. As one analyst has commented, this conflict "is a struggle for the soul of the Armenian and Azerbaijani peoples" (Croissant 1998, 139). Armenians regard N-K the heart of historic Armenia; the land where Armenian autonomy has been preserved for centuries and where Armenian culture and militarism survived and flourished. Azerbaijanis, meanwhile, consider Karabakh the center of Turkic presence in the region and a witness to their identity.

This chapter offers a historical overview of the conflict, highlighting the contradictions in the dual historical narratives and focusing on the development of the unification movement from the later years of the USSR. The chapter also focuses on the Soviet nationalities policy, and after a short summary of its historical-theoretical foundations, provides an analysis of this policy in practice and in the way it has affected the outcome of the N-K conflict. Furthermore, the chapter includes a detailed explanation of the mediation efforts aimed at solving the conflict. It presents the early Soviet and Russian initiatives and then focuses mainly on the efforts of the Organization of Security and Cooperation in Europe (OSCE). The chapter also discusses the causes behind the failure of each of these initiatives.

3.2 A Historical Overview

Nagorno-Karabakh is located east of the contemporary Republic of Armenia and is landlocked inside the Republic of Azerbaijan. It connects to mainland Armenia through two mountainous paths in the highlands of Lachin and Kelbachar. This land, inhabited before the outbreak of war by a dominant Armenian and a smaller Turkic community, has witnessed several Armenian-Turkic clashes starting from the beginnings of 20th century, when Armenia was still a part of the Russian Empire and Azerbaijan did not exist.

Table 3.1 - Population figures in Nagorno-Karabakh

	Armenians	Tatars-Azeris
1989*	145,593	42,871
2007**	138,000	-

These two groups have contradicting historical narratives of their origins and they disagree on the matter of who came to inhabit N-K first. The Azerbaijani narrative, which focuses on the supposition that the ancient Albanians (not to be confused with present day Albanians) are their ancestors and that their existence in the region precedes the Armenian arrival, is fundamentally challenged by historians and politicians alike. Ben Fowkes dismisses the claims of a linkage between modern Azerbaijan and ancient Albania; however, he reiterates that this "speculation" has been an integral factor in the establishment of the

*Human Rights Watch. *Seven Years of Conflict in Nagorno-Karabakh*. December 1994, p. xiii, citing: Natsional'nyi Sostav Naseleniya SSSR, po dannym Vsesoyuznyi Perepisi Naseleniya 1989 g., Moskva, "Finansy i Statistika"
** Regnum News Agency. Nagorno Karabakh prime minister: We need to have at least 300,000 population. Regnum. March 9, 2007. Retrieved March 9, 2007.

Azerbaijani nation. Fowkes explains that Azerbaijanis lack a clear perception of their identity. Sometimes they define themselves as Muslims and part of the Muslim Umma, sometimes they are Turks, members of the great Turkic nation spreading from Istanbul to Central Asia, and at other times they are Persians by virtue of their Muslim Shiite religion and their cultural affiliation (2002, 14).

Armenians, on the other hand, argue that the Armenian presence in the region dates back to centuries before Christ. N-K became part of Armenia in the fifth century. Then, together with the rest of the region, it came under Persian Sassanid rule and was part of the Kingdom of Albania, and when Arabs conquered the Persian Empire it became part of the larger Arran region. In the 11th century, Seljuks conquered the area and established their dominance for two centuries until they fell to the Mongols. At the beginning of the 16th century, N-K was occupied by the Persian Safawids. It enjoyed a brief period of self rule in the early 18th century, under Armenian lords who became known as the Meliks of Artzakh. In
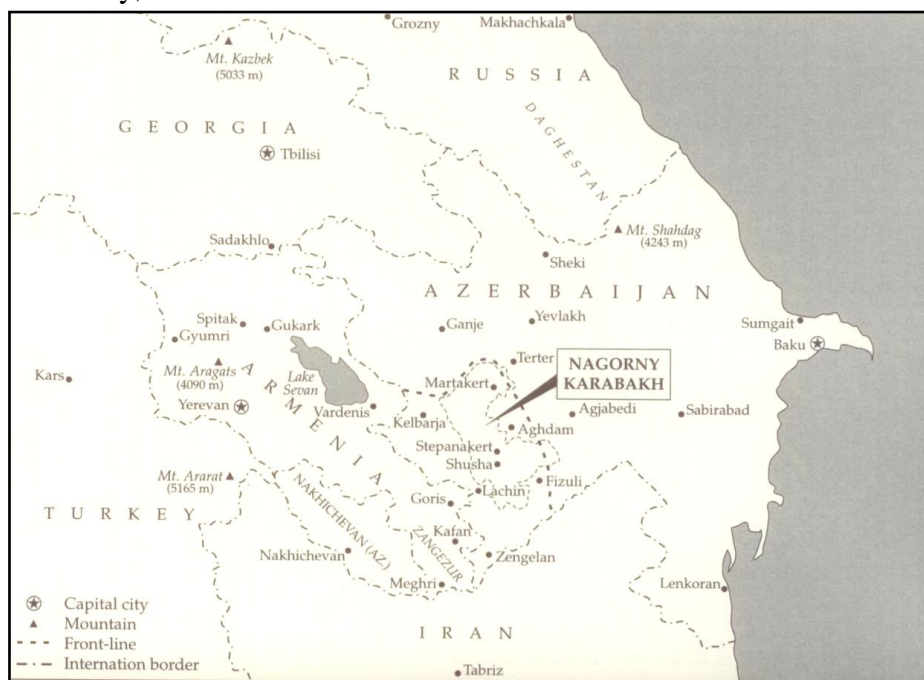

Figure 3.1 - The South Caucasus (Source: De Waal, 2003, p. Xii)

the 18th century, a Turkish Khanate came to exist in Shushi, simultaneously with the rise of Ottoman influence in N-K. In 1828, the Russian-Persian treaty of Turkmenchai decided the faith of N-K by transferring it to Russian control (Luchterhandt 1993, 19).

Under Byzantine, Persian, Arab, Seljuk and then Russian occupations N-K preserved its cultural, religious and linguistic ties with motherland Armenia. Ironically, N-K represented, with its highlands and free spirited population, the sanctuary of Armenian identity. After all, in 800 years of Armenian submission, the 18th century N-K Meliks were the only form of Armenian autonomy which managed to exist.

The First World War brought independence to Armenian and Azerbaijan and triggered a new round of fighting in N-K. After Russian troops withdrew from the Ottoman front; with the explicit encouragement of the Ottoman Empire, Georgia and Azerbaijan declared their independence and broke away from the Transcaucasian Union which grouped them with Armenia. Under these circumstances, and a day after Azerbaijan declared itself independent, Armenia declared its independence on 28 May 1918. These turbulent conditions set the stage for a clash over entitlement rights to N-K. At first, it was invaded by the Azerbaijani army loyal to the pro-British Baku authorities, who were fighting against the Bolsheviks. The local government in N-K established by pro-Bolshevik Armenian factions was forced to recognize the Baku authorities. The treaty between them stated that "The Contracting parties accept this temporary agreement in expectation of the decision that depends on the Peace Conference and whose same decision both parties agree to respect" (Luchterhandt 1993, 21). However, power inside N-K quickly shifted in favor of the nationalist forces supported by Republic of Armenia. Clashes between Armenian and Tatar armed militias turned violent and caused many casualties. In April 1920, the conquering Red Army subdued Baku and spread its rule over N-K bringing an end to the hostilities.

Hence, the N-K problem became an internal Soviet matter. Its handling by the Soviet authorities, especially in the beginning, was rather puzzling. In November 1920, the head of the Azerbaijani Communist Party made the following statement: "With effect from today, the former boundaries between Armenia and Azerbaijan are proclaimed annulled. Nagornyi Karabakh, Zangezur and Nakhichevan are recognized as a constituent part of the Armenian Socialist Republic" (Fowkes 2002, 79). A few days later, Stalin endorsed this statement in the Soviet official newspaper. This position was overturned by the Caucasus Bureau of the Communist Party, however, who declared on July 5, 1921, Nagorno-Karabakh a part of Soviet Azerbaijan. Bizarrely, Joseph Stalin headed the Bureau. The Bureau declared that

> in view of necessity for national harmony between Moslems and Armenians, the economic ties between "Upper" (Nagorny) and "Lower"- Karabakh, the continuous bonds of both of them with Azerbaijan," N-K should remain within the borders of the Azerbaijan Socialist Soviet Republic, and be given the status of an autonomous territory with Shusha (Shushi) as its administrative center. (Luchterhandt 1993, 21)

In 1923, the Nagorno-Karabakh Autonomous Oblast was established (ICG-167). The decision to make N-K part of Soviet Azerbaijan instead of Soviet Armenia has been subject to various analyses. Graham Usher argues that N-K was ceded to Azerbaijan partly to curb secessionist ambitions within Armenia and partly to reward Baku for its support of the Bolsheviks (1999). Fowkes believes that the decision was a result of Stalin changing his mind, and viewing the step a foreign policy gesture to satisfy the Turks and win them over (2002, 79). Michael Croissant considers the decision a manifestation of Stalin's divide-and-rule policy (1998, 19). Others contend that Stalin's decision was based on the fact that N-K was economically heavily dependent on Baku. Another argument is that Nakhichevan and Karabagh were allocated to Azerbaijan as a part of the secret agreement between Turkey and Soviet Union (Dragadze 1989).

Stalin's decision was considered a victory for Azerbaijan and a severe loss to Armenia. However, Karabakhi demands for reunification did not fade and persisted

throughout the Soviet years. From the early 1920s, there was a small underground group working for the unification of N-K with Soviet Armenia. Some Soviet historians even claim that the Armenian Communist leader Aghasi Khanjian, who was known for his nationalist ideas, was shot dead after an argument with Moscow officials about the N-K problem. In 1945, Georgy Arutinov, the General Secretary of the Armenian Communist Party's Central Committee, send a letter to Stalin endorsing the wishes of the Karabakhi people for unification with Armenia. He specifically cited the support of "the Central Committee, the Council of Peoples' Commissars of Armenia, the Party and State leadership" to the Karabakhi demands (Luchterhandt 1993, 22). Arutinov expected that Stalin will look favorably upon their requests especially after the heroics of the Armenian troops in the biggest battles of the Second World War. However, Moscow remained unfazed. From then on and at every political opening, "in 1945, 1965, and 1977, for example – Armenians sent letters and petitions to Moscow, asking for Nagorno-Karabakh to be made part of Soviet Armenia" (De Waal 2003, 16). In the 1960s, a petition was sent to Nikita Khrushchev demanding the annexation of N-K to Armenia. The workers of N-K complained in the petition of their harsh living conditions. Another petition also in the 1960s, protested the murders committed against the Armenians by the Azeri population and which remained unattended by the Azeri authorities (Luchterhandt 1993, 23).

These demands increased after Mikhael Gorbachev took office in Moscow and announced his plans for change and freedom in the Soviet Union. In February 1988 thousands of Armenians demonstrated in Yerevan demanding in the name of perestroika and glasnost that N-K be transferred to Soviet Armenia (Dragadze 1989).

Beginning in 1987, the movement for unification gained pace. In Yerevan, Moscow's economic plans were considered a threat to the Armenian economy. Further economic dependence on Moscow, rising air pollution levels and abuse of Armenian mineral resources

were all considered national dangers worth fighting against. The protests, which started on the basis of economic and social demands, gathered pace and in the final months of 1987 explicit demands for the return of N-K to Soviet Armenia were made. More than 40 deputies of the Nagorno-Karabakh Soviet joined the petition signed by thousands of N-K Armenians demanding a meeting of the Nagorno-Karabakh Oblast Soviet to discuss the issue. Armenians believed that the new era would harbor more convenient circumstances for such a transformation. In August, "more than seventy-five thousand signatures from Karabakh and Armenia were sent to officials in Moscow" (De Waal 2003, 20). Armenian intellectuals and activists from all over the world, and notably from the USSR, made statements supporting the Karabakhi claims. Delegations of writers and artists from Yerevan and N-K traveled to Moscow and met with Communist leaders explaining their position and demanding, based on Soviet laws and new Gorbachev policies, that N-K be transferred to Soviet Armenia. By February 1988, the movement had earned vast popular support. Thousands of demonstrators were occupying the public squares in Stepanakert and Yerevan and demanding unification.

Two seemingly unrelated events led Armenians in both N-K and Armenia to suppose that the Soviet leadership would accommodate their demands. Abel Aghanbegian, one of Mikhael Gorbachev's closest advisers, and Zori Palayan, a popular Soviet Armenian reporter, made public statements in support of the perestroika policy put forward by Gorbachev when discussing the N-K problem. On another front, Heidar Aliev, an Azerbaijani member of the Soviet Politburo and the future Azerbaijani president, was dismissed from his post. While these events seemed favorable in relation to the Armenian demands, they disguised the real Soviet intentions (Geukjian 2007, 237).

In February 1988, the crowds gathered in front of Stepanakert's local Communist Party center and demanded that their representatives pass a resolution to unify N-K with Armenia. The Communist Party held meetings to think about ways to respond to these

demands. Baku sent the second secretary of the Azerbaijani Communist Party to Stepanakert to search for solutions. The demonstrators managed to force N-K Communist Party leadership to endorse the public's demand of unification with Armenia.

The N-K Supreme Soviet yielded under escalating public pressure, and "On 20 February 1988, the Nagorno-Karabakh [it] passed a resolution asking for a transfer to the Armenian SSR" (ICG-167). The Azerbaijani SSR rejected this resolution, however.

The first wave of deportations, violence and pogroms occurred in 1988. Many Azerbaijanis living in Armenian cities were driven away from their homes. At times deportations turned violent and claimed the lives of many civilians. These acts were paralleled by similar events in many Azerbaijani cities where the Armenian population was expelled. However, wide-scale violence first erupted in the Azerbaijani city of Sumgait, where local Azeris committed a massacre against the Armenian population of the city (Dragadze 1989). On 28 February 1988, during a rally, speakers blamed Armenians for committing atrocities against Azerbaijanis in Armenia and for raising the issue of N-K. The crowds expressed their anger against the Armenian population in the city by murdering more than 30 Armenians and looting Armenian shops and houses. A "renewed series of murderous attacks on Armenians in Baku and elsewhere" was set off (Fowkes 2002, 136).

In face of rising pressure, the Presidium of the Supreme Soviet of the USSR discussed the N-K issue in its session on 23 March 1988 and decided to reject N-K's unification with Armenia. Instead, the Kremlin announced a package of economic and social reforms, including longer hours for Armenian-language television designed to ameliorate the situation in the region. Moreover, in order to put development plans into work, Russian official Arkady Volsky was dispatched to the region with vast administrative powers.

Meanwhile, political transformation in both Armenia and Azerbaijan was well under way. A committee by the name of Karabakh Committee was established in Armenia in

February 1988 by some of the intellectuals leading the N-K movement. The Committee pursued the single aim of uniting N-K with Armenia. Igor Muradian, one of the key figures in the Committee, called for focusing on the one and only issue of unification and warned against being distracted with other issues such as corruption or economic problems. A similar committee the Krunk Committee was established in N-K to lead the protests. Krunk coordinated closely with the Karabakh Committee in Armenia (Geukjian 2007, 241). In 1990, the Committee and its leader Levon Ter Petrosian were the first non-communist group to take power in a Soviet republic. In Azerbaijan, although to a lesser extent, opposition forces were also gaining footholds in several sectors of the state apparatus.

In the summer of 1988, the Karabakh movement went through an important shift in its agenda. Against Moscow's rejections, Armenians extended their claims and started to demand democratization and freedoms. The composition of the Karabakh Committee changed too. It now included prominent nationalist activists some of whom had struggled against Soviets since the 1960s. In light of all these developments, the Communist leadership in Moscow decided to replace both the Party First Secretaries in Yerevan and Baku (Geukjian 2007, 245). It was apparent that their replacement signaled Moscow's desire to approach N-K with fresh ideas.

These steps proved ineffective however. Basing its decision on Article 70 of the USSR 1977 Constitution, the Armenian Supreme Soviet, under the pressure of more than 700000 protesters, supported NKAO Soviet's decision of uniting N-K with Armenia. This was an unprecedented decision, where the Communist Party leadership in Armenia seemingly disobeyed the wishes of their Moscow chiefs. Moscow rejected both the Armenian and NKAO Supreme Soviets' decisions. The USSR Supreme Soviet based its refusal on Article 78 of the Soviet Constitution, which stated that no territorial transfers could take place without the approval of the republic concerned (Geukjian 2007, 247).

Beginning in late December 1988 to January 1989 Moscow retaliated against the protests and strikes in Yerevan, Stepanaket and Baku. Soviet Special Forces clamped down on the protesters. The members of the Karabakh and Krunk Committees were detained. Some of them were sent to Moscow.

The situation reached the point of no return when a joint meeting of the Armenian Supreme Soviet and the Armenian National Council on the first of December 1989 declared
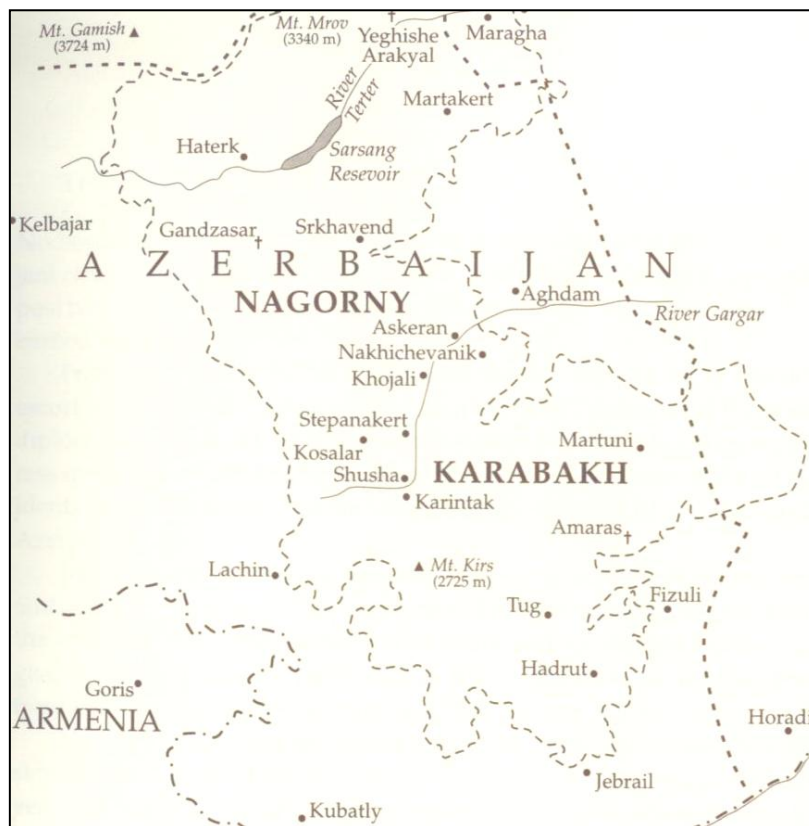
Figure 3.2 - Front-lines and international borders in Nagorno-Karabakh (Source: De Waal, 2003, p.xiii)

N-K a part of Armenia. In the days leading up to that declaration, mutual hostilities had reached an unprecedented level. The situation escalated further toward the end of 1989. The Azerbaijani opposition parties, namely the Azerbaijani Popular Front, coordinated a rail blockade of Armenia and N-K, which had catastrophic effects on Armenia who received "85 percent of its food and fuel needs" through Azerbaijan (Croissant 1998, 34). The Azerbaijani Popular Front, the newly established nationalist party, created "an Azerbaijani voluntary

militia" as a response to N-K's "self-defense units" (Geukjian 2007, 252). On January 23, 1990, a demonstration in Baku, organized to protest Armenian actions in N-K turned violent. "In two nights of carnage, which neither the local authorities nor the 12000 Soviet Interior Ministry troops stationed in Baku did anything to stop, more than 74 people died, the majority of them Armenians, and the rest of Baku's estimated Armenian population of 50,000 was evacuated hastily by air and sea" (Croissant 1998, 37).

After the Baku events, Gorbachev abolished the Volsky committee and called for the Azerbaijani government to find a just solution for the N-K problem and to grant the region real autonomy. The stage was set for Viktor Polyanichko, the second secretary of Azerbaijan, to carry out Azerbaijani leaderships plans in N-K. Polyanichko established direct rule over N-K. He publicly stated his intentions of submitting the Armenians by force. During his eighteen months rule, many activists were detained more than once in a move to deter the Armenians. He also used several measures in an effort to split the separatists. Polyanichko's master plan became known as "Operation Ring." Under Soviet rules every republic was entitled to have its own police force, the Azerbaijani police force was called OMON. These troops were almost exclusively deployed in and around N-K. They established checkpoints, undertook undeclared searches and went on patrols. They engaged in a campaign of harassment against Armenian villages, involving "raids on collective farms and the theft of livestock" (Croissant 1998, 41). At about this time, the passage of armed fighters from Armenia to N-K increased substantially, weapons were purchased from Soviet soldiers or made at home and armed rebel units were continuously appearing in the hills of N-K. Concurrently with favorable developments in Moscow, Polyanichko planned an operation aimed at clearing N-K from separatists, along with substantial numbers of the civilian population.

In the spring and summer of 1991, the 23rd Division of the Soviet 4th Army, joined by the Azerbaijani OMON and Azeri villagers, raided the Armenian villages in search for illegal *fedayin*s, Armenian fighters. The attacks began from the villages of Getashen and Martunashen in the north of Nagorno-Karabakh (De Waal 2003, 115). After a short period of resistance, the inhabitants of the villages were forcibly deported. In the coming days and months, the operation continued into other regions of N-K and bordering Armenian villages. However, and instead of breaking the aspiration of the Karabakhis to unite with Armenia, it strengthened anti-Azeri feelings and the resistance forces. It is widely agreed that "Operation Ring marked the beginning of the open, armed phase of the Karabakh conflict" (De Waal 2003, 120).

The final months of 1991 and the beginning of 1992 were a period of organization, arming and regrouping for the two sides. The dismantling of the Soviet Union and the division of the Soviet Army artillery between the former Soviet states gave Azerbaijan and Armenia the opportunity to build their armies.

After the fall of the Soviet Union, the independent Azerbaijani Parliament voted to abolish the autonomous status of N-K and put it under direct Azerbaijani control. As a response, N-K organized a popular referendum to confirm its decision of unification with Armenia. The majority Armenian citizens of N-K voted overwhelmingly for independence. N-K also elected its parliament in 1992. Both votes were boycotted by the minority (25%) Azerbaijani population (Geukjian 2007, 257).

Between winter 1992 and spring 1994, Nagorno-Karabakh plunged into a full-fledged war against the Azeri army. The Azerbaijani offensive, in the beginning of 1992, as a response to the declaration of independence by the N-K legislature, was defeated by the defending Armenian forces. The Armenian counterattack, intended to shut down the Azeri strongholds around Stepanakert, started in the towns of Malibeyli and Khojali, and did not

stop until the next winter, after the fall of Shushi and Lachin corridor, two strategic regions in and around N-K (De Waal 2003, 172). The fall of Lachin altered the course of the Armenian-Azerbaijani conflict. It created a much needed physical link between Armenia and Nagorno-Karabakh.

However, the bloodiest part of the war began with the large-scale Azerbaijani offensive. It was launched by Haydar Aliyev, newly elected president in December 1993. The Armenian forces had occupied large sections of southwestern Azerbaijan and had consolidated their positions throughout the battlefield. In two months, the Azeri forces scored substantial gains and re-conquered parts of Agdam and Fizuli in west and southwest Azerbaijan. The Azeri counterattack stalled in February 1994 mainly because of the enormous casualties and the losses suffered on the hands of the N-K army. Simultaneously, the ongoing mediation efforts led by Organization for Security and Cooperation in Europe (OSCE) and regional powers, managed to establish a viable ceasefire, which was agreed upon and maintained by the all sides, with minor violations, starting from May 1994.

At the time of the ceasefire, some 15000-25000 people had been killed and 50000 wounded. Many towns and villages were completely destroyed. The conflict had also been responsible for the former USSR's largest displaced persons crisis. While figures are controversial, the vast majority of the estimated 345,000 Armenians who lived in Azerbaijan prior to 1988 had fled the country. In addition, virtually all of the estimated 185,000 Azeris who lived in Armenia and the 47,000 who lived in N-K had left their homes. Armenia suffered acutely from an economic blockade imposed by Azerbaijan and later Turkey. It has also contributed to political instability in Azerbaijan, which has suffered numerous coup attempts and four leadership changes (Walker 2004).

3.3 The Impact of Soviet Nationalities Policy

The analysis of the N-K conflict can hardly be considered complete if it did not encompass the Soviet nationalities policy, both in theory as laid down by Communism's thinkers, and in practice, as carried out by succesive Soviet administrations, especially in regard to Nagorno-Karabakh. Nationalism or ethnicity was not covered sufficiently by Marx and Engels perhaps because, as some scholars argue, nationalism was not an issue in Western Europe at that time. The German Social-Democrat party was the first socialist party who had to deal with the question of nationalities and minorities. Having to work in a region rich with nationally conscious minority groups, the Social-Democrats had to decide whether to organize the party as a single entity or to divide it along national lines; whether to adopt German language as an exclusive language for propaganda and communications even in the non-German speaking regions; and how to devise a constitutional system satisfactory to all the nationalities. This question was first addressed in the Bruenn Congress of the Austrian Social Democrats in 1899. In that Congress two dominant courses were brought forward. First, the principal of territorial national-cultural autonomy. This principle advocated the division of the party along ethnographic boundaries, leaving sovereignty over cultural and linguistic issues to the dominant ethnic group in the region. Second, the principal of extraterritorial national-cultural autonomy. This second theory suggested that every national minority should have autonomy over cultural-linguistic issues regardless of its territorial concentration throughout the country. The Congress adopted a middle ground between the two principles: dividing Austria into a democratic federation of nationalities, and replacing the existing districts "nationally homogeneous self-ruling bodies" and all the self-ruling bodies of the same nation should have together formed a national union... The party was organized along national lines (Pipes 1997, 24).

Stalin, who was charged by Lenin to draw up the official Communist approach to the nationalities issue, accused the Austrian Social-Democrats of magnifying the national differences and creating unwarranted clashes between the proletariat. Instead, he proposed the right to self-determination to established nations and the preservation of languages and schools of minorities (Pipes 1997, 38). Subsequently, the USSR was supposed to become a 'communal apartment' where national groups would live side by side (Fowkes 2002, 72). At least this was what the founders of the Union anticipated. They put a great deal of effort to preserve and develop the cultures and the languages of most ethnic groups in the Union. Lenin and his counterparts believed that by allowing every national group to express itself in its own language and develop its own culture would help establish and sustain a peaceful and cooperative coexistence between the peoples of the Union.

This conviction was overturned when it came to the organization of the three South Caucasian entities. Armenia, Georgia and Azerbaijan were forced into a single political unit: the Transcaucasus Socialist Federative Soviet Republic. This union lasted until 1936, after which the three states became separate Soviet republics. Fowkes and others argue that the Soviet nationalities policy aimed from the beginning to the establishment of a Soviet culture and Soviet identity, disregarding and exterminating all 'inferior' identities. Consequently, all divisions and re-divisions of republics were merely manifestations of that policy (Fowkes 2002, 75). Despite the fact that this argument and the extent to which USSR's ethnic policies corresponded to what its founders had in mind are worth discussing extensively, however, they are outside the premises of this thesis.

As far as this study is concerned, in practice, and mainly after Stalin, each republic started to gain a greater share of control especially in the cultural and economic realms. Many non-Russian residents acquired prominent positions in local state and party hierarchies, and local national sentiments were nurtured and developed in every Soviet republic.

The establishment of an autonomous region in Nagorno-Karabakh was also an application of this policy, which recognized the national characteristics of populations and met their cultural, social and economic demands. However, Geukjian argues that Armenians never really practiced their autonomy because of Azerbaijani discrimination against them, which relegated them to second level citizens. This fact, along with a strong national consciousness, led the Armenians in the region to manifest their desire to become part of the Armenian republic every time there was a favorable political situation in the Union (Geukjian 2007, 234).

When Gorbachev came to power in 1985, he left no doubt that his policies of democratization and transparency would completely alter Moscow's nationalities strategy and the situation of minorities in the Union. The calls for "the extension of competitive elections in the workplace, the Soviets, and in the Party itself," and for awarding "greater autonomy for enterprises and increased rights for workers to elect their own managers" in the 1987 Communist Party plenums, led the non-Russian elements of the Union to mobilize in favor of claiming their rights. It could be that Gorbachev merely wanted to win over the republics in the Union and weaken the traditional power circles in Moscow who were against his perestroika and glasnost policies; however, his scheme backfired and the breeze of liberties took him by surprise (Geukjian 2007, 237). Armenians, along with the Ukrainians and Georgians, were the first to grab this wave of freedom and nationalism. In March 1989 elections were held for the first time in the USSR to elect one third of the Soviet central parliament based on territorial representation. The election campaigns and the multi-party system introduced altered radically the mentality and the political landscape of the Soviet Union forever. Furthermore, the collapse of Communist states in Eastern Europe hugely affected public opinion inside USSR. Demands for more autonomy and less control by Moscow were raised in Georgia, Lithuania, Estonia and Ukraine (Geukjian 2007, 249).

Moscow did not possess a clear and coherent strategy for solving the N-K problem. It pursued a policy of 'muddling through' with the hope of winning over the Armenians by offering political, economic and social reforms. Gorbachev and other Soviet leaders had underestimated the resoluteness of the Armenians. The hurried formation of the Volsky commission and then its abrupt dissolution confirmed this fact. These arrangements created false expectations and perceptions both in the Armenian and Azeri camps. The Azerbaijanis believed that Gorbachev was being pro-Armenian; while the Armenians, after looking favorably at Gorbachev's initiatives with the hope of getting N-K united with Armenia, gradually became disillusioned with him.

The revised Soviet nationalities policy was published in 1989. It came as a huge disappointment to the Armenians who had built high hopes of achieving unification through official Soviet channels. The new policy stated that the USSR was not going to approve "any real transformation of the structure of the USSR." In a move that further polarized the situation, Gorbachev called those who demanded secessions "adventurers" and demanded the dissolution of all "nationalist" organizations (Geukjian 2007, 252). Moscow was trying to strengthen its position inside the two republics and to win over the support of the Armenian and Azeri governments for the persistence of the Union. Ayaz Mutalibov, who overthrew the nationalist Azerbaijani Popular Front with Moscow's support, relied on Gorbachev to solve the N-K conflict in their favor in exchange of his support for the Union. In Armenia, in the meantime, Soviet rule was quickly and steadily losing popularity to the rising Armenian National Movement whose leaders, formerly the leaders of Karabakh Committee, were explicitly calling for freedom and democracy, along with the unification of Armenia and N-K.

Obviously, Soviet engagement in N-K came to a sudden end with the dissolution of the USSR. In August 1991, a coup attempt led by the old guards inside the Communist Party

targeted Gorbachev. The coup failed and Yeltsin, the chairman of the Russian Supreme Soviet, led a counter coup against the Communists which ended with Gorbachev's resignation and the dismantling of the USSR. No one can predict for sure the course of events in case the Soviet Union had not seized to exist. However, one thing is definite: the Soviet nationalities policy, in practice, had been a tool in the hands of the Communist leadership to manipulate the member republics and fortify the foundations of the Union. With the demise and weakening of central authority that same strategy failed in bringing peace and stability to N-K and; in the contrary, many would argue, the inconclusive and ineffective ploys set by Moscow aggravated the situation and turned any future return of N-K to Azerbaijan impossible.

3.4 International Mediation Efforts

The conflict in Nagorno-Karabakh, especially after the fall of the Soviet Union, was under continuous regional and international scrutiny. Other than the ceasefire established in May 1994, states, institutions, regional organizations and diplomats intervened at different stages of the conflict seeking to establish a viable peace. Their efforts led to nothing, however.

As early as the final days of the Soviet Union, there was an attempt by two post-Soviet prominent leaders, Boris Yeltsin of Russia and Nursultan Nazarbayev of Kazakhstan, to find a solution to the conflict. In September 1991, Yeltsin and Nazarbayev engaged in a process of shuttle diplomacy between Baku and Yerevan. They managed to reach an agreement which stipulated that an immediate ceasefire was to be established; all armed units (especially Soviet troops) were to be taken out of N-K; the pre-1989 institutional framework was to be restated simultaneously with the return of deported persons; and finally, the agreement stated that delegations representing the conflicting sides were to meet to discuss

"the final political resolution of the Nagorno-Karabakh dispute" (Croissant 1998, 44). Throughout the negotiations, fighting was carried on between the warring parties. The agreement was blown away by the downing of an Azerbaijani helicopter carrying Azerbaijani officials and Russian and Kazakh monitors by Armenian forces.

While the Azerbaijani administration agreed, unenthusiastically, to the terms of the agreement, it was in no rush to implement a treaty designed by members of the pro-Gorbachev wing of the Soviet hierarchy. It is important to consider that the failed coup attempt against Gorbachev carried out by Soviet hardliners in August 1991 was supported by the Azerbaijani Communist circles and opposed by the Armenians. Armenians, on the other hand, were hardly satisfied by the security guarantees offered, at a time when memories of "Operation Ring" were still fresh in their minds. Moreover, Yeltsin and Nazarbayev were mostly preoccupied by the fast developments in the USSR and had neither the time nor the energy to carry out their task.

Before analyzing the rest of the mediation efforts, it is necessary to represent the interests and standpoints of the involved parties in the N-K conflict, both regional and international. After the collapse of the Soviet Union, the Transcaucasus was at the epicenter of Turkish, Iranian, Russian, and to a lesser extent U.S. interests. Turkey saw in the collapse of the Soviet Union an opportunity to redefine its strategic and international position. During the Cold War Turkey was the first Western barrier against the political, ideological and material expansion of the Soviet Union. After the end of the Cold War, Turkey, looking to build on its historical and linguistic ties with the former Soviet republics of central Asia, positioned itself in the role of a "big brother" to those states. In this context, and considering Azerbaijan's economic potential and Turkey's historical problems with Armenia, Turkey's renewed interest in Azerbaijan was a logical consequence.

Iran, on the other hand, saw in the new independent Azerbaijan potential dangers to its internal stability. While Iran would have relished the chance of expanding political and economic influence onto the newly independent Islamic Shiite republic, it had to be careful of the rising national aspirations of its large Azeri population in the north, on Azerbaijan's southern borders. Hence, without dropping its interest in increasing its field of influence in Azerbaijan, Iran looked more favorably upon the prospect of enhancing and deepening its relations with Armenia and creating an important geopolitical option on its north, especially considering that Azerbaijan showed greater interest in promoting an Azerbaijani-Turkish-US axis.

Russian historic interest in the Transcaucasus was quickly renewed after being abruptly halted with the collapse of the USSR. The Transcuacasus has been a Russian influence belt for centuries. Russia views the southern Transcaucasus as a security assurance for its southern borders and seeks to exclude any other regional or international influence. The prospect of Western military (NATO) presence in the region, Azerbaijani oil, routes for oil pipelines, economic and political opportunities, and strategic projects have all put the Transcaucasus republics at the center of the Russian foreign policy schemes.

The U.S. approached the Transcaucasus mainly as a potential political and economic partner. It looked forward to the Turkish-Azerbaijani political alliance as a favorable zone of influence on the southern borders of Russia, and considered the rich Azerbaijani oil fields an important alternative to Middle Eastern oil. Significant in the United States' approach was the contradicting interests within the U.S. administration. The U.S. saw its strategic interests in siding with its ally Turkey and consequently Azerbaijan, as well as benefiting from Azeri oil. However, the strong Armenian-American community in the U.S., one of the most influential ethnic lobbies in the U.S., pushed for adopting pro-Armenian stances. It succeeded in lobbying Congress to grant aids to the Armenian government and in 1992, it pushed through

a resolution which "punished Azerbaijan by prohibiting the allocation of almost all American government aid "until the President determines, and so reports to the Congress, that the Government of Azerbaijan is taking demonstrable steps to cease all blockades and other offensive uses of force against Armenia and Nagorno-Karabakh"" (De Waal 2003, 234).

After the failed Yeltsin-Nazarbayev effort, and in an attempt to gain an important foothold in the conflict, Iran initiated a mediation process in February 1992. Several meetings took place between the Armenian and Azerbaijani foreign ministers and agreements on ceasefires were made more than once. However, during the mediation process, Azerbaijani bombing of Stepanakert continued uninterrupted and was heavily responded to by Armenian fighters. Finally, the Iranian initiative was dealt a deadly blow on May 9. That day the Armenian President Levon Ter Petrosian and the acting Azerbaijani leader Yaqub Mamedov were negotiating a peace plan in Tehran sponsored by the Iranian President Hashemi Rafsanjani. In the face of the escalating shelling of Stepanakert and surrounding towns and dwindling humanitarian conditions, the N-K leadership decided to capture the strategic city of Shushi which was used heavily in bombing the nearby Armenian towns. The successful Armenian assault was launched on 8th May and was terminated on May 9th, the same day Ter-Petrosian and Mamedov were in Tehran. It is said that Mamedov and Ter-Petrosian had been unaware of the developments in Shushi, and were, especially Ter-Petrosian, embarrassed (De Waal 2003, 180). This was the final nail in the coffin of the Iranian mediation.

This Iranian effort highlighted for the first time what was already apparent for close followers of the conflict, namely the disagreements in the Armenian camp between the Armenian leadership and the Karabakhi Armenian military leaders. This failure also articulated an essential factor for any future resolution attempt and that is the significance and decisiveness of N-K's leadership's consent to any peace plan.

In September 1992, a new effort was made by the then Russian defense minister Pavel Grachev, who gathered the Defense Ministers of the three Caucasian states, Georgia, Armenia and Azerbaijan in a meeting in Sochi. It is reported that the Armenian defense minister, Vazken Sarksian, and Azerbaijani defense minister, Rahim Gaziev, agreed to a ceasefire and to the deployment of mainly Russian observers in the conflict zones and most importantly in the Lachin corridor (De Waal 2003, 204). This agreement failed to materialize, however, because of disagreements mainly in the mediator's and the Azerbaijani camps. Grachev was a representative of the Russian military institution which was in competition with the diplomatic circles, in those early days of the Russian Federation, regarding Russian policies towards the neighboring states. In Azerbaijan, on the other hand, defense minister Gaziev was obviously acting without coordination with the leadership of the country, since other high-ranking officials were quick to reject any Russian presence in N-K.

The second half of 1992 saw the beginning of the long-lasting CSCE (Conference on Security and Cooperation in Europe-then OSCE) involvement in N-K conflict. Initially established as a Conference for negotiating peace and cooperation issues between the West and the East in 1973, the CSCE turned its attention after the fall of the Soviet Union to conflict prevention and resolution. The Council of Ministers of the CSCE, in their emergency meeting in Helsinki in March 1992, established a group called the Minsk Group. It was assigned the task of preparing "a conference to provide "an ongoing forum for the negotiations aimed at peaceful settlement of the crisis on the basis of principles, obligations and the charter of CSCE"" (ICG-167). The Minsk Group included Russia, Sweden, Turkey, Italy, Germany, France, Czechoslovakia, Belarus and the United States. Due to the escalating violence on the ground in the closing months of 1992 and to irreconcilable differences between the two parties, Armenia and Azerbaijan, regarding the participation of

representatives of Nagorno-Karabakh, the Minsk conference never took place. However, the Minsk Group continued to function and mediate actively in the conflict.

In April 1993, a peace plan prepared by Turkey, Russia and the United States was presented to the two parties. The document called for an immediate ceasefire, the withdrawal of Armenian forces from occupied territories outside Nagorno-Karabakh, and the preparation of a plan for a comprehensive peace settlement. After the plan was accepted by all the parties, renewed political unrest in the Azerbaijani capital cancelled its effects.

Geukjian believes that in 1992 and early 1993 both sides were not yet ready for a settlement. Both of them believed in a military victory, and their leaders could not afford to look unpatriotic by making concessions to the enemy. Furthermore, the OSCE involvement in the conflict settlement was not of the desirable level. The interest level of the member states, and the organization as a whole, was not sufficient to achieve the set target. Even the decision to send in OSCE peacekeeping forces was unrealistic, because the OSCE did not possess such forces and the member states were not enthusiastic about committing their troops. In addition, Russia's and the US's positions from the Group and their limited involvement did not provide it the necessary resoluteness to solve the conflict (Geukjian 2006, 3).

As the conflict escalated in the spring of 1993, the United Nations Security Council passed Resolution 822 on 30 April 1993. The Resolution called for "an immediate cease-fire and the prompt withdrawal of "all occupying forces from the Kelbadjar district and other recently occupied areas of Azerbaijan". In July 1993, after the fall of Agdam in the hands of the Armenian forces, a Turkish diplomatic initiative in the U.N. resulted in Resolution 853 adopted on 29 July 1993, it also called for the withdrawal of "occupying forces" from Azerbaijan. The U.N. Security Council adopted two other Resolutions, Resolution 874 on 14 October 1993 and Resolution 884 on 12 November 1993, which were coherent with the first two U.N. Resolutions (Croissant 1988, 88).

Contrary to most of their contents, the wordings of these Resolutions were favorable to the Armenians since they provided a tacit acknowledgement for N-K Armenians as an official conflicting side. However, in the absence of true political will behind the Security Council documents, as for many of the Security Council Resolutions, they remained unimplemented.

Starting from February 1994, Russian diplomats pushed for a ceasefire agreement. On May 4, sponsored by the Commonwealth of the Independent States (CIS), a meeting took place in the Kyrgyzstani capital Bishkek, including officials from Russia, Armenia, Azerbaijan, Kyrgyzstan and N-K. The proposed agreement called for a ceasefire, talks on the terms of disengagement, withdrawal of military forces from occupied territories, ending all blockades, return of the refugees and prisoners of war, and the resolution of the final status of N-K. Armenia and N-K agreed to the Bishkek Protocol, and after initial indecision, so did Azerbaijan. It is suggested that Aliyev gave his consent to the ceasefire agreement despite huge opposition inside Azerbaijan, because he feared the destiny of his predecessors, who were toppled as a response to their opposition to the Russian positions (Croissant 1998, 110). The Bishkek Protocol also called for the deployment of CIS peacekeeping forces. However, and as a response to the refusal of N-K forces to withdraw from the occupied areas, Azerbaijan refused to sign an agreement that had been drafted by Moscow setting out the terms for the CIS's forces deployment (Walker 2004). Despite the absence of any peacekeeping forces the ceasefire survived and is upheld from July 1994.

After the ceasefire, the Minsk Group carried on actively with its mediation efforts. In the 1994 Budapest summit, the OSCE established a co-chairmanship mechanism for the Minsk Group, composed of Sweden and Russia, in order to activate and consolidate the mediating process. The Group was assigned with working to preserve the ceasefire and to conclude a "Political Agreement on the Cessation of the Armed Conflict". The summit also

created a High Level Planning Group for the deployment of peacekeeping forces in the region (ICG-167).

In the 1996 Lisbon summit, the Minsk Group proposed a settlement plan based on three principles: "territorial integrity of Armenia and Azerbaijan; Nagorno-Karabakh's legal status should be defined in an agreement based on self-determination conferring the highest degree of self-rule within Azerbaijan; and guaranteed security for Nagorno-Karabakh and its whole population." This plan was agreed upon by all the participating members in the conference, except for Armenia, who rejected the plan because it limited the opportunities of the Nagorno-Karabakh population in determining their final legal status on their land (ICG-167).

In December 1996, at the request of the Azerbaijani side, the United States was added to the chairmanship of the Minsk Group. Since then the presidency of the group has been composed of Russia, France and the United States.

The efforts of the Minsk Group during its first four years are generally agreed to be ineffective and lacking the necessary seriousness on behalf of the mediators involved. By assigning the CSCE the task of negotiating a peace agreement in N-K, the international community was involving all the interested, influential states in the process. Although it increased the stakes of the parties in the resolution of the conflict, this involvement transferred the conflicting interests and approaches of the mediating states into the Group. To quote De Waal at length:

> The Azerbaijani presidential foreign policy aide Vafa Guluzade recalls "completely incompetent ambassadors from France, from other countries. They were taking part there without any knowledge of the region, the core of the conflict, without any tools of pressure on the parties. The former Armenian President Levon Ter-Petrosian comments: "The OSCE began to take this question seriously only in 1996. Before that it was simply a bluff, there was absolutely no peace process. The opposite was true. They competed among themselves more than they thought about the Karabakh issue." (DeWaal 2003, 229)

Another key factor in the failure of the OSCE efforts and mediation in general was the ongoing competition between OSCE and Russia to gain the upper hand in the negotiations as the principle mediator. Each party worked against the other and made initiatives and held meetings without informing the other (De Waal 2003, 254). This uncertainty had its undeniable effects on the outcome of the mediation efforts.

Along with the incompetence of the Minsk Group's personnel and procedures, Walker suggests other factors that contributed to the stalemate during the first years of mediation as well:

> The Western powers, particularly the United States, were reluctant to become involved in what was seen as a remote and irreconcilable conflict. They also wanted to support Yeltsin in his struggle with the nationalist and communist opposition in Moscow and wished to avoid a confrontation with Moscow over an area that many Russians consider within Moscow's sphere-of-influence. Finally, the international community was already committed to difficult peacekeeping operations elsewhere, particularly in Bosnia, and had been sobered by the peacekeeping operation in Somalia. (Walker 2004)

For the following eight years, the OSCE engaged in a difficult process of mediation which mainly included the foreign ministers and the Presidents of Armenia and Azerbaijan. During this period, the OSCE made a few significant proposals which were rejected by one party or another, but often by both.

> Two differing methodologies have thus been proposed: package and step-by-step solutions. Initially the OSCE established a step-by-step approach, tasking the Minsk Group to define a political agreement while the Minsk Conference was to determine the status of Nagorno-Karabakh in a second stage. The co-chairs soon began suggesting comprehensive package agreements, however, which also addressed status. The June 1997 proposal was based on such a package, while the December 1997 draft was step-by-step. From 1998 through 2001 in Key West, the negotiators also attempted to find a package deal starting with a "common state" proposal. Kocharian, as President of Armenia since 1998, has strongly favored a package solution because it would mean the withdrawal of troops from Azerbaijani-occupied territories would only begin after a guarantee had been secured that Nagorno-Karabakh would never be subordinated to Baku. Azerbaijan, however, considers such an exchange of territory for status would be an admission of defeat. When Ilham Aliyev came to power in 2003, he categorically rejected the package approach, saying that confidence building would be needed after an Armenian withdrawal and before Nagorno-Karabakh's status could be determined. (ICG-167)

The step-by-step model based on the idea of withdrawing Armenian forces from Azerbaijani territories outside N-K (including Shushi), deploying peacekeeping forces, assuring the safe return of refugees, providing a vague status for Lachin corridor and broad autonomy to N-K, was rejected by the Armenian side. "In 1997, Armenia's then-President, Levon Ter-Petrosian, warned his people not to become drunk on their military successes. They had not 'won the war' for Karabagh, he said, 'but only a battle.' He urged them rather to accept a phased solution to the conflict based on a proposal from the Organization for Security and Cooperation in Europe (OSCE), in which demilitarization of the enclave would be followed by negotiations with Azerbaijan on its final status" (Usher 1999). Under strong pressure from the Defense Minister Vazgen Sarkisian and Prime Minister Robert Kocharian, who accused Ter-Petrossian with defeatism and corruption, Ter-Petrossian resigned in February 1998.

In 1999, when OSCE-sponsored meetings between Presidents Ilham Aliyev and Robert Kocharian began, the media was overwhelmed with reports about the existence of a serious resolution effort based upon what is known as the "Goble Plan", a plan based on territorial exchange: in return for giving up the Lachin corridor to Armenia, Azerbaijan would receive a land corridor across Armenia's southern Meghri region connecting it with the Azerbaijani enclave of Nakhichevan in the west. While the genuineness of this proposal is yet to be confirmed, it is believed that both Aliyev and Kocharian faced huge opposition in their respective states, and even few high-level officials resigned from the Azerbaijani administration (De Waal 2003, 264).

The peace talks lived another revival in the beginning of 2001, when after two high level meetings between Aliyev and Kocharian in Paris, negotiations continued in Key West, Florida, in April, in a new format. For five consecutive days the two presidents engaged in

intense negotiations with the specialist advice of the Minsk Group. The mediators announced after the talks that there was agreement on "80 or 90 percent" of the issues. However, the next round of talks, scheduled in June, did not take place mainly because of the strong opposition Aliyev faced when returning home (De Waal 2003, 267).

After more than a decade of negotiations and at least three failed plans for resolution, the Minsk Group put forward a new format for negotiations – the Prague Process – starting from April 2004, "with the foreign ministers of the two countries meeting regularly for political consultations" (Nuriyev 2007). In 2004-2006 there was optimistic talk of a window of opportunity between election cycles, and in 2005 mediators proposed core principles to advance a comprehensive settlement. But the mood soured after meetings in 2006 between Presidents Robert Kocharian of Armenia and Ilham Aliyev of Azerbaijan – in Rambouillet in February, Bucharest in June and Minsk in November – failed to reach an agreement. In 2007 the two foreign ministers met four times with no concrete progress (ICG-187).

With election years in both Armenia and Azerbaijan hindering the negotiation process and decreasing activity on behalf of the mediators, it was obvious that the process was at a standstill. The last reports from the status of the negotiation process in middle 2007 suggested that the two parties are split over a few core issues, most important of which are the scope and the modalities of the final status referendum and the final status of the Lachin corridor.

3.5 Conclusion

This chapter summed up all the major aspects of the Nagorno-Karabakh problem: from historical disputes and mutual grievances to independent Armenia and Azerbaijan, and from Soviet rule to perestroika till the ensuing war and the following peace negotiations. The N-K problem has been only one of the regional ethnic conflicts which have destabilized the southern Caucasus and created an anxious environment. The efforts of the international

community have remained short of offering adequate solutions and prescribing functional remedies for the region's problems.

Indeed, the N-K problem remains unresolved. After the presidential elections in Armenia in 2008 and concurrent regional developments, there was a fresh round of negotiations led by the Minsk Group and the Russians. Two years after this last initiative and there is no real breakthrough to report. The situation on the ground is unchanged and the gap between the sides remains as wide as ever.

In the past two decades N-K has developed into a de facto independent state. It almost satisfies all the four conditions which Downes lays forward as conditions for a successful partition to take place: "Independence, separation of population, defensible borders and a balance of power" (2001, 74). Does this mean that the attempts to keep N-K in Azerbaijan are obsolete and partition is the only viable solution? The next chapter examines this question in detail and puts forward a challenging application of the partition theory on N-K and argues that N-K enjoys all the characteristics to become independent and to exercise its right to full self-determination.

Chapter Four

Giving Separation a Chance

4.1 Introduction

This chapter applies partition theory to the current situation in N-K. For the last sixteen years N-K has been enjoying a status very similar to that of an independent state, even without the recognition of the international community. This chapter argues that along the way to achieve this status N-K has gained many of the features required for partition and independence. The complete un-mixing of the Armenian and Azerbaijani populations which took place by force during the war, created a totally homogeneous N-K; moreover, the deep hatred and distrust between Armenians and Azeris make their cooperation and co-habitation in the future highly unlikely.

This chapter also analyses the defensible borders argument of partition theory and shows how N-K has managed to attain a reasonably well established borderline separating it from Azerbaijan and creating a sustainable balance of powers with it. Chapter four focuses on the final and most important feature of partition, namely independence. It considers the issue of self-determination as a legal and political framework towards independence and argues in favour of giving N-K that right. It concludes that partition carries the only hope for a peaceful end to the N-K conflict after several failed peace plans.

4.2 From De Facto Partition...

N-K has been enjoying relative peace and stability for the last sixteen years. Without a comprehensive peace agreement and with occasional skirmishes, the hastily agreed shaky ceasefire has managed to survive. While many scholars and diplomats point to Russian

influence and continuous international efforts as responsible for preserving the status quo, a closer scrutiny of the situation shows the numerous consistencies of N-K with the different features of partition theory.

To start with, the conflict between the two communities which lasted six years forced a violent, yet complete transfer of populations and ensured an almost hundred percent pure Armenian ethnic existence in N-K. While this process caused immeasurable suffering and losses to the Azerbaijani and Armenian civilians who fled their homes in Yerevan, Goris, Baku, Sumgait in Armenia and Azerbaijan and other cities inside N-K, the ensuing war left them more and more disgruntled and unwilling to accommodate and live next to each other. Hence, forced separation of populations was a blessing in disguise. Most partition theorists agree that without physical separation of the conflicting parties there would be no guarantees against a return to violence. Carter Johnson suggests that when taking demography and demographic concentrations into consideration, N-K stands out as a case of near total separation. He points out that consequently there has been no recurrence of war in N-K (Johnson 158). Kaufmann reiterates the same point when describing the elements which led to the establishment of a ceasefire and prevented a return to violence. "Armenian conquest of all of Karabakh together with the land which formerly separated it from Armenia proper, along with displacement of nearly all members of each group from enemy-controlled territories, created a defensible separation with no minorities to fight over, leading to a cease-fire in April 1994" (996, 150). Kaufmann and Downes further insist that leaving populations mixed; or, more dangerously, encouraging a return of refugees especially in places such as N-K, would have catastrophic consequences, and may trigger a direct return to violence (Downes 2001, 110). Apart from the grievances and injustices the Armenians and Azerbaijanis went through, the hyper-nationalist rhetoric utilized during the war to mobilize the respective populations deepened the sense of belonging within each group and rendered

all cross national pleas hopeless. Scholars agree that in ethnic civil wars the groups fighting each other become more and more convinced that they must have a state in order to persist. This conviction is supported through a set of factors usually present in all ethnic enmities: a rival group forcing its own ethnic identity, imposing rules and order in its own interest, committing massacres and generating a fear of genocide. This atmosphere creates the notion of "us and them", where the "us" and the "them" are mutually exclusive and where people do not have the free choice of becoming members to either of the groups. Furthermore, any common ground between the groups are eliminated and anyone who has the courage to call for compromises and discussion is discarded as traitor.

The hugely state dependant contemporary international system encourages stateless entities and groups to aspire to become states. Downes believes that these entities are convinced that states with their armies and economic might are very much capable of ensuring protection and survival for their populations (2001, 72).

Finally, ethnic wars deepen the feeling of distrust between the two parties to a level of no return. Ethnic wars essentially prove to each group that their suspicion of the opposing group was justified from the beginning. Hence, there would be no logical basis for trusting them in the future especially that after ethnic civil wars, and in the absence of total partition, the same combating civilians will return to live with each other.

The conflict between Armenia and Azerbaijan, examined in the previous chapter, has deep historical roots and unattended mutual hatreds. Armenians have inhabited those lands and prospered there for long centuries and they feel that the growing Turkic population which came to inhabit parts of N-K during the Persian and Russian occupations (Luchterhandt 20) is a foreign presence and is consequently not entitled to claim a superior, governing status. The gap between the two communities is simply too large to be covered by strategies of social engineering and superficial arrangements of autonomy or federalism. Downes depicts two

examples illustrating the level of agitation and animosity existent between Armenians and Azerbaijanis. "One Azeri woman, asked for her views of Armenians, stated simply '[w]e hate them.' Armenians in Nagorno-Karabakh reciprocate this feeling, refusing to contemplate a settlement that would allow Azeris to return to the enclave: 'If they lived here,' An Armenian woman asked, 'then where would we live?'" (2001, 70). If the Armenian triumph in the armed conflict and control over N-K and several nearby areas of former Soviet Azerbaijan has contributed to Azerbaijani bigotry, the suffering of the N-K population for several decades under Soviet Azerbaijan is more than responsible for the strong Armenian reluctance to a return to any form of mutual coexistence and rejection of any arrangement short of independence. This sense of hatred and intolerance is consistent in most ethnic conflicts. Bernard Koushner, then the UN special representative in Yugoslavia, tells how there was a complete lack of communication between the two fighting communities in Kosovo. "Here I discovered hatred deeper than anywhere in the world, more than in Cambodia or Vietnam or Bosnia. Usually someone, a doctor or a journalist, will say, 'I know someone on the other side.' But here, no. They had no relationship with the other community" (Downes 2001, 70).

The Soviet authorities carved out the N-K borders in a way that it was separated from Armenia by Azerbaijan. The Azeri authorities presided over a policy of economic and cultural deprivation in N-K which resulted in a continuous decline of living conditions and consequently a fall in the number of Armenians in the region. The Azerbaijani discriminatory policies were explicitly acknowledged in several high level Soviet government meetings and documents. A document on July 18, 1988 read:

> To correct the situation that has occurred in Nagorny Karabakh and to eliminate the serious faults, important measures were taken through resolutions made by the Central Committee of the Communist Party of the Soviet Union, the Presidency of the Supreme Soviet of the USSR and the Council of Ministers of the USSR, to ensure the greatest possible development of economy and culture, to increase the wealth of the working people in the autonomous region of Nagorny Karabakh, to strengthen the socialistic legality and the public order and to improve the education of the population

of the Azerbaijani SSR and the Armenian SSR in a spirit of brotherly friendship and cooperation. The necessary conditions were created for an expansion of the contacts between the autonomous region of Nagorny Karabakh and the Armenian SSR. The Presidium of the Supreme Soviet thinks it advisable to send its representatives to Nagorny Karabakh, who, in close contact with the representatives of the Azerbaijani SSR and the Armenian SSR, can work to ensure that the decisions that have been made can find their unconditional fulfilment. (Luchterhandt 57)

Another resolution of the Presidium of the Supreme Soviet advised the Azerbaijani SSR:

To take legislative measures in the shortest time possible, to ensure the increase in the status of actual autonomy, effective guarantees for the Armenian population of the autonomous region of Nagorny Karabakh, the observance of legality, the protection of the lives and safety of its citizens, the constitutional settlement of all problems which occur; to elaborate and pass a new law within two months, under the participation of the state organizations of the autonomous region of Nagorny Karabakh, which have to be newly established in the autonomous region of Nagorny Karabakh, that guarantees to a full extent its equal development in all spheres of state, economic and cultural construction. (Luchterhandt 58)

What these documents mean in essence is that there was no actual autonomy, no protection of the lives and properties of the N-K population and no equal opportunities for the Armenians in N-K to lead an ordinary and prosperous life. The autonomous region's authorities misrepresented the true composition and aspirations of its population, who's economic and cultural rights were constantly violated. The leadership of the Azerbaijani Soviet Socialist Republic, whose deliberate policies forced the Armenians out of N-K, was fully and directly responsible for living conditions in N-K.

In a public condemnation of the Soviet national-cultural policy and its negative consequences on the political, economic, cultural and social levels of the Soviet Republics and the Nagorno-Karabakh autonomous region in particular, one senior ranking official of the Communist Party in Moscow in charge of N-K acknowledged in 1988:

One must openly admit that at a certain stage, serious mistakes, primarily of a national-cultural character, were allowed in the implementation of the national policy in regard to this autonomous entity. The rights of the autonomy were limited. Mistakes were also made in the development of the economy... the mistakes were allowed... by the leaders of the Central Committee of the Communist Party of Azerbaijan and the government of Azerbaijan, in particular by the former First Secretaries of the Communist Party, G.A. Aliev and K.M. Bagirov. As we can see

from the development of the situation, really a great deal of damage was done. (Luchterhandt 58)

These statements highlight the dire political, economic and cultural circumstances the Armenians where living in inside N-K. On a cultural level, Armenian schools suffered from underfunding and lack of adequate facilities. Cultural relations with Soviet Armenia were subject to continuous Azeri screening and "Armenian literature could not be imported from the Republic of Armenia and the supply of learning materials for schools from the neighbouring Republic was not allowed. Permission had to be obtained from Baku whenever a theater group from Yerevan wished to make a guest appearance..." (Luchterhandt 63). Moreover,

> Armenian teachers were only trained in the center of Nagorno-Karabakh, at Stepanakert, or in Baku, and were not allowed to study in the capital of neighboring Armenia, Yerevan. In these schools they studied a course entitled "The History of Azerbaijan" in Armenian, whereas schools in Armenia itself teach "The History of the Armenian people," a course that is not permitted in the Armenian schools of Azerbaijan. In these courses the same historical events receive diametrically opposite interpretations. The only Armenian language television that was permitted was that produced in Nagorno-Karabakh. Despite numerous requests, scarce equipment that would allow the reception of television transmissions from neighbouring Armenia was not provided until well after the strikes and clashes had started. (Yamskov 643)

Baku constantly overlooked investments and infrastructure development in N-K, and the region was intentionally left undeveloped and deprived to encourage Armenian migration out of N-K. If these harassments and deprivation were not enough to dissuade the Armenians in N-K from conforming with the idea of partial, non-existent autonomy, the following figures left no room for hesitancy. The Nakhichevan Autonomous Republic, another enclave in Soviet Azerbaijan geographically separated from Azerbaijan by Armenia and again contested between Azerbaijanis and Armenians had a population of 104,900 in 1926, 85% Tatars and 15% Armenians. In 1979, although the general population had doubled, the percentage of Armenians had decreased to approximately 1 percent. In the same time period, the general population of N-K had increased by only 22 percent and the percentage of Armenians had

shrunk from 94 percent to 78 percent (Yamskov 2). These figures demonstrate clearly the intent of the Azerbaijani authorities in clearing Nakhichevan and N-K from its Armenian inhabitants and altering the demographic composition of the two republics.

N-K is also compatible with two of the remaining three conditions of successful and enduring partition. At the time of the 1994 ceasefire, N-K had managed to carve out largely defensible borders and secure a territory promising durable and stable existence. The need of defensible borders for assuring the sustainability and the security of a seceding state is beyond doubt. Attacking groups are mostly dissuaded when they know that they are up against significantly impenetrable borders and natural terrains which present the defending state with superior advantages.

Avoiding the legal, geographical and historical arguments about the boundaries of N-K, the current territories under Armenian control satisfy a wide range of geographic, economic, military and demographic requirements of a feasible entity. They present essential arable lands, natural resources, geographic barriers, communication routes, direct and secure links with Armenia and the possibility of potential demographic expansion. These factors are sufficient and also necessary for preserving a stable entity and excluding any return to violence. These economic and natural resources are also important to challenge the criticism of economic viability often brought forward against arguments of partition in general, and especially in the case of N-K. N-K possesses all the necessary components to function as a normal state and afford the needs of its population, even if one was to disregard Downes's proposition that no sponsor of the economic viability criticism can name one state that has failed for economic reasons (2001, 88). However, despite largely defensible borders, as Downes points out (2001, 76), the potential of return to wars and conflicts remains considerably high if one of the parties becomes or remains much stronger than the other. In this regard, N-K has managed to establish a balance of power with Azerbaijan, the

importance of which cannot be overemphasized in preserving the status quo, peace, for the last sixteen years. It is no secret that war is less likely between two states which are considered to be of equal power. A state which considers itself much stronger than its neighbouring state could very well be tempted into a quick and decisive attack, resulting in brutal losses for the weaker state. This is why partition theorists highlight the need for the seceding state to establish a minimum balance of power with the mother state in order to deter it from future aggression. This balance can be achieved either through developing the state's economy and military power or through external alliances with other states. Relying solely on its economic ties with Armenia and enjoying the protection of its western borders and a secure supply of armaments, N-K has managed to avoid a destructive return to violence. Of course, this balance of power could not have been established, or at least would not have survived this long, without the intervention of international and regional powers bent on preserving the status quo in the region and protecting the stability and security of the oil pipelines and other economic interests.

The final point is that no partition can be deemed complete and enjoy a decent chance of success if the seceding region does not establish an independent state. A secessionist region achieving population homogeneity, acquiring defensible borders and a balance of power with the mother state can effectively be considered independent or perform most of the functions of an independent state, especially at domestic level. However, independence as a political status and diplomatic measure is essential for addressing the concerns and grievances of the secessionist population and relaying a sense of closure to the mother state. As long as the independence of the seceding state has not been recognized, it will physically and psychologically be under the threat of a return to the earlier situation. People will feel that they are still in a political union with a state which is their enemy, they will still have to live under the laws and rules of the state they fought against, they will not have full control of

their own destiny. This will lead to a continuous rise in national sentiments, dissatisfaction and probably a return to conflict. On the other hand, independence will curb the appetite of the mother state in regaining the lands it considers lost. Independence brings closure to all the sides involved and lays the basis of a peaceful and confident future coexistence. Although the self declared independence of N-K has not been recognized by any other state since 1991, the de facto situation on the ground has permitted the Karabakhis to enjoy a relatively peaceful and stable existence in the last sixteen years. In the absence of real and recognized independence, however, the N-K population has continued its steady flaw out of N-K and the region has failed to register any decent economic growth for the last two decades. Independence in the 21st century remains a necessary precondition for the growth of any state.

4.3 ...To De Jure Independence

Disagreeing with the above analysis and refusing the logic of partition, the Minsk Group has failed for most of the last two decades to carve out a solution short of partition which satisfies both parties. From summer 1994 to the final document offered to the parties under the name of Madrid Principles in 2007, the Minsk Group has clenched the territorial integrity of Azerbaijan tightly (to be understood Soviet Azerbaijan, since N-K has never been part of an independent Azerbaijani state) and made it the cornerstone of any peace proposal. This approach has proved fruitless and failed in bringing the parties any closer to a solution.

As early as 1996, the Minsk Group brought forward proposals basically focused on the territorial integrity of Azerbaijan. It suggested that "Nagorno-Karabakh's legal status should be defined in an agreement based on self-determination conferring the highest degree of self-rule within Azerbaijan" (ICG-167). After Armenia rejected this proposal, the Minsk Group came up with a different peace plan which included keeping N-K in Azerbaijan but with

significant autonomous status. This plan is known as the "common state" solution, where Azerbaijan and N-K were to be governed by a symmetric horizontal relationship. This was rejected both by N-K and Azerbaijan together.

The "common state" format was followed by the Key West negotiations. It is reported that land exchange plots were discussed between the Presidents of Armenia and Azerbaijan, where in exchange for 'giving up' N-K, Azerbaijan was to be promised a safe passage through Meghri corridor from mainland Azerbaijan to the Nakhichevan enclave. But with the high level of secrecy surrounding these negotiations, the authenticity and accuracy of this plot remains uncertain until today. It is reported that with the death of the Azerbaijani President Haydar Aliyev this plan was buried forever.

The last document which has been the basis of negotiations for the last five years, and which the mediators have called the pinnacle of their efforts, revolves around three basic principles: "the non-use of force, territorial integrity and self-determination" (ICG-55). Despite the obvious contradiction between them, the mediators have been optimistic in evaluating the impact of those principles. Matthew Bryza, the U.S. co-chairman of the Minsk Group, said in a 2009 interview: "all the Basic Principles, just about all of them, in fact all of them, are agreed in a fundamental way" (IGC-55). These principles are too general and too vague to constitute the basis for a peaceful resolution of the conflict. The co-chairs made a further declaration of principles in 2009 adding some insight into the basic principles:

- return of the territories surrounding Nagorno-Karabakh to Azerbaijani control;
- an interim status for Nagorno-Karabakh providing guarantees for security and self-governance;
- a corridor linking Armenia to Nagorno-Karabakh;
- eventual determination of the final legal status of Nagorno-Karabakh through a legally binding expression of will;
- the right of all internally displaced persons (IDPs) and refugees to return to their former places of residence;
- international security guarantees, including a peacekeeping operation (ICG-55).

Both sides have been reluctant to accept any of these principles. They might have, under international pressure, expressed their primary approval of them; however, they have taken diametrically opposite positions when negotiations have entered into the essentials of each point. The disputed facts include the boundaries of the territories around N-K, the limits of self-governance, the length of the interim period, the width of the corridor linking N-K to Armenia, the range of people entitled to participate in the process of "legally binding expression of will," the timing of the "legally binding expression of will," the timing of the return and the number of IDPs who will eventually return to N-K, the nature of the security guarantees, the nationality of the peacekeeping forces and the list can go on.

The bottom line is that the Minsk Group proposals have not brought the parties any closer to a resolution. Armenians demand full self-determination all the way until independence and union with Armenia, whereas Azerbaijan still refuses any status of N-K outside of its internationally recognized borders.

The Minsk Group, or any other honest mediator, after so many years of failed peace proposals, should at least give partition a chance and build a peace process based on the principle of full and free self-determination of Nagorno-Karabakh Armenians. Complete self-determination, enshrined in many international legal and political documents, is in the case of N-K equivalent to partition.

Haig Asenbauer argues that Nagorno-Karabakh enjoyed the right to self-determination even under Soviet rule. He explains that the right to self-determination as defined by Joseph Stalin and adopted in the Soviet constitution was a right granted to nations. Consequently, and since Nagorno-Karabakh possessed all the attributes of a nation as designated by Stalin, it enjoyed the right to self-determination. The counterargument to this approach, which the Soviet leadership utilized against the decision of the Soviet of the Autonomous Region of Nagorno-Karabakh to reunify with Armenia and which was clearly voiced by the USSR

Foreign Ministry spokesman in March 1988, was the reference to Article 78 of the Soviet Constitution, which states: "The territory of a Union Republic cannot be changed without its permission." However, as Asenbauer suggests, the Soviet Union had by then ratified the two UN Human Rights Conventions and hence the right of self-determination was obligatory also for its member States (1996, 120).

By the end of 1991, the Soviet Union had seized to exist. The conflict in Nagorno-Karabakh was no longer a domestic issue inside a State - the Soviet Union; it was transformed into an international conflict.

Before making some concluding remarks on the entitlement of the Armenians of Nagorno-Karabakh to the right of self-determination, it is useful to underline that the apparent conflict between the two international norms is misplaced and ill-represented. It is true that the territorial integrity of the State cannot be challenged under common circumstances. The rare exceptions are incorporated to uphold and protect the rights of human beings and to ensure their survival; a universal concept which is higher than any other international norm. Accordingly, the central question in this case ought to be whether the Armenians in Nagorno-Karabakh were ensured their common human rights. Did they enjoy their rights in being represented in the political apparatus of the State? Were there any threats to their survival? And, of course, was there (or is there) any credible prospect in relying on the Azerbaijani authorities to bring a just and peaceful solution to the problems of the Armenians in Nagorno-Karabakh?

The 1988 Armenian uprising of Nagorno-Karabakh was not the first. The inhabitants of the district never accepted the annexation of their homeland to Soviet Azerbaijan. They used every opportunity to protest against the decision. "[I]n 1945, 1965, and 1977, for example – Armenians sent letters and petitions to Moscow, asking for Nagorno-Karabakh to be made part of Soviet Armenia" (De Waal 2003, 16). In 1964, the Armenians of Nagorno-

Karabakh sent a petition to Khrushchev signed by 2500 residents of the region, describing the terrible state of the region and asking to be incorporated into Soviet Armenia. The petition noted that the N-K population

> have reached such a level of hopelessness as a result of the shattering burden of our living conditions, that we have decided to turn to you in order to obtain your protection and your help…The Armenian population of the Azerbaijan SSR has been subject to a chauvinist policy which has created extremely unfavorable living conditions… Demands have been placed on our region beyond our capacity…The condition defies the idea of autonomy, the interests of the Armenian people, the right of Soviet citizens and the nationalities policy of Lenin… It is established without a doubt that a chauvinistic Pan-Turkic policy is being pursued which is both unacceptable and hostile to the principles of the Soviet system, but which apparently is acceptable to the authorities in Azerbaijan… Discrimination is everywhere… We have already protested that in fact no autonomous region exists… We therefore desire a speedy decision in favor of the reincorporation of Nagorno-Karabakh and of all neighboring Armenian regions into the Armenian SSR or that it become part of the RSFSR. (Asenbauer 1996, 74)

The petition remained unanswered however and the situation of the Armenians was aggravated especially in 1967, when numerous Armenian civilians were murdered with the tacit compliance of the Azerbaijani authorities. Moreover, the army marched into N-K and severely persecuted the local Armenian intelligentsia. In an appeal on 19 September 1967 to the Armenian people, the Armenian government, and the Central Committee of the Communist Party, the inhabitants of Nagorno-Karabakh described their persecutions, especially the murders and characterized their situation as "worse than it has ever been under the tyrannical khans and Mussavists" (Asenbauer 1996, 74).

The condition of the economy was even worse. As pointed out earlier, the Azerbaijani central government deliberately kept the region underdeveloped. There was huge unemployment and barriers to cultural and economic ties with Armenia. There were restrictions on religious institutions and education. All Armenian television transmissions were made difficult to attain, monuments and cultural buildings were mal-treated or destroyed. Judicial processes were usually discriminatory against the Armenian population.

The dreadful human rights condition and political participation in Nagorno-Karabakh are indisputable. The Armenians in the region had suffered decades of discrimination and mal-treatment. Their requests and protests were rejected and silenced forcefully. Even when Mikhael Gorbachev took power with his promises of glasnost and perestroika, Armenian demands were nevertheless overlooked.

All these peaceful requests in line with Soviet and international legal frameworks were left unanswered and were rejected entirely. Furthermore, they were responded to with deportations, violence and pogroms (Dragadze 1989; Chorbajian 2001, 15; Miller and Miller 2003, 40-41; Maresca 2006, 68). Wide-scale violence was perpetrated in Sumgait and later in Baku.

The deliberate and systematic denial of the basic rights of the Armenians in Nagorno-Karabakh having been clarified, the question on whether or not the population of Nagorno-Karabakh can be qualified a racial or ethnic minority persists. The application of the classical standards of international law to the case of N-K leaves no uncertainty about the entitlement of the people of Nagorno-Karabakh to self-determination. The Armenian population in N-K is an ethnic community which is held together willingly and consciously to form a union and, thus, is a people possessing the right to self-determination. Further, it possesses its own territory, Nagorno-Karabakh. This right to be considered a population enjoying the right of self-determination, Asenbauer argues, is implicitly recognized by the OSCE. He insists that by accepting against Azerbaijan's wishes, the participation of a delegation from Nagorno-Karabakh in the peace conference in Minsk, the OSCE asserted that "the Armenian population of Nagorno-Karabakh is the bearer of the right of self-determination and must not be ignored" (1996, 134).

Finally, the fact that N-K resorted to armed struggle and received military assistance from Armenia is thoroughly justified considering that the Azerbaijani military, and in the

early days of the conflict with the Soviet army, was threatening the civil population of Nagorno-Karabakh and committing murders and acts of deportation targeting the removal of Armenian population from their homeland. UN Resolutions and international law admit the use of force when fighting for self-determination.

The legitimacy of the right to self-determination of the Armenians of Nagorno-Karabakh is evident. As Asenbauer contends "The factors of people and territory are clearly given. Economic viability is not only maintained in an annexation by Armenia, but will actually be increased for Armenia as a result of the significance of its natural resources, and, as a part of Armenia, its military defense capability will be preserved" (1996, 135).

Fernando Teson notes that the argument about the entitlement to the right to self-determination often revolves around the magnitude or degree of injustice required to legitimize the claim for self-determination. He points out that the prevention of genocide and the violation of individual human rights are the two justifications mostly adopted and agreed upon in the legal and academic fields. Teson is also quick to point out to the apparent potential of overplaying these claims. He underlines that processes of restitutions to disadvantaged and marginalized groups ought to be straightforward democratic practices. Only when and where this democratic process is non-existent or disrupted by force a claim to self-determination could be considered legitimate (1998, 100).

Nagorno-Karabakh obviously satisfies all of the conditions set forward by Teson. However, Teson makes another important and noteworthy remark. Discussing the arguments against granting people the right to self-determination and opposing secessionist demands, he criticizes the argument of respecting the territorial integrity of states. "There is no right to territorial integrity independent of the legitimacy of the state that rules over that territory, and there is nothing that is inherently morally important in keeping the territory together" (1998,

110). And in fact, there can be no legitimacy to the claim of territorial integrity of a state, if the state continuously violates the rights of a specific segment of its population.

Moreover, granting independence to N-K and approving its final secession does not damage the viability of the Azerbaijani state. Azerbaijan will lose less than 5% of its population and maintain its oil fields and the most important roads. Furthermore, there can be no credible argument that the political and Human Rights of Armenians can be protected and ensured by the modern Republic of Azerbaijan, when Soviet Azerbaijan and then Republic of Azerbaijan have continuously violated those rights not only for the Armenians of N-K, but also the Human Rights of the Azerbaijani population as a whole. The Republic of Azerbaijan possesses one of the worst human rights' violations record. Its record in persecutions against journalists, media restrictions, minority rights, political rights and democratic values are one of the worst in the world (Amnesty International; Freedom House).

4.4 Conclusion

This chapter went a long way in arguing for the right of N-K to full self-determination. It demonstrated that based on the existing legal and theoretical literature, N-K undoubtedly enjoys the right to full self-determination, and hence to independence.

In sixteen years of peace, N-K has developed state-like institutions, maintained democratic practices and held general elections sometimes even recognized by international observers. N-K has been enjoying de facto independent status for far too long a period to be ruled again by Azerbaijan.

What stands, then, between N-K and independence? Does not a peaceful and stable south Caucasus benefit all the regional and international parties involved? Who, after all, has the right to keep a people from its inherent right to self-determination? Why is there general resistance to the idea of partition despite the fact that all other proposed solutions have failed

in preventing a return to violence and have been powerless at stopping ethnic clashes and genocides?

The Armenian population in N-K has lived under a tyrannical and abusive regime with a permanent threat of extermination and deportation for too long. Their right to live peacefully and to prosper naturally cannot be, and must not be, hindered anymore. This study has argued that separation and independence might guarantee N-K that right. The final chapter, restating the major arguments and answering some of the above questions, highlights the advantages that the partition alternative brings to the table and the need to recognize those advantages.

Chapter Five

Conclusion

5.1 Partition as a Solution

This thesis argued that partition is sometimes the only solution for ethnic conflicts. No supporter of partition theory denies that partition carries with it huge suffering and human tragedies. However, an objective comparative study reveals that partition remains the lesser of all evils when it comes to solving ethnic conflicts and restoring sustainable peace and stability. This study has studied comprehensively partition theory, underlined its advantages and answered some of its critics. A group that exhausts all democratic means available to protect its rights within a specific state enjoys the right to secede, in other words, to full self-determination. This principle was further reiterated in the 1996 judgement of the European Court of Human Rights, in the case of Loizidou vs Turkey, where the judge ruled that secession can act as a last remedy to a group whose rights are constantly violated. The ruling read:

> Until recently in international practice the right to self-determination was in practical terms identical to, and indeed restricted to, a right to decolonisation. In recent years a consensus has seemed to emerge that peoples may also exercise a right to self-determination if their human rights are consistently and flagrantly violated or if they are without representation at all or are massively underrepresented in an undemocratic and discriminatory way. If this description is correct then the right to self-determination is a tool which may be used to re-establish international standards of human rights and democracy. (as cited in Papian 2010)

Partition provides essential foundations for sustainable post-conflict stability and avoids a return to violence. It necessitates a clear demarcation of the two or more involved populations. The pre-conflict distribution of population, where members of enemy groups intermingled with each other, is brought to an end. Partition includes population transfers that are painful and distressing in the short run, but essential in guaranteeing sustainable peace in

the long run. Pro-partition theorists accept that forced transfer of people away from their homelands sometimes can end up even with genocide and mass murders, but they are unwavering in their belief that complete separation of conflicting populations usually costs much less than allowing two enemy groups to mix with each other, with their packed bag of mutual hatred and intolerance.

Partition is also associated with defensible borders and independent states. Proponents of partition are generally convinced that genuine partition can only be achieved if the seceded state has a minimum capacity to defend its borders and that it eventually enjoys independent statehood. Theorists point out that natural barriers, mountains and rivers are strong obstacles against foreign attacks and act as effective deterrents against potential ambitions of mother states from which the new states separated. Moreover, they believe that without independence the seceded state will consistently be under the threat of the mother state who will feel that it still has the duty to return its 'lost lands.'

Opponents of partition theory argue that partitions trigger two sorts of chain reactions: first, they create unending series of violent clashes, and second, they award ultra-nationalist leaders a license to kill as many civilians possible until the international community yields to their demands of granting them an independent state. These accusations are inaccurate and mostly exaggerated. The recurring violent clashes and conflicts usually attributed to partition are in fact the outcome of incomplete partitions, where partition is carried out partially and populations remain mixed waiting for the slightest of opportunities to regain their lost lands and pride or to have another attempt at secession. On the other hand, no anti-partition scholar has been able to offer decisive proofs that partitions cause more violence and sufferings than the other suggested solutions: federalism, autonomy or consociationalism. The bad precedent objection is totally unacceptable since if it was true, as Downes points out, keeping states

undivided must have been adopted as precedent and most secessionist movements should have been deterred already (2001, 87).

5.2 Partition vs Deadlock

This study has argued that N-K has never been a part of Azerbaijan because there has never been a state called Azerbaijan or any similar entity in history in the first place. In 1918, the new found state of Azerbaijan managed to occupy the mostly Armenian populated region and annex it to its territories despite the protests and sometimes the armed resistance of Armenians. The study also demonstrated that the Soviet Union recognized the Armenian identity of N-K and at first declared it to be part of Soviet Armenia. But that decision was quickly overturned and N-K, against the wishes of its inhabitants, was made part of Soviet Azerbaijan. In the following seventy decades, the Armenians of N-K suffered a great deal under the unjust and illegal Azerbaijani rule. Apart from their human rights being constantly violated, they faced a well-calculated, deliberate plan to depopulate N-K from its population.

In seventy years of Soviet Azerbaijani occupation, N-K never showed signs of consent to the status quo and expressed its aspiration of uniting with Armenia at different intervals. Eventually, when the Soviet grip loosened in the region and the Azerbaijani authorities attempted by force to drive Armenians out of N-K and to keep it under its rule, Armenians retaliated and the ensuing war between 1988 and 1994 established a new situation on the ground. Most of N-K and its surrounding districts came under the control of the Armenian forces and N-K declared its independence.

Since 1992 and the fall of the Soviet Union, the international community became interested in achieving a peaceful solution to the conflict and upholding peace and stability in the region. Undoubtedly, the strategic and geographic significance of the region and the need to guarantee the security of the oil pipelines persuaded many regional and international

powers to push for a resolution of the conflict. In the past eighteen years, the mediating parties have failed to bring the Armenian and Azerbaijani sides any closer to a final solution. While there have been minimal agreements on some of the secondary features of a final peace plan, the central question about the status of N-K has remained unchartered. Azerbaijan vehemently opposes relinquishing Nagorno-Karabakh and the Armenians in Nagorno-Karabakh do not picture themselves under any type of Azerbaijani control. In one of its recent attempts and in an uncommon show of unity, the co-chairs of the Minsk Group, France, Russia and USA, published a statement during the July 2009 G8 summit inviting Azerbaijan and Armenia to increase their efforts for resolving the remaining outstanding issues and agreeing on the 'Basic Principles' brought forward by the Minsk Group during the Madrid negotiations. This followed a year of vigorous shuttle diplomacy by the Minsk Group diplomats, who visited Yerevan and Baku as frequently as twice a month in an attempt to broker an agreement. The co-chairs were encouraged by two regional developments which they thought should affect the peace process positively. The 2008 Russian-Georgian war which triggered a new dynamism in the region and highlighted the situation in all of the breakaway Caucasian republics; and the attempt to normalize Armenian-Turkish relations which clearly were related to the Armenian-Azerbaijani standoff. In the end, Russia took advantage of the momentum and negotiated a declaration which was signed jointly by the Azerbaijani president Ilham Aliyev and his Armenian counterpart Serj Sarksian in Moscow in November 2008. The joint declaration restated the commitment of the two sides to a "political settlement of the Nagorno-Karabakh conflict based on the principles of international law and the decisions and documents approved within this framework" (as cited in ICG 2009, 55). The document was considered noteworthy not so much because of its content, but because it was the first document signed by both parties since the 1994 ceasefire and the first ever to be signed by the presidents of independent Armenian and Azerbaijan.

This latest episode of optimism and the accustomed silence following it reflected once again the shaky foundations on which the peace process is built. For the last eighteen years, France, Russia and the US have independently and collectively attempted to implement solutions stemming from their regional and international interests. These schemes have been deployed to increase their influence and authority in the region against each other and sometimes together. The eventual goal has been to bring stability to the region and secure the routes of the oil pipelines, one of the most crucial of which passes a few kilometres north of the N-K-Azerbaijani ceasefire line.

Steps such as the return of the displaced, building of bridges between the societies, exchange of territories and evacuation of specific regions have all been high on the mediators' agenda. Unfortunately, no one has been concerned to remedy the actual causes of the conflict and find sustainable solutions. The major cause of ethnic conflicts is the lack or gradual loss of mutual confidence between the two or more ethnic ingredients, something that is accentuated as demonstrated in this study by violent clashes. Designs of autonomy, 'common state' or federalism, which do not answer the issue of mutual trust, are obsolete and moreover can turn into dangerous time bombs waiting to explode at any time. In the N-K case, the two communities have compellingly demonstrated deep routed hatred and intolerance against each other. In the absence of a third party authority Armenians and Tatars, or Azerbaijanis lately, have fought each other violently, once in 1918-1919 when the Russian empire collapsed and again in the 1990s when the Soviet Union was destroyed. They suffer a profound sense of insecurity and are deeply sceptical of each other. Any plot to solve the N-K conflict, lay the foundations for a prosperous and cooperative relationship between Armenians and Azerbaijanis, and instil peace and stability in the region will follow a roadmap eventually leading to a solution of the issue of mutual distrust between the parties. Supposing that mutual confidence can be achieved, the two parties should be guaranteed a

sense of security and peace of mind so that they can start to think in the long run about building bridges between them and coming to trust each other on personal and community levels. This sense of security and peace of mind can only be offered, as this study attempted to demonstrate, by no other means than partition.

In his latest book De Waal echoes some of the more popular prejudices about the N-K conflict resolution. This fashionable approach reveals a gross misunderstanding of ethnic conflict and veils a dangerous shallowness in what should be a serious academic attempt at saving the lives of hundreds and thousands of people. De Waal believes that Armenians and Azerbaijanis have plenty of common history and "common ground" to return to if they wanted to. This insinuates that the enmity or the conflict between them is superficial and they can put an end to it whenever they wish. De Waal continues:

> For real peace to be made, a real shift in thinking is needed in which each side reflects much harder on the needs and insecurities of the other. That means that Azerbaijan would do well to acknowledge the strong Armenian identity that attaches to Karabakh and its inhabitants, whatever final sovereignty arrangement is made; Armenians would do well if they acknowledge the pain that the occupation of Azerbaijani territories and the expulsion of their inhabitants has caused and show their neighbours a lot more respect than they have in the past. (De Waal 2010, 130)

De Waal circumvents the fact that the removal of the Azerbaijanis from Armenia and N-K is only one of the outcomes of the conflict, and that the acknowledgement by the Armenian side of the pain this has caused cannot help solve the root causes of the conflict. Similarly, after accepting that the insecurities of both sides must be addressed, De Waal calls upon the Azerbaijanis to admit the strong Armenian identity of N-K. It is difficult to imagine that De Waal actually believes that such a step can heal the ages' long Armenian insecurity and distrust of the Azerbaijanis which was intensified by the massacres of hundreds of Armenian civilians in Sumgait and Baku in 1989 and 1990. As Downes explains, without a clear and definite partition plan groups' fears and insecurity remain unattended to. "These concerns about the group's future status prevent it from disarming, lead its members to

support nationalist leaders, and lead to ethnic deadlock in state institutions" (2000, 40). In this case, the hope of institutional engineering offering stability is not viable.

Finally, partition theorists recognize that partition is not a magic solution and it is not necessarily the best of all other ethnic conflict resolution schemes. Partition, however, does not force two conflicting parties to trust each other, it does not require them to share institutions and neighbourhoods, it does not need them to disarm and it cools down hyper-nationalistic rhetoric. Partition contains in it as much advantages and merits that it must at least be considered on the same level, if not higher, than the other schemes approved internationally and suggested for solving ethnic conflicts. As Downes puts it: "partition ... is not the bogeyman it is often made out to be, and can potentially resolve some of the dilemmas ethnic groups face after civil wars" (2000, 40). Kaufmann reiterates the same idea: "... no one wants to dissolve diverse societies, even deeply troubled ones, that have any hope of avoiding massive violence and attaining civil peace. [However], We should not fail to separate populations in cases that have already produced large-scale violence and intense security dilemmas..." (1998, 155).

Effectively the Armenian population of N-K has an inalienable right to live in decent and free conditions, something that has been proved to be impossible unless N-K is separated from Azerbaijan. This study has argued that there are both common political practices and sufficient legal principles to support this claim. No regional or international actor has the moral authority to stand against N-K's right to separation. No power can deny the Karabakhis their basic right to a free and dignified life in their homeland.

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