Pathways to Secession:
Separatist Trajectories in Nagorno-Karabakh, Chechnya and Kosovo

Lee Seymour
PhD Candidate, Political Science
Northwestern University & Sciences Po, Paris
lseymour@northwestern.edu

ABSTRACT: What explains the different institutional effects of separatist conflict in post-communist Europe? Drawn from my dissertation, "Pathways to Secession: Mapping the Institutional Effects of Separatist Conflict" the article compares the institutional outcomes of three post-communist secessionist bids: Nagorno-Karabakh, Chechnya, and Kosovo. I focus on the way resources shape the relative capabilities and interests of separatist groups, and thus their strategic choices around the pursuit of self-determination. I argue that coercion and legitimacy are the most salient resources for the two tasks separatists must simultaneously accomplish, namely, extending their autonomous authority over the territory and population they claim, and constituting this authority as a legal status through the recognition of other authorities. Understanding the distribution of the means of coercion and legitimation in a conflict thus provides insights into separatist strategies. In particular, I argue that a separatist group's resource endowment affects both the probability that they will compromise by negotiating territorial autonomy or struggle for sovereign statehood and the likely institutional effects of their choices. I highlight three processes as fundamental to understanding the resources available to separatists – regime collapse, secessionist warfare, and externalization – identifying mechanisms in each that shape the trajectories of secession.

INTRODUCTION

The beginning of the 1990s witnessed the collapse of the Soviet Union and Yugoslavia under the weight of escalating demands for self-determination. In a number of cases, secessionist bids escalated into armed violence. The institutional outcomes of these conflicts varied remarkably. In Slovenia and Croatia, armed secessionist bids resulted in sovereign statehood. In Bosnia, civil war led to institutions of federal autonomy for Croats, Bosniaks, and Serbs in an international protectorate. Another international protectorate, in Kosovo, is heading towards final status on the basis of "supervised independence." Elsewhere, conflicts have been settled through power-sharing, minority rights, and territorial autonomy, including the Gagauz in Moldova, Serbs in Croatia, and Albanians in Macedonia and Serbia. Finally, several more or less consolidated *de facto* states have appeared, including Transnistria in Moldova, South Ossetia and Abkhazia in Georgia, Nagorno-Karabakh in Azerbaijan, and in Chechnya in Russia.

What explains the different institutional effects of separatist conflict in post-communist Europe? I argue that the trajectories of armed secessionist bids are shaped by the resources available to separatists, particularly their coercive assets and the symbolic legitimacy of their claims to self-determination. In the separatist conflicts of Yugoslavia and the former Soviet Union, distribution of the means of coercion and legitimation has been shaped by three overlapping processes: regime collapse, secessionist warfare, and external intervention. The argument draws from institutionalist and norms-based explanations but transcends their limitations by integrating and expanding upon them.

In developing this argument, the paper's first section provides a typology of the institutional outcomes of separatist conflicts based on the empirical and juridical dimensions of self-determination. The typology provides a way of systematically mapping the institutional effects of different secessionist bids in terms of the *de facto* and *de jure* authority relations at stake in the conflicts. The second section builds a theoretical framework for comparative secession that views institutional outcomes as shaped by the strategic choices separatists make in order to maximize their self-determination with the coercive assets and symbolic legitimacy at their disposal. It focuses on how specific mechanisms within processes of regime collapse, secessionist warfare, and external

intervention affect the resources available to separatist groups and their ability to make effective use of them. The theory then devises postulates regarding the ways different resource endowments shape the separatist choices around institutional settlements.

The third section examines the theory through within- and across-case comparison of four institutional outcomes of three conflict episodes: the war over Nagorno Karabakh that resulted in *de facto* statehood for the Karabakh Armenians; the Chechen revolution and the rise and fall of the first Republic of Chechnya Ichkeria after the first Russian invasion in 1994; the second Republic of Chechnya Ichkeria and its violent but tenuous reintegration into Russia from 1999 onwards; and the secessionist bid of Kosovo Albanians, where there is momentum towards resolution of final status on the basis of sovereign statehood. The fourth section develops the argument's implications for understanding pathways to secession in post-communist Europe and beyond.

A TYPOLOGY OF SELF-DETERMINATION

Post-communist Europe has witnessed 20 separatist conflicts since the late 1980s, with secessionist pressures forging different types of polities, including internationally-recognized sovereign states, unrecognized *de facto* states, international protectorates, states occupied by foreign forces, and myriad autonomy arrangements.[1] To systematically aggregate these outcomes into comparable categories, I define institutional settlements in terms of the empirical and juridical authority attained by a group.[2]

The first dimension of self-determination concerns the legal status of the institutions through which a group exercises self-determination. It examines *juridical authority* defined in terms of the degree of authority that external authorities accord a polity over the population and territory it claims. This refers to both the location of its recognized rights, whether in international society, international treaties or resolutions, or the constitutional or municipal law of a state, and the content of the rights corresponding to a particular status. The importance of self-determination's juridical dimension can be

---

[1] The dataset covers 1975-2005 (Seymour 2007a), however the first conflict in communist Eurasia began in 1988. These cases are listed in Appendix 1.

[2] The empirical/juridical distinction used below draws on long-standing differences between sociological and legal approaches to authority that run throughout social theory, including International Law and IR (Jackson and Rosberg 1982: 2; Wendt 1999: 208). See Seymour (2007b).

seen in the emphasis on legal recognition of rights to self-determination in these conflicts. Owing to the constitutive nature of international recognition, no separatist bid can succeed in creating a fully sovereign state without international recognition. Outside international recognition, groups can attain domestic juridical status through the legalization of a settlement in domestic legislation, preferably, in the state constitution.

The second dimension concerns a group's *empirical authority*, defined as the degree of autonomous authority exercised by a polity over the population and territory it claims. In this dimension, authority is conceived as the effective degree of exclusion of other actors from the governance of a particular population and territory, and authority is constituted by the separatist group itself through an endogenous process of creating self-governing institutions, rather than through external recognition of a group's authority. This dimension is the domain of classical statebuilding, where separatist movements establish the foundations of statehood, consolidating authority as they liberate territory and people from the authority of external actors while subduing internal rivals.[3]

The expectations and practices of separatists, central governments and international society delineate thresholds that distinguish different types of polities from one another in terms of juridical and empirical authority (Figure 1 below). The most important threshold for juridical authority concerns the locus of recognition of a right to self-determination, whether subordinated to the legal framework or constitution of a sovereign state, "domestic status," or in international law, "international status." For empirical authority, the threshold is found at the distinction between polities that exercise autonomy over a territory and population to the exclusion of other authorities, an "independent" polity, and those that either accept restrictions on the their authority or lack the capacity to exclude outsiders, or a "dependent" polity.

Understanding the institutional effects of conflicts of self-determination in these terms yields a typology of four self-determining polities, including: *autonomy* within a

---

[3] An emphasis on the empirical dimension on authority mirrors the declaratory doctrine on the establishment of new states, according to which an entity becomes a state upon meeting the basic criteria of statehood in international law, such as those set out in the influential Montevideo criteria (Kelsen 1941; Lauterpacht 1947; Grant 1999; Kurtulus 2002; Crawford 2006). Recognition is considered to be a political act independent of the existence of a new state. What matters is 'effectiveness', or the ability of a sovereign state to establish its supreme authority and defend it from internal and external challenges (Peterson 1997; Talmon 1998). Parallels can also be drawn between an emphasis on juridical authority and the constitutive doctrine on the establishment of new states (Hillgruber 1998). According to the constitutive theory, states are not self-constituted and sovereignty can only be conferred through recognition by existing states.

sovereign state; international recognition of claims to a *occupied territories* subject to illegal foreign occupation or annexation under international law; unrecognized *de facto* states independent of the central government with international *de jure* authority over the territory or population; and internationally-recognized *sovereign statehood*.[4]

Figure 1: A Typology of Self-Determining Polities

		Empirical Authority	
		dependent	independent
Juridical Authority	international status	*occupied territory*	*sovereign statehood*
	domestic status	*territorial autonomy*	de facto *state*

These polities constitute *outcomes*, which I define as a reasonably stable institutional arrangement. But self-determination is an on-going process, often pursued by ethnic and national groups with a long time horizon. Thus, by *trajectory* I mean the contestation of a claim to self-determination, or what McAdam, Tarrow and Tilly define as "what happens after a revolutionary situation has appeared" (2001: 195). From the onset of an armed separatist challenge, the trajectory of a separatist conflict can pass through various institutional outcomes.

A THEORY OF COMPARATIVE SECESSION

Following the literatures on state formation, I trace these institutional outcomes to a combination of violent struggle and hard bargaining between social actors with different endowments of power and interests.[5] The explanation is thus framed in terms of

---

[4] A fifth hybrid arrangement, international transitional administration, can be mapped in terms of the authority the group enjoys under international administration. As the term implies, however, such arrangements are *transitional* towards autonomy or sovereign statehood.
[5] See Boone (2005), Moore (1966), Skocpol (1979), Levi (1988), Tilly (1992), Spruyt (1994).

institutional choice, proceeding from the basic assumption that resources shape the relative capabilities and interests of actors, and thus their strategic choices around the pursuit of self-determination. Separatists attempt to maximize their self-determination within a context defined by their relative power vis-a-vis those opposed to their political project, including both central governments reluctant to cede them autonomy or independence, and outside states and international organizations generally sceptical of their claims to self-determination. I argue that coercion and legitimacy are the most salient resources for the two tasks separatists must simultaneously accomplish, namely, extending their autonomous authority over the territory and population they control (empirical authority), and constituting this authority as a legal status through the recognition of other authorities (juridical authority). Understanding the distribution of the means of coercion and legitimation thus provides insights into separatist strategies.

Separatist Resources: Means of Coercion and Legitimation
Coercive resources change the incentive structure in bargaining over self-determination, while sometimes making it possible for separatists to unilaterally wrest autonomous authority over people and territory from the state through force of arms and defend it through deterrence.[6] Coercion operates where one side forces the other into actions that alter the institutional settlement of the conflict, and they act on fear of punishment if they do not carry through with such actions (see Kratochwil 1984; Martin 1992). Coercive resources are those that increase a group's ability to compel concessions and impose outcomes, including arms, human capital, including skilled and motivated personnel, and the organization and cohesion to make them effective.[7] As a general proposition, control over coercive assets empowers a separatist group vis-à-vis its central government and outside states and international organizations in international society.

Legitimacy generates resources that separatists can use to advance their objectives. Legitimacy refers to the normative belief held by an actor that a claim ought to

---

[6] On military effectiveness, see Biddle (2004) and Brooks and Mitchell (2007). For comparative studies of insurgency and civil wars see Wickham-Crowley (1992); Clapham (1998); Laqueur (1998); Byman et al (2000); O'Neill (2005); Dunn and Boas (2007); Reno (forthcoming).
[7] As wars pass through various modes, from terrorism and low-level insurgency through to conventional warfare, the salient resources change. Variation in coercive capabilities must be defined broadly with deductive gaps filled in through case knowledge to provide a plausible account of the means of coercion at the disposal of separatists.

be accepted, along with the perquisites and prerogatives that follow from it.[8] The intersubjective resources legitimacy creates can be tracked through the medium of symbolic resources, where a symbol is an "object vested with social power beyond its physical, material powers" (Hurd 2007: 52).[9] Legitimation, in turn, is the process of creating legitimacy, in part through actions that manipulate the social power of legitimated symbols.[10] Important means of legitimation include past agreements or provisions for autonomy or minority rights, either domestically or internationally-negotiated; diasporas that can lobby outside governments; the ability to abide by and credibly commit to norms around democracy, human and minority rights, and the maintenance of international peace and security; and the resolutions, statements and reports of international organizations or national governments favourable to separatist claims. The mechanisms of legitimation operate by changing the interests of states and international organizations around a conflict and altering how outsiders perceive the payoffs of various institutional settlements. Outside actors are more likely to exert pressure on a central government to accommodate separatist demands in the presence of a legitimated claim, possibly even to the point of extending recognition to a unilateral declaration of independence.[11] Here, a second general proposition can be deduced: possession of a legitimate claim empowers a separatist group vis-à-vis its central government and outside states and international organizations in international society.

---

[8] This definition borrows from Ian Hurd's definition of legitimacy in the context of international institutions (Hurd 2007: 30) and Mlada Bukovansky (2002: 2).

[9] Other symbolic resources include include prior history of independent and internationally-recognized statehood; the rituals around diplomatic protocol, including state visits, consulates, passports; citizenship, anthems and flags; referenda and elections; control of regional capitals or important monuments; and even evocative images of repression and victimhood such as massacres, internment camps, or ethnic cleansing. All of these symbols have a social power separate that can empower separatist movements in their struggle.

[10] The theory thus bridges conceptions of the legitimacy of entities and actors in relation to "right to govern" with actions judged with reference to shared norms (see Coleman 2007: 23-4). See also Anne Marie Gardner's discussion of how norms of legitimate governance influence how self-determination claims are received in international society (2003).

[11] But to know how much pressure will be applied, and in which direction, it is important to specify the legitimacy of a claim to self-determination along two dimensions: first, the content of the claim, that is, the prerogatives ascribed to it, whether for internal self-determination along the lines of territorial autonomy, or external self-determination in a sovereign state; and second, the scope of legitimacy in international society by gauging the position of different outside states and international organizations around a particular claim. New states are recognized, largely, through the decisions of the great powers. "Claims of statehood have from the very beginning had a propensity to get enmeshed with questions of wider international order," explains Mikulas Fabry in his survey of the establishment of new states, "and questions of international order in turn have been a special preserve of the great powers" (2005: 18). Regional powers also play an important role, particularly when great powers look to them for cues on international recognition.

Three Causal Processes: Regime Collapse, Secessionist Warfare, and Externalization

In the cases examined here, I argue that we can trace the lineages of an institutional settlement back to three overlapping processes with far-reaching effects on the coercive and symbolic resources of separatists: regime collapse, secessionist warfare, and externalization, each of which involves specific mechanisms impacting the distribution of coercion and legitimacy (Figure 2 below).

First, the process of regime collapse in the Soviet Union and Yugoslavia left separatists minorities and the governments they challenged with variable coercive resources under their control. Separatists groups were able to seize lesser or greater shares of the military assets and security forces that were officially and unofficially portioned between new authorities. The same process also distributed the legitimacy of claims to self-determination unevenly along the lines of constitutions and administrative boundaries. Separatist statebuilders in the first-order constitutional units of national republics were endowed with an internationally recognized right to self-determination – such as Slovenes and Kazakhs – while other groups whose claims were to second-order constitutional units or territory not corresponding to the internal administrative boundaries were left without an internationally legitimate claim – such as Tatars, Bosnian Serbs, and the three groups examined below, Karabakh Armenians, Chechens, and Kosovo Albanians. Finally, post-communist transitions displaced existing power structures with institutions that were either durable or fragile, as well as leaderships that were cohesive and capable, or divided and inept. This allowed groups with capable leaders and cohesive institutions to make more effective use of the means of coercion and legitimation at their disposal in their subsequent secessionist bids.

But the resources of separatists were not fixed at the time of regime collapse. I argue that a second process rooted in the dynamics of secessionist warfare also had important impacts on the coercive and symbolic resources of separatists. A long literature on statebuilding suggests the important connection between war-fighting and state-making.[12] The institutions through which empirical authority is exercised are forged in

---

[12] From the classical sociology of Weber (1978) and Hintze (1973) and through to modern classics by Huntington (1968), Tilly (1975; 1990), Mann (1988), Spruyt (1994), and Herbst (1999), the literature on statebuilding is suggestive of the close connection between state formation and the centralization of coercive capabilities during war or preparation for it as well as the impact of external recognition on

the process of defeating or co-opting internal rivals and wresting control of the national territory and population from outside forces. I argue that conventional secessionist warfare is more conducive to institutional development and consolidation than irregular secessionist warfare, which promotes the institutional decentralization and fragmentation.[13] Separatists who fought conventional wars centralized coercive resources and subdued internal rivals, making it easier for separatists in conventional wars to consolidate their empirical authority. In irregular warfare, coercive resources are decentralized and fragmented, impeding the consolidation of separatist state structures.[14] The second mechanism concerns the extent to which particular modes of warfare and military strategies impact the ability of groups to legitimate their claims. Separatist groups who systematically employ tactics that violate norms and rules regulating violence in warfare such as terrorism, ethnic cleansing, or war crimes may win their wars, but in the process tend to deprive themselves of the means of legitimating their claims. Groups that abjure norms violating behaviour, in contrast, or who suffer disproportionately from government abuses, tend to be more successful in reconciling the contradictions between the military exigencies of warfare and legitimating a claim to self-determination.

Finally, some of the most far-reaching changes in the means of coercion and legitimation come as the conflicts are externalized in different ways. The entrance of new actors and interests into a conflict affects the ability of separatist groups to leverage the coercive assets of outsiders and alter outside perceptions of the legitimacy of their

---

statebuilding projects. A number of analysts suggest that the processes linking war and institutional development in the classic studies of the European experience have become disconnected (Reno 1998; Ceteno 2002; Jung 2003; Leander 2004). Yet I argue that these conditions attain to recognized weak states rather than separatist statebuilders who have to fight their way to independence against governments reluctant to make concessions.

[13] On how factionalism affects bargaining over autonomy, see Kathleen Cunningham (2005).

[14] "Conventional warfare entails face-to-face confrontations between regular armies across clear frontlines. This type of warfare requires a commonly shared perception of a balance of power between the two sides. In the absence of some kind of mutual consent (which entails some reasonable belief in future victory), no conventional battle can take place. On the other hand, irregular war is a type of warfare that requires a choice by the strategically weaker side 'to assume the tactical offensive in selected forms, times, and places' – in other words, to refuse to match the stronger side's expectation in terms of the conventionally accepted basic rules of warfare" (Kalyvas 2005: 90-1).

claims.[15] Even "non-intervention" in a separatist conflict, by confirming state sovereignty in the face of separatists demands for international recognition, affects the balance of power in the conflict in favor of the central government. Despite the superficial similarities between the breakup of Yugoslavia and Soviet Union in the adjudication of self-determination claims, secessionist bids in Yugoslavia were subject to a much higher degree of externalization through multilateral interventions that engaged a broad array of states, rather than the unilateral interventions that have tended to be the norm in the former Soviet Union. Though both sorts of intervention impacted the coercive balance in the conflict, groups who were the beneficiaries of multilateral interventions had greater opportunities to legitimate their claims.

Figure 2: Causal Processes and Mechanisms

Processes	Mechanisms and Means of Legitimation and Coercion
Regime Collapse	*State dissolution* leaves actors with different symbolic resources to legitimate their claims derived from constitutions and boundaries, and different coercive resources as separatists seize the assets of socialist militaries and security forces *National revolutions* result in more or less coherent institutions and capable leaderships, with variable capacities to employ the symbolic resources and coercive assets at their disposal
Secessionist Warfare	*Warfighting* alters the relative coercive balance in the conflict but can also deprive separatists of symbolic legitimacy where they violate accepted norms and rules of warfare *Modes of warfare*, whether conventional or irregular, creates different incentives and opportunities for consolidating coherent and centralized institutions, affecting the ability of separatists to consolidate gains
Externalization	*Outside support* provides separatists with coercive and symbolic resources in their struggle *Military interventions* change the distribution of coercion in the conflict, but whereas unilateral interventions tend to erode the legitimacy of separatist claims, multilateral interventions provide means and opportunity to legitimate claims

---

[15] Separatists challenge not only the brute facts of a central government authority, such as police, soldiers, courts, government buildings, and the like, but also socially constructed facts in international society, including the territorial borders of the central government, citizenship, and diplomatic relations.

Alternative Explanations

This explanation integrates insights from prevailing institutionalist and norms-based theories, but seeks to transcend their important limits. Institutionalists trace the relative interests and power of separatist groups and states to domestic institutions, particularly what Philip Roeder terms "segmented states" that divide territory and population into separate jurisdictions, with the implication that "Almost every successful nation-state project has been associated with an existing… 'segment-state'"(Roeder 2007: 10).[16] I integrate these insights in focusing on the variable institutional endowments separatists inherited after processes of regime collapse. But I argue that we must also look to the role of international interests and forces in shaping secessionist outcomes by altering the distribution of coercion and legitimacy in a conflict.

In doing so, I draw on explanations in International Relations that regard the outcomes of secessionist struggles as shaped by norms around self-determination and the territorial sovereignty.[17] These norms tend to empower central governments in their fight against secessionists by bolstering their territorial integrity and denying recognition to borders changes affected through violence. However, rather than treating claims to self-determination as legal facts arbitrarily inherited through constitutional status or historical circumstance, I regard them as socially constructed in international society through processes of claims contestation between different actors. What norms-based theories tend to regard as a clear legal logic around border maintenance and international recognition is a far more complex than these accounts suggest. Norms of self-determination and territorial integrity only loosely structure the terms of diplomatic competition between central governments, secessionist challengers, and their allies in international society. Moreover, the means of legitimation separatists employ to attain international recognition are not restricted to norms of territorial sovereignty and self-

---

[16] Roeder's explanation for the varying outcomes of separatist conflicts examined here thus emphasizes the congruence of a secessionist bid with the institutions of segmented states. Those bids that succeeded were "first-order jurisdictions called union republics, such as Kazakhstan and Ukraine. The nation-state projects not associated with these segment-states… failed in the 1990s" (Roeder 2007: 11). See also Suny (1993); Brubaker (1996); Bunce (1997, 1999); Beissinger and Young (2002): Cornell (2002); Hale (2004); and Spruyt (2005).

[17] The list of works here is similarly long. The most cited works include Jackson and Rosberg (1982), Jackson (1991), and Herbst (1989). See also Touval (1972); Zacher (2001); Crawford (2002: 37-62); Holsti (2004); Fabry (2004).

determination, but potentially include a range of overlapping norms, particularly those around human rights, democracy, anti-terrorism, and regional stability and conflict management.

Finally, neither institutionalists nor norms-based accounts provide a systematic explanation for deviations from territorial autonomy or sovereign statehood such as *de facto* states, occupied territories, or international transitional administrations. The explanation here allows us to account for the diversity of institutional settlements. Using the dimensions of empirical and juridical authority, it is possible to map trajectories as conflicts shift from one institutional settlement to another as separatists update their institutional choices in response to changing circumstances.

Institutional Choice Scenarios

How do separatist resource endowments of coercion and legitimacy affect their strategic choices around institutional settlements and the strategies for pursuing them? It is possible to distinguish between four scenarios in devising testable postulates regarding the probability that separatists will compromise by negotiating territorial autonomy or struggle for sovereign statehood and the likely institutional effects of their choices.

In the first scenario, where separatists lack the capabilities to coerce the state into conceding independence and their claims to self-determination possess no legitimacy in international society, the expectation is that separatists will attempt to settle their conflict on the basis of *territorial autonomy*. The terms of autonomy are expected to reflect the relative power resources of separatists and the central government: the more coercive resources and symbolic legitimacy separatists possess, the greater their autonomous authority. The likelihood that separatists will negotiate territorial autonomy with the central government, as opposed to continuing their struggle, thus depends on their prospects to coerce their adversary and legitimate their claims: only when separatists have slim chances of prevailing militarily or diplomatically will they settle for autonomy.

In the second scenario separatists possess the coercive resources to prevail in war, but lack a legitimate claim to external self-determination. Here, the expectation is that separatists will fight for independence, imposing *de facto* statehood as they attempt to consolidate their control over the territory and population they claim. As the survival of a
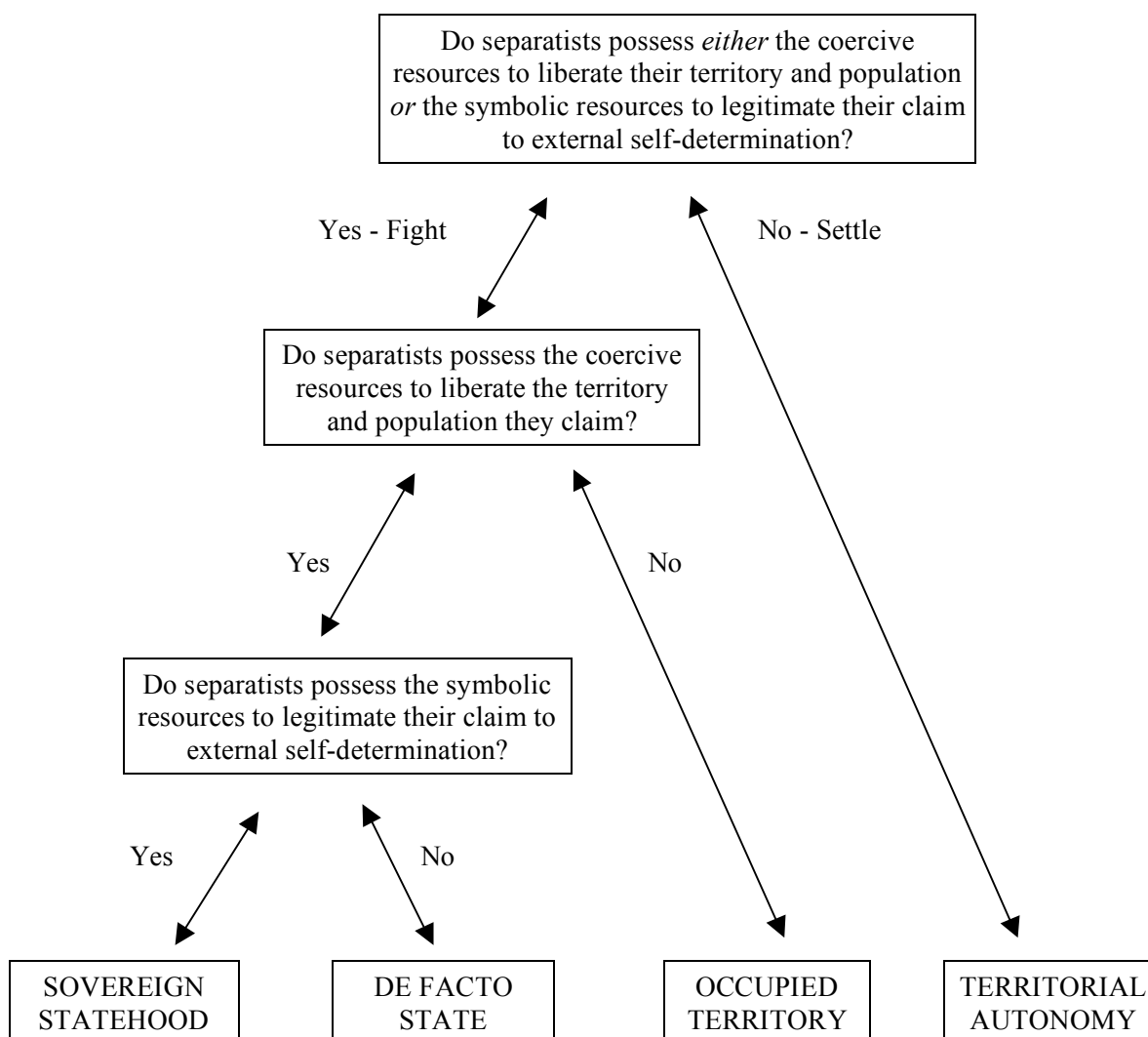
de facto state depends on deterring attempts by the central government's to reintegrate the separatist group, or prevailing in any subsequent war, the probability that separatists will leverage their *de facto* independence to negotiate a compromise on the basis of territorial autonomy depends on the balance of coercion; separatists are likely to settle for autonomy only where they cannot defend their independence. If not, then separatists will maintain their independence while continuing to attempt to legitimate their claims to self-determination through *de jure* recognition of their independence.

The third scenario encompasses separatists in possession of the symbolic resources to legitimate their claim to self-determination, but with relatively weak coercive capabilities. A group in this position is likely to attain international recognition but lose their struggle for independence with the territory and population they contest being subject to occupation or annexation by a foreign military or unrecognized separatist entity. The institutional expectation is thus *occupied territory*. The group is faced with a choice of either continuing to struggle for independence, hoping to turn the tide of war, or forfeiting their right to self-determination in international society and conceding to either territorial autonomy, or the loss of significant portions of territory through partition. As the group's main resource is their right to self-determination, the expectation is that the group will only accept territorial autonomy where the legitimacy of their claim over the contested territory is called into question. Otherwise, they will hold out for a change in the coercive balance in an effort to liberate their territory and population.[18]

The final scenario envisions separatists with sufficient coercive means to effectively liberate their territory and population, and in possession of sufficient symbolic resources to legitimate their claim to external self-determination. Likely to prevail over their central government in secessionist warfare and the contestation of claims in international society, separatists in this position are unlikely to concede either their *de facto* independence or *de jure* status in international law. The expectation is thus that they will choose the path of *sovereign statehood*.

---

[18] The scenario is unexamined in this paper but applied to the recognized Bosnian Muslim government in the set of cases in Appendix 1, as well as Palestinians and Sahrawis currently.

Figure 1: Institutional Choice Scenarios

Do separatists possess *either* the coercive resources to liberate their territory and population *or* the symbolic resources to legitimate their claim to external self-determination?

Yes - Fight   No - Settle

Do separatists possess the coercive resources to liberate the territory and population they claim?

Yes   No

Do separatists possess the symbolic resources to legitimate their claim to external self-determination?

Yes   No

SOVEREIGN STATEHOOD	DE FACTO STATE	OCCUPIED TERRITORY	TERRITORIAL AUTONOMY

Separatist choices can diverge from the schema above as contingent factors intervene. When separatists do make "off-the-path" choices, however, the expectation is the breakdown of an institutional settlement without foundations in a given distribution of the means of coercion and legitimation. These strategies represent counterfactual episodes during which separatists are expected to revise their choices in line with the predications above to better reflect the institutional opportunities created by the resources at their disposal (Boone 2005: 40). In all of four scenarios, moreover, deviations within the ideal-

typical settlement can be observed where separatists are deficient in either the means of coercion or legitimation (see Appendix 2). For instance, if separatists have not completely liberated their territory, or if their ability to defend it is in doubt, the result might be the partition, *de facto* or *de jure*, of the contested territory; if separatists lack universal legitimacy for their claims, with great powers disagreeing over the legitimacy of competing claims to territorial sovereignty and self-determination, the result might be something other than fully sovereign status.

SECESSION IN NAGORNO KARABAKH, CHECHNYA, AND KOSOVO

Among the 20 separatist conflicts in post-communist Europe, selection of Nagorno Karabakh, Chechnya and Kosovo is practical from the perspective of comparative methodology. To begin, the outcomes vary remarkably, from *de facto* statehood in Nagorno Karabakh, two failed attempts at *de facto* statebuilding in Chechnya, followed by its forcible reintegration into the Russian Federation, and an international protectorate heading towards some form of conditional sovereignty in Kosovo. Yet these different trajectories emerged from relatively comparable contexts in terms of prevailing institutionalist and norms-based theories. These conflicts began under similar institutional circumstances. Kosovo Albanians, Karabakh Armenians, and Chechens all had relatively circumscribed autonomy vis-à-vis the constituent republics of which they were a part. Furthermore, all three groups shared a second-order constitutional status that left them without legitimate claims to external self-determination. Instead, the claims to territorial integrity of their central governments, Azerbaijan, Russia and Former Republic of Yugoslavia (FRY)/Serbia, found strong support in international society, at least initially, whereas Karabakh Armenian, Chechen, and Kosovo Albanian claims to self-determination went unrecognized by outside states citing comparable concerns around the danger of a secessionist precedent.

The case studies below accomplish three objectives. First, they provide evidence that the ideal type variations in the arrangements for exercising self-determination correspond to real-world distributions of empirical and juridical authority in conflict settlements. Second, they support the causal argument by tracing institutional effects back

to variations in causal mechanisms in processes of regime collapse and external intervention and their impact on the means of coercion and legitimation of separatist groups. Finally, they position my theory against competing alternatives. Where separatist strategies and conflict outcomes vary among secessionist movements emerging from comparable institutional contexts, or among groups in a similar position vis-a-vis international norms of self-determination and territorial integrity in international society, then there is reason to doubt the explanatory power of these theories.

De Facto Statebuilding in Greater Armenia

For six decades under Soviet rule, Nagorno Karabagh was an enclave within Azerbaijan, "the only autonomous national region with a majority that was of the same ethnicity as a neighboring Soviet republic yet was not permitted to join that republic" (Suny 1993b: 194; 1993a). With *perestroika*, the pent up frustrations of ethnic Armenians over the status of Nagorno Karabakh found political expression in mass mobilizations in Karabakh, Armenia and Azerbaijan that contributed to the end of Soviet rule (Suny 1993a).[19] The way the Soviet Union collapsed would have important consequences for the Karabakh Armenian's separatist trajectory. Though it deprived them of a legitimate claim to self-determination, it allowed the unified leadership and efficient state apparatus that emerged from their national revolution to appropriate the military assets and forces of the disintegrating Soviet armed forces on their territory.

The War of Laws: Constitutions and Borders

The waning days of Soviet rule witnessed a constitutional competition over the status of Karabakh, with Moscow desperately trying to maintain the appearance of central authority in mediating a dispute rapidly outpaced by events on the ground. The legal manoeuvring in a series of resolutions and counter-resolutions issued from soviets in

---

[19] The conflict over Nagorno Karabakh has its roots in Leninist nationalities policy and the drawing of internal administrative boundaries after the Bolshevik reannexation of Transcaucasia. Rather than ceding Karabakh to Soviet Armenia, an autonomous district (*oblast*), the Nagorno Karabakh Autonomous Oblast (NKAO), was established within the Soviet Socialist Republic of Azerbaijan. The status of Karabakh was contested prior to Gorbachev, particularly under Kruschev (Walker 1991: 118-19; Suny 1993b: 194-96; Derlugian 2005: 188-90; de Waal 2003: 16).

Stepanakert, Yerevan, Baku, and Moscow had important implications on the *de jure* status of Nagorno-Karbakh in the constitutional order of the USSR, and with its dissolution, in international society.

Though Armenians were in control of the regional administration, the Nagorno Karabakh Autonomous Oblast (NKAO), in practice the "pseudo-federal nature" of Soviet autonomy left them subservient to the government of the Azerbaijan Soviet Socialist Republic (SSR) (Laitin and Suny 1999: 151). On 20 February, 1989, after a week of unprecedented nationalist rallies in Stepanakert, the local soviet of the NKAO of issued a resolution calling for the Supreme Soviets of Armenia, Azerbaijan, and the USSR to transfer Nagorno Karabakh to Armenia. In Moscow, the central government denied the transfer the next day, but failed to contain the intense nationalist mobilizations in the region.[20] On 15 June, 1988, the Supreme Soviet of Armenia gave its consent for Karabakh's accession to the Armenian SSR in a move endorsed by the provincial soviet of Karbakh. Predictably the Supreme Soviet of Azerbaijan and the Supreme Soviet of the USSR rejected it in July. On 23 August, 1990, the nationalist government of Armenia declared its intention to secede from the USSR, and to take Karbakh with it. However, any constitutional solution was foreclosed by the Soviet constitution's requirement that both republic's parliaments approve any changes (Suny 1993b: 201).

Facing the prospect of international condemnation of Armenia for laying claim to the territory of an independent state, the Karabakh Armenians declared the independence of Nagorno Karabakh on 2 September, 1991, changing their Soviet era demands from irredentism to independence. Two months later, on 26 November, the Azerbaijani government revoked Karbakh's autonomous status, declaring it a normal province. The Karabakh Armenians replied with a referendum on independence, which returned a vote of 108,615 in favour of independence, and just 24 against.

With the disintegration of the Soviet Union in December 1991, Azerbaijan had prevailed in the constitutional contest to maintain *de jure* authority over Nagorno Karabakh. This meant that when Azerbaijan attained international recognition in late 1991 and early 1992, it was along the administrative boundaries of the Azerbaijan SSR,

---

[20] In addition to demonstrations in Nagorno Karabakh itself, as many as one million people rallied for Armenian unity in Yerevan in the weeks that followed (Suny 1993b: 198).

including Nagorno Karbakh. The constitutional war deprived Karabakhtsis of the crucial symbolic resource to legitimate their claim to self-determination in international society, setting the conflict along a trajectory towards *de facto* statehood as they chose to fight for independence nonetheless.

Rejecting Autonomy and Consolidating the National Revolution
As the war of laws unfolded, Karabakh Armenians initially held the advantage in escalating conflict on the ground. The war began with skirmishes between villagers between 1987-89, escalating into sporadic ambushes from Armenian *fedayin* against Azerbaijani and Soviet police and army units as the secessionist bid gathered momentum.

The communist dominated Azerbaijani government's approach was to let Moscow deal with its rebellious minority (Cornell 1999: 27; Koehler and Zürcher 2003; de Waal 2004: 208). Authorities in Moscow and Baku thus responded with a joint crackdown, termed Operation Ring, concentrated on Armenian villages in regions surrounding Nagorno Karabakh in the spring and summer of 1991.[21]

By dramatically changing the coercive balance, the Soviet-Azerbaijani join operation forced the moderate Karabakh Armenian leadership to search for a political solution, particularly in light of the continued rejection of demands for border changes in Baku and Moscow. On 19 June 1991, the Armenian-controlled regional soviet passed a compromise resolution that appeared to offer a settlement on the basis of restoration of self-government in return for demilitarization of the enclave. Then, on 20 July a Karabakh Armenian delegation had direct talks with the Azerbaijani government proposing negotiations that would end the insurgency, dropping all demands for a change in constitutional status in return for restoration of autonomy (Melander 2001: 70).

The compromise settlement was not to be. Attacks by the more radical Karabakh Armenian *fedayin* were ratcheted up in an effort to derail the talks. The moderate nationalist Karbabakh Armenian leader who spearheaded the peace initiative, Valery Grigorian, was assassinated on 10 August. A creeping coup in Karabakh was

---

[21] The operation combined newly formed OMON (Interior Ministry) paramilitary police in Azerbaijan with elements of the Soviet 4th Army, pitting them against just a few hundred lightly-armed but highly motivated Armenian fighters. The political rationale for Operation Ring was Moscow's attempt to win Azerbaijan's support by assisting it in the conflict in Karabakh (de Waal 2003: 121; Human Rights Watch 1994).

consolidated as the old *nomenklatura* in the regional communist government were displaced by nationalist hardliners and paramilitaries threatened by a compromise solution (Melander 2001: 72). Despite tensions between moderates and radicals within Karbakh, the transition from the former to the latter saw the Nagorno Karabakh government maintain much of the old regime administrative structures. Nationalist mid-level bureaucrats and ex-Soviet military officers would provide coherent institutions and leadership in a war that was quickly gathering pace.

Whereas the Karabakh Armenian *nomenklatura* had, like their Azerbaijani counterparts, looked to Moscow to settle their conflict with Baku, nationalist Karabakhtsis had begun planning several years before secretly prepare for a real war, on the prescient assumption that Moscow might not be relevant in the conflict (Derlugian 2005: 192). They were proven correct when the August 1991 coup in Moscow resulted in the withdrawal of as many as 17,000 Soviet MVD troops in and around NAgorno Karabakh. As the coercive balance again changed in favour of the Karabakh Armenians, and with hard-line nationalists ascendant, they dropped demands for a negotiated solution and resumed their armed secession as Karabakh Armenian forces recaptured most of the territories lost in Operation Ring (Human Rights Watch 1994: 4; de Waal 2003: 122).

Arming the Revolution

The collapse of Soviet authority left the Azerbaijani government in Baku unprepared to combat secessionist forces. The Karabakh Armenians thus seized the initiative first in the fall and winter of 1991-92, gaining control of most of the Soviet arsenal stationed on the territory of Nagorno Karabakh as Azerbaijan's government struggled to adjust to the new political dispensation. These included the ammunition and armoured vehicles of Soviet Interior Ministry troops, and assets of the 366th Motorized Regiment based in Stepanakert, including ten tanks (de Waal 2003: 166-67).[22] The ensuing arms free-for-all vastly increased the coercive assets under the control of Karabakh Armenians, as they quickly launched an offensive that brought large parts of the territory under their control by May 1992.

---

[22] Considering the Karbakh Armenian's previous reliance on such crude weapons as hunting rifles and meteorological weather rockets, used for primitive bombardments, Soviet weapons represented a qualitative leap forward.

The conflict escalated quickly when the newly-independent governments of Azerbaijan and Armenia formally inherited significant amounts of the Soviet army in the spring of 1992, with Azerbaijan deploying these weapons in the Karabakh conflict and Armenia proper funnelling them to their ethnic kin.[23] The initial advantage here went to newly independent Azerbaijan, which had a greater concentration of Soviet military assets than neighboring Armenia (Petrosyan 2000). Azerbaijan's new weapons were deployed in a counteroffensive launched by the newly installed nationalist Popular Front government in Baku in June 1992, which succeeded in capturing back as much half of Karabakh. But the offensive stalled before they could press home their gains just 30 minutes outside Stepanakert (Goltz 1998: 231-49; de Waal 2003: 197).

Conventional Warfare and Institutional Development: The State Committee for Defence
The gains made during the 1992 offensive would represent the high point of the war for Azerbaijan. Yet they owed more to the one-off arms bonanza that accompanied the disintegration of the USSR than any real advance in military effectiveness (Croissant 1998: 83-84). Though Azerbaijan inherited a greater amount of military hardware, it was without the human and institutional capital to generate military power with its assets (Gorman 1993). First, Azerbaijanis were underrepresented in the higher ranks of the Soviet armed forces, whereas Armenians were overrepresented.[24] Second, and more importantly, the Armenian governments, both in Stepanakert and Yerevan, emerged from their national revolutions in possession of more coherent institutions and leadership than the disorganized and government in Baku, which was unprepared to fight the war.

---

[23] The official figures for each side from the Tashkent Agreement were 220 tanks, 220 armored vehicles, 285 artillery pieces, and 100 combat aircraft (Agreement on the Principles and Procedures for the Implementation of the Treaty on Conventional Armed Forces in Europe, Tashkent, 15 May 1992). However, each side acquired far more through unofficial channels. The Azerbaijan Foreign Ministry admitted to receiving from Russia "286 battle tanks, 842 APC's and infantry combat vehicles, 386 artillery systems, 53 battle aircraft and 8 strike helicopters in July-August 1992" (Danilov 1996: Chapter 5, fn 16).

[24] Azerbaijanis were often assigned to low-ranking positions, or construction and support battalions rather than fighting units. As Thomas Goltz observed, "they might know how to build a bridge but not how to drive a tank across it" (Goltz 1998: 149). "Among the Armenian warriors born [in Karabakh] were two marshals of the Soviet Union, a clutch of heroes of the Soviet Union… and even… a Soviet admiral" (de Waal 2003: 186). Note, however, that Monte Melkonian, the famous Armenian-American commander, was not impressed by the training of Armenians. As his brother recounts, "Few of the fighters he had met, including detachment leaders and Defense Committee members, could honestly claim any previous combat experience at all… The same was true on the Azeri side except they had more money to throw at the problem… Faced with a decided enemy advantage of firepower and manpower, Monte was quick to realize his one advantage: motivation" (Melkonian 2005: 224).

After the Karabakh forces' losses in spring 1992, the Stepanakert government declared military rule under a State Defence Committee (with the Stalinist reference both intentional and revealing). Until then, irregular, volunteer armies, with large criminal elements had dominated the fighting on both sides. Military efforts were disorganized, reflecting the ascendance of radical nationalists and their militia that dominated the early part of the conflict on both sides (Melander 2001: 60). Under the State Defence Committee, however, the Nagorno Karabakh Defence Army was increasingly professionalized and centralized. Authorities placed he economy on war footing and conscripted the *entire* male population between eighteen and forty-five. Retention of the institutional capital inherited from the Nagorno Karbakh Autonomous *Oblast* (NKAO) allowed the Karbakhtsis to make effective use of their centralized coercive resources under the pressures of an increasingly conventional war.

In both Nagorno Karbakh and Armenia, which was lending strong support to neighbouring Karabakh, governments reacted to adversity in war by growing stronger. In Azerbaijan, however, government stability was contingent on performance in the war, which was disastrous from mid-1992 onward (Suny and Laitin 1999: 156).[25] Thus, while the Armenians fought the war with shaky but continuous governments in both Yerevan and Stepanakert, Azerbaijan saw no less than three governments in power in Baku during the war, all of which fell over defeats in Karabakh.[26]

The result was that while Nagorno Karbakh became an army with a state under the pressure of secessionist warfare, Azerbaijan became a state with no army. Political infighting in Baku undercut the military effectiveness of the Azerbaijani militia fighting

---

[25] In Armenia, a strong nationalist party, organized around the Armenian National Movement (ANM) assumed power in July 1990. Armenia was politically disorganized early in the conflict, attempting a chaotic transition towards democracy in the wake of an earthquake that killed 24,000, and under conditions of mass mobilization around "the Karabakh question," with no less than nine "national armies" and a collapsing economy (Derlugian 2005: 190; Suny 1993b: 239). Yet these forces were gradually brought under centralized control, partly as a result of the losses incurred in the Azerbaijani offensive spring of 1992, which provided an impetus for centralization and reorganization of the armed forces (Zverev 2003). Indicative of the high quality of the Armenian officer corps in the Soviet armed forces, the new armed forces were placed under the command of Norat Ter-Grigoryants, former deputy commander-in-chief of the ground troops of the Soviet Armed Forces (Petrosyan 2002: 1).

[26] In the late 1980s until 1992, President Mutalibov fought an unsuccessful campaign to maintain power in the face of the more power Popular Front opposition. Then, after it obtained power with President Elchibey's election on June 7, 1992, Elchibey himself wrestled with various contenders for power, including Heidar Aliev, who eventually assumed power under the mysterious circumstances of a creeping coup in June 1993.

in Karabakh. Indeed, disparate units on the Azerbaijani side were never under central control, but rather belonged to a "fluid gathering of Soviet apparatchiks, nationalist intellectuals and *biznesmeny-patrioty*" that spent more time grasping for power in Baku than fighting Armenians (Koehler and Zürcher 2003: 164; Petrosyan 2000; Kechichian and Karazik 1995: 62-63).[27] The weakness of the militia that passed for Azerbaijan's military became clear in an Armenian offensive in the spring of 1993 that turned the tide of the war, collapsing the Azerbaijani front and carving out front lines that hold today.

Armenian Intervention: Battlefield Victories, Diplomatic Disasters

A key causal mechanism in the outcome of the secessionist bid was the unilateral military intervention of Armenia. Its effects compounded the illegitimacy of Nagorno Karabakh's claims to self-determination, as its secessionist bid was transformed into an even more illegitimate case of irredentist territorial aggression in international society.

Though the Karabakh Armenians declared independence in 1991 in an effort to legally absolve Armenia of its claims to Azerbaijani territory, the early irredentism had generated suspicion amongst outside states keen to prevent the unravelling of the fragile territorial order in the former Soviet Union. For this reason, the Armenian establishment sought to mask its involvement during the war, worried about growing international criticism. Yet it became increasingly difficult for the Armenian government to deny its involvement as its previous policy of encouraging "volunteers" to fight in Karabakh escalated into the large-scale involvement of the Armenian armed forces (Human Rights Watch 1994: 67-74).[28] The intervention in force of new Army of the Republic of Armenia

---

[27] Commeting on the fall of Shusha, an important turning point, the famous Chechen warrior-terrorist Shamil Basayev, who was amongst its defenders, told a reporter with Azerbaijani television, "Shusha was just abandoned… There was no organization. There was no single management. No one was responsible for anything" (in de Waal 2003: 181). There are stories of entire units being withdrawn from the front to take part in the power struggles in Baku, most notably Surat Husseinov's powerful militia, the "Ganje Brigade" which withdrew from the front lines in June 1993 to march on Baku, opening a gap that led to the capture of Kelbajar and Aghdam as the Armenians took advantage of the disarray (Goltz 1998: 393: de Waal 2003: 215).

[28] Interviews with participants in the war, including an officer in Armed Forces of Armenia and an Armenian journalist who spent much time at the front with Armenian units, confirmed the poorly-kept secret that Armenian troops played key roles in the war, particularly during Azerbaijan's final winter offensive from December 1993 to May 1994, when Armenian troops helped stave off assaults that threatened to overwhelm Armenian lines. Interviews, Yerevan 6 and 7 September 2003.

proved to be the key factor in the battlefield success of Karabakh Armenians between 1993-94, augmenting the overstretched Karabakh military.

Yet Armenia's intervention in the conflict would have negative diplomatic consequences. Armenians had much international sympathy prior to 1993, a legacy of their democratic opposition to communism, publicized pogroms against Armenians in Azerbaijan, in part the result of a well-organized diaspora invigorated by the Armenian earthquake in 1988 and the Karabakh question (Suny 1993: 229-30). Though these symbolic resources these generated were not enough to attain international recognition of the border changes the Armenians sought, they did generate a degree of international support.[29] But this began to erode after the first incontrovertible evidence of the large-scale, non-voluntary participation of the Armenian armed forces in the fighting resulted from the capture of the Kelbajar region in March and April 1993.

With clear confirmation of Armenian involvement in the war came belated recognition of the international dimensions of the crisis and condemnation of the Armenians. On April 30, the Security Council passed its first resolution on the conflict, Resolution 822 (1993), demanding the "immediate withdrawal of all occupying forces from the Kelbadjar district and other recently occupied areas of Azerbaijan" and for the first time affirming "the inviolability of international borders and the inadmissibility of the use of force for the acquisition of territory" in relation to the conflict.

International pressure produced results as Armenian President Ter-Petrosian supported a new peace plan but more hawkish elements in his own defence establishment and within Karabakh played for time to exploit growing instability in Azerbaijan. In late June and July, the Armenians broke a unilateral ceasefire by marching on Martakert, then Agdam, resulting in a second Security Council Resolution, 853 (1993) on 29 July, singling out the Armenian forces. The Armenians then turned to the south, where the collapse of Azerbaijani defensive lines pushed tens of thousands of Azerbaijanis across the Araxes River into Iran, victims of systematic ethnic cleansing (Cornell 1999: 40).

---

[29] In 1992, for instance, the US Congress excluded Azerbaijan from assistance for former Soviet republics under Section 907 of the Freedom Support Act until Azerbaijan took "demonstrable steps to cease all blockades and other offensive uses of force against Armenia and Nagorno-Karabakh" ("Freedom Support Act" S2532, 3 January1992, United States Congress). The provision was waived only in 2001, allowing for "anti-terrorism" assistance to Azerbaijan.

Human rights abuses and war crimes perpetrated in the wake of Armenian victories further turned international opinion against the Armenian side as they went from victims to aggressors. The refugee columns that proceeded the systematic looting and wanton destruction of Azerbaijani inhabited territories would handicap the Karabakh Armenians efforts to legitimate their claims in an international society reluctant to endorse ethnic cleansing.[30]

The Settlement: De Facto *Statehood in Nagorno Karabakh*

By the beginning of 1994, all sides were exhausted. Azerbaijan was reeling from its rapid losses. The Armenians were at risk of overstretch, having already gained control of most of the territories they claimed and then some, and coming under international pressure. The Armenian side therefore looked to consolidate their gains. A Russian brokered cease-fire, signed on 12 May 1994, was meant to last three months, but has held to the present (Laitin and Suny 1999: 161). The war allowed Karabakh authorities to coerce a ceasefire that left them in occupation of some 13.4 percent of Azerbaijan, including 92.5 per cent of the former Soviet NKAO, five districts outside the NKAO, and significant segments of two others.[31] Of this territory, the government in Stepanakert lays claim to the entire NKAO as well as neighbouring districts of Shahumian and Lachin, and the Getaschen settlement.[32] Despite the tight integration of Armenia and Nagorno Karabakh, officials in Stepanakert vehemently insist that their goal is recognition as an independent state rather

---

[30] The practice of ethnic cleansing was prevalent on both sides. But given the tide of fighting in 1993-94, it was Azerbaijanis fleeing Armenians as the world paid increasing attention to the war. As in other such conflicts, it was less a case of victim versus aggressor and more one of weak versus powerful. Human Rights Watch summed up the dynamics of human rights abuses in the war: "Whichever side held the strategic advantage in Nagorno Karabakh at any given moment was the one that most egregiously violated the rules of war" (1993). The humanitarian disaster of 1993 was preceded by the massacre of Azerbaijani villagers in the Karabakh village of Khojali in February 25-26, 1992, which marked a turning point in international opinion and media coverage (de Waal 2003: 171; Human Rights Watch 1994).

[31] These five districts include Kelbajar, Lachin, Kubatly, Jebrail, and Zengelan. The extent of control over two districts partially occupied by Karabakh forces, Adgam and Fizuli, is debated. Nagorno Karabakh authorities claim to control 35 per cent of Agdam and 25 per cent of Fizul (ICG 2005: 1). Thomas de Waal's calculations for these two districts are 77 per cent of Agdam and 33 per cent of Fizuli (2003: 286).

[32] Technically Nagorno Karabakh remains at war with Azerbaijan and estimates range on the number of soldiers killed in sniping and artillery duels across the front lines. In 2003, one Armenian officer I interviewed estimated casualties at 12 per month, higher than official figures (Interview, Yerevan 4 September 2004).

than annexation by Armenia, a sentiment shared by a majority of the population.[33] But their legal arguments for international recognition find little support in international society.[34]

Despite its lack of recognition, Nagorno Karbakh is not quite the pariah it appears. Since 1998, USAID has provided the sole source of direct government assistance, an extension of the power of the Armenian lobby in the United States. Integration of Nagorno Karabakh with Armenia as well as diaspora remittances and investments ease its diplomatic isolation, both symbolized by the completion of a diaspora-financed road traversing the Lachin corridor in 1999, connecting Nagorno Karabakh to Armenia.[35] Moreover, the "Karabakh clan" organized around Robert Kocharian, former head of the Nagorno Karabakh Committee for State Defence, and Serzh Sarkisian, former commander of Karabakh armed forces, became the most powerful political force in Armenia proper in the years after the war, providing yet more leverage.[36]

Legitimating Claims to Self-Determination: From De Facto State to Sovereign State?
Having liberated the territory and population they claimed, the postwar challenge for Karabakh Armenians has been the legitimation of their claims. Though there was little prospect of Nagorno Karbakh obtaining recognition of a unilateral declaration of independence, efforts to broker a political settlement with Azerbaijan have provided an

---

[33] Interview, Georgy Petrosian, Counsellor to the President of Nagorno-Karabakh Republic, and current Nagorno Karabakh Foreign Minister, Stepanakert, 12 September, 2004.

[34] They argue that Article 3 of the April 1990 law on withdrawal from the USSR provided a right for Nagorno Karbakh Autonomous Oblast (NKAO) to secede that parallels that of Azerbaijan. Furthermore, Nagorno Karbakh officials argue that newly independent Azerbaijan bases its statehood, in part, on the (unrecognized) Azerbaijan Democratic Republic of 1918-1920, which never exercised sovereignty over Nagorno Karabakh. Nor did Azerbaijan exercise effective sovereignty over Nagorno Karabakh when it seceded from the USSR, thus Armenians argue that the government in Stepanakert never seceded from an existing independent state. Interview, Ashot Ghoulian, Foreign Minister of Nagorno Karabkh, Stepanakert, September 13, 2003.

[35] Moreover, the "Karabakh clan" organized around Robert Kocharian, former head of the State Defence Committee, and Serzh Sarkisian, former commander of Karabakh armed forces, became the most powerful force in Armenia proper after the war. Kocharian assumed power in Yerevan in 1998 after Ter-Petrosian proposed a compromise settlement on the Karabakh conflict that led to his ouster by the Karabakh hardliners. This ensures that Nagorno Karbakh's interests are well represented there – including in negotiations with Azerbaijan over Karabakh – despite growing displeasure amongst Armenians at the costs of propping Nagorno Karabakh (ICG 2004).

[36] Kocharian assumed power in Yerevan in 1998 after Ter-Petrosian proposed a compromise settlement on the Karabakh conflict that led to his ouster by the Karabakh hardliners. This ensures that Nagorno Karbakh's interests are well represented there – including in negotiations with Azerbaijan over Karabakh – despite growing displeasure amongst Armenians at the costs of propping Nagorno Karabakh (ICG 2004).

opportunity to legitimate their claims through negotiated secession. The Stepanakert government's strategy has two complementary tracks towards this end.

The first is premised on the hope that the prolonged demonstration of their effective statehood will eventually bring about recognition.[37] As Arman Melikyan, Nagorno Karabakh's representative in Yerevan remarked, "Recognition can wait. We now have to focus on nation building – building a democratic state the citizens can be proud of and a state that will convince outsiders to recognize us."[38] A variety of political reforms in a democratic direction are touted internationally as evidence of the democratic nature of their authority, including an independent press, a strong civil society, a commitment to rule of law, and the fact that reform in Karbakh is further advanced than in either Armenia or Azerbaijan, though its elections and referenda are ignored by outside states and international organizations.[39]

The second track seeks to leverage its effective statehood, occupation of Azerbaijani territories not claimed by Nagorno Karabakh, and the diplomatic support of Armenia proper to negotiate a deal with Azerbaijan that would legitimate their sovereignty claims with Baku's consent. Here, externalization of the conflict through international mediation has generated new opportunities for Karabakh Armenians to legitimate their claims by manipulating outside fears of regional instability, its strategic alliance with Russia, and the important resources provided by its well-organized diaspora.

The Organization for Security and Cooperation in Europe's (OSCE) Minsk Group has led peace negotiations since 1992.[40] In 1997 prospects for a settlement appeared to be good.[41] Sensing the increasingly high costs to Armenia of the absence of a solution to the Karabakh question, and the political impossibility of Nagorno Karabakh either attaining international recognition, or being annexed by Armenia, Ter-Petrosian pushed for a deal

---

[37] Interviews, Stepanakert, 10-14 September 2004.

[38] Interview, Permanent Representative of the Nagorno Karabakh Republic in the Republic of Armenia, 6 September 2004.

[39] Interview, Georgy Petrosian, Counsellor to the President of Nagorno-Karabakh Republic, and current Nagorno Karabakh Foreign Minister, Stepanakert, 13 September, 2004. See Nina Caspersen (2007) on the democratization process in Nagorno Karabakh.

[40] The United States and France joined Russia in the chairmanship in February 1997.

[41] After fraudulent elections in 1996, Armenian president Ter-Petrosian signaled his willingness to break with Karabakh in negotiation a deal with Azerbaijan. Azerbaijan was quickly gaining new friends in the West, lured by the Caspian Sea oil boom. Azerbaijan also gained moral authority in the dispute when it renounced its claims to Iranian Azerbaijan (Brown 2004).

that would allow Baku to exercise *de jure* sovereignty while Karbakh retained its *de facto* independence. Yet confident in their ability to defend their *de facto* independence while pursuing a long-term campaign to attain international recognition, authorities in Stepanakert were reluctant to concede to any form of "vertical" relationship with Azerbaijan. By February 1998, Karabakh hardliners within the Armenian government orchestrated a palace coup that forced Ter-Petrosian's resignation.

The possibility of a peace deal in 1997-98 was the high point in an otherwise poorly coordinated peace process. The current co-chairs of the OSCE's Minsk Group, the US, France and Russia, have been criticized for the unfocused process they lead.[42] The three co-chairs of the Minsk Process, Russia, France, and the United States, also happen to be the three countries with the largest Armenian diaspora populations. Heeding the fate of their predecessors whose political careers met their end in negotiations over Nagorno Karabakh, each government remains reluctant to compromise. In an effort to break the deadlock, Minsk Group co-chairs publicly released the core principles of a settlement that both parties had agreed upon in mid-2006. The settlement would involve the redeployment of Armenian forces from most occupied regions of Azerbaijan around Nagorno Karabakh in return for a referendum to determine the final *de jure* status of Nagorno-Karabakh, thus legitimating Nagorno Karabakh's accession to sovereign statehood, all supervised by a peacekeeping force and international security guarantees (Fuller 2006; OSCE 2006).[43]

Yet none of the parties appears ready to compromise. In Baku, oil revenues bring calls to reintegrate the territory by force with an expanded army, though Armenians continue to express confidence in their ability to defend the territories under their control

---

[42] The co-chairs have offered few incentives to advance the process. What goes on in the negotiations does not affect the multi-million dollar cooperation and aid programs the U.S., Russia and EU have with Armenia and Azerbaijan. A retired U.S. official said, "there has to be a historical compromise but it's not going to happen without some incentives and some pressure from the mediators" (ICG 2005: 8). For other critiques of the Minsk Group, see Mooradian (1998), Betts (1999), and Laitin and Suny (1999). On mediation efforts during the war, see Mooradian and Druckman (1999).

[43] Importantly, however, Yerevan issued clarification objecting to provisions regarding withdrawal from Azerbaijan territories and authorities in Stepanakert expressed reservations about the need to hold a referendum, regarding it as unnecessary given the legality of the 10 December 1991 referendum that endorsed Karabakh's independence (Danielyan 2007).

(Lynch 2001: 18; ICG 2005: 28).[44] President Aliyev has on a number of occasions publicly alluded to the threat of force if Karabakh Armenians do not accept Azerbaijan's offer of a high degree of autonomy. Yet outside states have publicly reproached any effort to ratchet up pressure through threats of force.

Indeed, a perversity of the frozen conflicts in the former Soviet space is that while international society continues to roundly reject the legitimacy of separatist claims to external self-determination, it is equally adamant in forestalling any efforts by central governments to reclaim their territories by force.[45] This effectively delegitimates Azerbaijani claims to exercise territorial sovereignty over Nagorno Karabakh while giving Armenian claims a perverse sort of backhanded legitimacy whereby outside states and international organizations deny recognition of their independence but inadvertently bolster their borders and prospects of survival in the interests of conflict management. As Chechnya shows, however, not all *de facto* states enjoy such benefits.

The Rise and Fall of the First Chechen Republic of Ichkeria

If Nagorno Karabakh provides an example of successful *de facto* statebuilding, Chechnya is an illustrative counterpoint, providing two failed statebuilding attempts punctuated by efforts to reintegrate Chechnya into the Russian Federation.[46] The roots of Chechnya's first failed attempt to establish and consolidate its independence can be traced to back to its national revolution, which left Chechnya internally divided and internationally isolated, setting the stage for an off-the-path institutional choice to fight for independence rather than negotiate autonomy.

---

[44] War-fighting left Nagorno-Karabakh a hyper-militarized society, with an estimated 65 persons per 1000 under arms, a proportion with few parallels (ICG 2005: 9), and both its army and that of Armenia are regarded as among the most effective in the region.

[45] When I put this proposition to an OSCE analyst in Vienna, in the context of Abkhazia and South Ossetia, he shrugged his shoulders, observing "Indeed. Indirectly. The West has two conditions with Georgia and its relations with South Ossetia and Abkhazia. First, they are anti-status quo. Second, no violence." (OSCE, Vienna, 27 June 2006). The problem of course is that there is very little room for central governments negotiating with *de facto* states to maneuver between anti-status quo and no violence.

[46] Chechnya's long conflict with an expansionist and centralizing Russian state resurfaced as Soviet power disintegrated in the republic. The roots of the Chechen conflict can be traced back over 200 years, to the rebellion of Imam Mansur in the late 18th century (Gammer 2006).

The Chechen Revolution

Chechnya first moved towards secession in November 1990 when the Chechen-Ingush Autonomous Soviet Socialist Republic declared state sovereignty under pressure from the Congress of the Chechen People.[47] By September 1991 the centre had proven unwilling to lend support for a crackdown on demonstrations in Grozny, critically weakening the local communist government. Throughout September, Chechen nationalists around Jokhar Dudayev's Congress of the Chechen Peoples consolidated their power in an armed coup, eventually storming KGB headquarters and the Supreme Soviet (Gall and de Waal 1998: 97). Dudayev and his followers moved quickly, preemptively holding elections on 27 October, which officially gave him 85 per cent of a vote.[48]

On 2 November 1991 the Dudayev government declared independence. With the power struggle between Yeltsin and Gorbachev in its final stages, the response from Moscow was characteristically confused and its attempt to overthrow Dudayev by force failed spectacularly as Chechen fighters surrounded Russian forces sent to restore constitutional order, disarmed them, and forced their withdrawal.[49] With their departure, Chechnya passed into a fragile arrangement between autonomy and *de facto* statehood.

Inauspiciously, Dudayev's new government met with significant opposition within Chechnya after violently usurping power from communist leader Doku Zavgayev, (Evangelista 2002: 19), an early sign of fragmentation. As many as ten nationalist organizations called on Dudayev to stop attempting to seize power (Evangelista 2002: 19). The Chechen revolution had led to a debilitating fissure between the radical nationalist government and a reformist "emergent liberal-conservative pact" of more

---

[47] The document employed revolutionary language, neglecting to mention the Russian Federation and only mentioning the Soviet Union in relation to "the act of genocide perpetrated against the Chechen and Ingush peoples." Article 1 of resolution declared that "The Chechen-Ingush Republic is a sovereign state, created as a result of the self-determination of the Chechen and Ingush peoples" (Gall and de Waal 1998: 82).

[48] Voting is estimated to have taken place in only 70 of the republic's 360 districts (Tishkov 2004: 62)

[49] The Russian parliament first declared the elections illegal, then announced a state of emergency in Chechnya. The forces for suppressing the revolution were officially under Gorbachev's control and as Tiskkov notes, Yeltsin was to Gorbachev what Dudayev was to Yelstin (2004: 63). On 9 November, as many as 600 Interior Ministry troops landed on the outskirts of Grozny, but were quickly surrounded by Chechen fighters. Lacking reinforcement or even equipment, which was sent to Mozdok, in North Ossetia, the troops were disarmed and left humiliated on buses as Moscow revoked the state of emergency. Figures on troop numbers differ. See Gall and de Waal (1998: 101), Lieven (1998: 63), Evangelista (2002: 19), Dunlop (1998: 118).

competent elite and technocrats (Derlugian 2005: 248, 256). As a result, after the old communist institutional structure was overthrown, no credible state emerged in its place.[50]

Farewell to Arms: A Chechen Arsenal

Under increasing Chechen pressure and intimidation, the Russian military presence in Chechnya wound up by the summer of 1992.[51] Though Russia had imposed an ineffective blockade on the separatist republic, Chechnya was only gradually cut out of the federal budget, with the last transfers officially ending in March 1993 (Gall and de Waal 1998: 125).[52] Russian defence minister, Pavel Grachev, eventually consented to leave quasi-independent Chechnya half of the Soviet arsenal on the territory in 1992; some commentators suggest that this provided an excuse for the fact that these weapons were already missing by the time Russian forces withdrew (e.g. Dunlop 1998: 164-68).[53]

But despite the Chechen government's easy access to Soviet weaponry, much of this was resold; Chechen fighters would not be well-armed in the coming war (Tishkov 2004: 97). Indeed, Dudayev's government, described as "a working anarchy ruled by an unsuccessful dictatorship" (Derlugian 1999: 1417), never succeeded in centralizing these military assets or consolidating its authority with a coercive apparatus. An otherwise sympathetic report noted "Dudayev has done little to consolidate Chechen statehood… he has fallen increasingly under the influence of corrupt 'mafia' types' and political adventurers" (International Alert 1992: 50). Chechnya's ambiguous status turned it into a

---

[50] Jabriel Gakayev, one of the many Chechen intellectuals in opposition to Dudayev, remarked that "Our tragedy was that we did not have an intelligentsia, only isolated individuals. If in somewhere like the Baltic States the Popular Front was led by the intelligentsia, with us it was led by people from the margins of society" (Gall and de Waal 1998: 78). In the less generous language of Ruslan Khasbalutov, outmaneuvered during the revolution and its aftermath, "what you have seen in Chechnya is a peasant's revolt… peasants' revolt is the ugliest, the most stupid, and the most dangerous political phenomenon" (Lieven 1998: 79).

[51] This made Chechnya possibly the only part of the former Soviet empire without a Russian troop presence, "something that was not even true of East Germany at the time" (Gall and de Waal 1998: 160)

[52] Off-budget transfers may have continued, however. I thank Kristin Bakke for alterting me to the complexity of the transfers issue and its implications for Chechnya's *de facto* statehood.

[53] One estimate of this arsenal, by the Russian State Duma's Govorukhin Commission, provides the following figures of the Dudayev governments appropriations, which represent only a part of the arsenal acquired: "260 airplanes; 42 tanks; 48 armored vehicles; 44 lightly-armored vehicles; 942 automobiles; 139 artillery systems; 89 anti-tank devices; 37,795 firearms… and 1, 257 rifles (Dunlop 1998: 167). There is evidence that much of this was resold, however.

"free economic zone" ably exploited by the Chechen and Russian mafias.[54] Oil substantially increased the scale of this economy and the profits to be made, but corruption and bureaucratic incompetence meant that little of this money translated into effective public services.

International Isolation

Internationally, Chechnya's claims to self-determination were treated as illegitimate from the outset, with its declaration of independence going unacknowledged in international society, except by the soon-overthrown Georgian government of Zviad Gamsakhurdia. The Chechen government's foreign policy was amateur and disorganized (Gall and de Waal 198: 109-10; Evangelista 2000: 28-29).[55] International observers came to view Chechnya not as a potential independent state, but as a destabilizing criminal enclave run by a fanatical military strongman threatening the fragile post-Soviet territorial order – an image the Chechens confirmed.

When Dudayev violently suspended parliament in April 1993, for example, it lent credence to Moscow's portrayal of Dudayev as a military potentate. Terrorism between 1991-94, either by Chechens or in their name and criminal activities undercut its legitimacy, as did an escalating conflict between Dudayev's forces and the (Moscow-backed) Chechen opposition in 1994 that assumed the appearance of a civil war to outsiders. Meanwhile Dudayev's support of a Mountain Confederation uniting the peoples of the north Caucasus seemed to confirm Russian propaganda about Chechnya as the first domino in the Russian Federation's violent disintegration.[56] Other grandiose

---

[54] Banking scandals, arms trading, and smuggling made Chechnya one of a number of quasi-independent entities in the former Soviet Union, such as Transnistria, South Ossetia, and Abkhazia, where black and gray markets proliferated. Estimates are that as much as 300 million dollars in oil profits went to Dudayev's government between 1991-94. Anatol Lieven reports that Chechnya's recorded exports of oil to international markets were 20 million tones (1998: 75).

[55] Early diplomatic efforts concentrated on the Arab world, with Dudayev visiting Turkey, Sudan, Jordan, Saudi Arabia and Kuwait throughout 1992. His first foreign minister, Shamil Beno, strongly opposed this strategy: "our main problem was in the north, not in the south" and even Jordan and Syria, two countries that might have been expected to support Chechnya given their large Chechen diasporas, came nowhere near recognition (Gall and de Waal 198: 109-10).

[56] Chechnya's role in the short-lived "Confederation of Mountain Peoples," an umbrella group of nationalist forces in the Caucasus that sought to revive the short-lived 1918 Mountain Republic, raised the specter of a wider conflagration. The new Mountain Republic was to include Abkhazia, North and South Ossetia, Kabardino-Balkaria, Adygea, Karachaevo-Cherkessia, Dagestan, Ingushetia, and possibly Azerbaijan. "Independent Chechnya was not perceived by Dudayev or by his entourage as 'going it alone';

gestures on Dudayev's part did little to further the Chechen's cause, including: claiming to have a plan to destroy Israel; offering asylum to East German dictator Erich Honecker (refused) and ousted Georgian nationalist Zviad Gamsakhurdia (accepted); or parading the empty tubes of SS-20 missiles around Freedom Square on "independence day" in 1993. Cumulatively, these acts led to international support to an uncompromising Russian approach to dealing with Chechnya.

Independence: An Off-the-Path Institutional Choice

As in Nagorno Karabakh, Chechnya emerged from the Soviet Union lacking a legitimate claim to self-determination. Rather than declaring war, Chechen separatists coerced Russian forces out of the republic through brinksmanship, their task facilitated by the chaotic state of Russian policy-making during the transition. Unlike in Karabakh, however, the Chechens' national revolution left the weak government without the cohesive institutions nor the capable leadership required to make use of the coercive assets at its disposal and consolidate its *de facto* independence. Given the tiny and fragmented Chechen republic's limited means of coercion and legitimation between 1991-94, why did its government not accept a high degree of territorial autonomy in negotiations with Moscow?

As I discuss below, evidence supports the conclusion that there were opportunities for normalizing Chechnya's status within the Russian Federation through a settlement that would have been mutually acceptable to both sides. However, erratic and intransigent negotiating positions in Moscow and Grozny rendered a negotiated settlement elusive, resulting in a preventable, futile, and destructive war. [57] To the extent that the

rather its perceived role was to be part of a considerably larger political and geographic entity" (Dunlop 1998: 140). Dudayev's calls for other peoples to rise up against Russian power did not spread secession to other Muslim autonomous republics in Russia's Caucasus, nor did the confederation play a role in supporting Chechnya's first war. What they did encourage, however, was an association between Chechen secession and an illegitimate, highly destabilizing, Islamic-tinted irredentism, further promoted by the participation of Chechen fighters in wars in Abkhazia and Nagorno Karabakh.

[57] In explaining this bargaining failure, a key role is ascribed to Yeltsin and Dudayev's personalities. Dudayev was reportedly offended by Russian propaganda portrayal. "As late as the 29th or 30th [of November 1994] if they had only spoken with me as a human being, everything could have been completely different. But all I heard was 'bandit, criminal, dictator, thief, leader of a criminal regime! That didn't offend just me, but my entire people" (quoted in Evangelista 2002: 33). Conversely, in June 1994, Dudayev referred to Yeltsin as a "drunkard," a notorious sore spot for the alcoholic president. Deputy Russian Prime Minister Sergei Shakrai reports that this "Dudayev simply insulted the President, called him

unpredictable Dudayev made his negotiating position clear, he appeared to be holding out for *de facto* independence within a Russian juridical framework.[58] But the Russian government, to the extent its negotiating position was revealed, pushed for a more circumscribed form of territorial autonomy. In 1992 there were as many as ten consultations between representatives of the Russian Supreme Soviet and the Chechen parliament (Dunlop 1998: 169).[59] In January 1993, governments in Grozny and Moscow negotiated a document "on the delimitation and mutual delegation of powers," which noted the need for normalization of relations but remained ambiguous on final status. Dudayev vetoed the agreement, holding out for a face-to-face meeting with Yeltsin himself (Dunlop 1998: 180).

From the summer of 1993, the Russian government adopted an increasingly hard line towards Chechnya, yet the Chechens still pushed for negotiations.[60] In October 1993, Yeltsin received a telegram from Dudayev calling for "negotiations on a whole package of problems which concern our relations… Moreover, we do not see strategically a place for the Chechen Republic outside the single economic, political and legal space which covers the current Commonwealth of Independent States" (Gall and de Waal 1998: 122). By 1994, Chechnya had become the last holdout to sign the new Federation Treaty with Moscow after Tatarstan signed on 15 February 1994.[61] In May, there was another push for a settlement, with Moscow offering the possibility of direct negotiations between the

a sick man, an alcoholic. After that a personal meeting again failed to happen" (Gall and de Waal 1998: 147). Of course, structural factors also contributed – chaos and power struggles within the Russian government, lack of political savvy and experience on the Chechen side, internal opposition to Dudayev, and the tendency of Russian's to negotiate while simultaneously seeking Dudayev's ouster. See Tishkov for an analysis of Dudayev's personality (2004: 75-89).

[58] As Moshe Gammer observes, "The Chechens' definition of independence… was a 'negative' one. In other words, independence meant being left alone, living no more under the *diktat* of the 'godless' Soviet authorities. None of them had a 'positive' definition of the independence they had declared" (2006: 206).

[59] The Chechens became more serious about negotiating after the October 1992 crisis in neighboring Ingushetia over the Prigorodny Region, claimed by Ingushetia but administratively part of North Ossetia. As Russian troops halted an Ingush offensive and then watched as Ossetians claimed retribution, Chechnya declared its neutrality in the conflict, even as Russian troops moved towards the Chechen border. This focused the attention of both sides on the need for a settlement.

[60] Ruslan Aushev, President of Ingushetia and a man with good contacts in the White House and Dudayev's government commented "Dudayev was ready for a meeting with the President and the President was ready to receive him… It was in December 1993. I said [Dudayev] was ready for constructive dialogue and you can restrict his authority to a kind of special status. I was sure Dudayev would have agreed to that" (Gall and de Waal 1998: 123).

[61] Tatarstan's bilateral treaty with Russia granted it broad autonomy and was often cited as a model for Chechnya (Evangelista 2002: 69-109; Derlugian 1999).

Yeltsin and Dudayev at the same time as an assassination attempt on Dudayev on 27 May (Dunlop 1998: 192; Evangelista 2002: 30). Despite suspicions that Moscow was behind the attack, Dudayev still remained willing to negotiate with Yeltsin.

None of these initiatives gained traction, however. As Yegor Gaidar remarked, "What was so distressing was that in 1994 there was the chance to bring a gradual settlement of the problem on a plate. And at this time the most crude and unforgivable mistakes were made" (Gall and de Waal 1998: 144).[62] In addition to refusing to negotiate directly with Dudayev, one such mistake was the Russian government's parallel strategies of negotiating while attempting to oust Dudayev. From at least June 1994, Russia increased its financing and arming of internal opposition to Dudayev, deciding in favour of a covert operation to remove him using its local proxies. In September and October, fighting escalated between the *Dudayevsky* and *oppositsy* forces. The FSK, the Russian federal intelligence service, conducted as many as five covert operations with the aim of overthrowing Dudayev (Siren 1998: 206). Among these, two operations conducted with the Chechen opposition Provisional Council, on 15 October and 26 November ended in failure, defeated by Chechen forces.[63] In the latter operation the Chechens captured 21 Russian "contractors," Russian soldiers hired essentially as mercenaries, pushing the situation towards a full scale Russian invasion (Dunlop 1998: 206).

For all Dudayev's bravado as war with Russia loomed, Russian parliamentarians who met him just before the war claim that he was still willing to compromise and sign an agreement "on the principle of Tatarstan… he said that Chechnya would not break away, it could not do that" (Gall and de Waal 1998: 170). But by the time the highly controversial decision for war had been made in Moscow, Yelstin had disappeared for an

---

[62] Yegor Gaidar believed that conditions were ripe in the spring of 1994. "Khasbulatov was no longer in high office and no longer had opportunities for dialogue and manipulation from his side – oil deliveries had been cut off, Russian authority had been consolidated, the conflicts between different branches of power were no longer possible, Dudayev's regime had sunk to its lowest level of popularity and was beginning to collapse…" (Gall and de Waal 1998: 144).

[63] The subsequent ultimatum to release the hostages on 29 November 1994 was crucial in rallying Chechens behind Dudayev "on the basis that even life under Dudayev was better than life under Russian military occupation" (Blandy 2003: 425).

increasingly frequent alcohol-induced "convalescence" and Dudayev's belligerent rhetoric escalated.[64]

There were two key elements in Russia's decision to invade, both based on the balance of coercion and legitimacy between the Russian Federation and the Chechen government. First, Moscow underestimated the strength of the Chechen separatist forces. The calculation in Moscow was that, as Russian Security Council president Oleg Lobov argued, Chechnya would be a "small victorious war" that would boost Yeltsin's flagging ratings ahead of elections.[65] The led to a second calculation, correct as it turned out, that international criticism of Russia would be subdued given Russia's importance to the west and the Chechen government's illegitimacy.[66] When Russia argued that a military operation was necessary to restore order, few outside states disagreed.[67]

The result of Dudayev's wavering between accepting autonomy and fighting for independence, and the Russian government's indecision about how to deal with him was a costly "off-the-path" strategy whereby the Chechens sought to defend their *de facto* independence from Russia rather than compromise on autonomy. Though this strategy defies the predictions of the theory, the predicted result of the strategy – institutional breakdown – did occur as Russia invaded to forcibly reintegrate Chechnya.

The First War: From a Failed De Facto *State to a Failed Imposition of Autonomy*
In mid-December, after months of escalation marked by failed attempts to support the Chechen opposition against the Dudayev government, 40,000 Russian troops pushed towards Grozny in a poorly-planned and executed operation. The institutional and organizational pathologies of the Russian military offset its otherwise overwhelming

---

[64] The armed forces were opposed to the operation from the outset. "In all some 557 officers are believed to have been disciplined, sacked or to have left the army voluntarily in protest against the intervention" (Lieven 1998: 106; also Evangelista 2002: 37-9; Gall and de Waal 198: 178-80).

[65] An analogy was made between an operation in Chechnya and the US invasion of Haiti (Gall and de Waal 1998: 161). Defense Minister Grachev estimated the operation would take 12 days.

[66] Indeed, the backdrop to Russian intervention was a series of bus hijackings in the North Caucasus, Mineralny Vody in particular, in May-July 1994 (Lieven 1998: 86), confirming outsider's perceptions of the illegitimacy of Chechen claims to statehood.

[67] At 28 November 1994 Security Council meeting where the fateful decision to invade Chechnya was made, Foreign Minister, Andrei Kozyrev was asked his opinion on whether force should be used and what the international reaction would be. Backing a "quick, decisive and limited" operation, he advised that the international reaction would be to "treat the use of force… as strictly an internal affair" (Gall and de Waal 1998: 158). In this he was correct. But Kozyrev was wrong about the military operation being quick, decisive or limited. And yet, the international community still stayed relatively quiet.

advantage in material capabilities, with the campaign beset by "corruption, cronyism, indifference, and administrative incompetence that pervade the Russian army, security forces, and political system" (Kramer 2004/2005: 63; Lieven 1998; Orr 2000). In the first months, Russian progress in the campaign created the appearance of success, though at great cost and much slower than anticipated.[68] On the opposing side were just 1000-1500 fighters organizing the defense of Grozny, the poor condition of the armed forces characteristic of the Dudayev government's failed statebuilding.

From the outset of the conflict, international society made it clear that Russian claims to territorial sovereignty would trump Chechen claims to self-determination. Western governments were preoccupied with boosting Yeltsin's electoral fortunes against communist and hardline nationalists and maintaining progress on economic and political reform. They also believed Russian portrayals of Chechnya as threatening the fragmentation of Russia itself. As a result, western criticism remained relatively muted during the war and its aftermath aside from criticism of Russian human rights abuses.

International pressure on Russia over its human rights record, however, did force Moscow to allow a permanent mission of the OSCE to begin work in Grozny on 17 April 1995. It was the first international effort to broker a settlement. The OSCE mission had a wide mandate including promotion of "the peaceful resolution of the crisis and the stabilization of the situation in the Chechen Republic in conformity with the principle of the territorial integrity of the Russian Federation" (OSCE PC/DEC35, 11 April 1995).

The peace initiative coincided with Yeltsin's call for a moratorium on offensive actions on 26 April, an overture ignored by Russian forces seeking to press their advantage. Like subsequent peace initiatives, it represented more of a strategic pause in fighting as both sides used the pause to regroup and plan their next move. On 25 May, the Russian side walked out of OSCE sponsored peace talks, emboldened by their progress in the war, having recently captured Shali, the rebel capital after the fall of Grozny, and Gudermes, the republic's second city.

---

[68] During the first months of 1995, Foreign Minister Kozyrev confessed that "we all know that we messed up in Chechnya - not only I understand this, the President understands this now" (Pain and Popov 1995). Yet it would take almost two more years to end it.

A Semi-Guerrilla War and Terrorism: From Budyonnovsk to Grozny

The Chechens' subsequent loss of Vedeno and Shatoy to Russian forces in June marked a low-point for Chechen fighters. Despite the military imbalance, the Chechens initially focused on fighting a conventional defence, first bogging the Russian invasion force down in Grozny for three months, then defending most towns and village on the Chechen plains after the capital was lost. "If we had not taken defensive positions like that, the Russian forces would have reached [the mountains] in a week," as Aslan Maskhadov recalled (Gall and de Waal 1998: 247).[69] But Russian preponderance proved too much. After retreating into the mountains in June 1995, Aslan Maskhadov planned an irregular "semi-guerrilla war" (Gall and de Waal 1998: 289) waged by an increasingly well-organized but decentralized partisan army (Siren 1998; Smith 2006: 217-9).

      With Chechen resistance close to collapse in June 1995, Shamil Basayev and an armed force of around 200 men launched an operation that turned the tide of the war. Bribing their way through checkpoints, Basayev and his men traveled 70kms from the Chechen borders to the town of Budyonnovsk where they attacked the town on 14 June, storming the police station and town hall before confining hundreds of hostages in the hospital.[70] The operation forced Russia back to the negotiation table.[71] Meeting again under OSCE auspices after the crisis, negotiations were inconclusive, stalling on the question of final status and demands that Basayev be turned over for prosecution as a terrorist.[72] The peace process collapsed within months under increasing Russian and Chechen attacks, assassination attempts, and the Russian government's attempts to hold elections in Chechnya to legitimate an alternative government.[73]

---

[69] Uncharacteristically for an asymmetric conflict, even when Russian forces confronted the Chechen in large battles, they tended to lose (Lieven 1998: 127-130; Kramer 2004).

[70] In a characteristically bungled operation employing excessive force at great cost to the hostages, Russian forces twice stormed the building on the fourth day of the crisis, exacting up to 121 civilian casualties and creating a televised public relations disaster while Yelstin met with G7 leaders in Halifax, Canada (Gall and de Waal 1998: 275).

[71] Negotiating for an absent Yeltsin, Chernomyrdin agreed to send a peace delegation to Grozny, ordered a cease-fire, and guaranteed safe passage back to Chechnya for the hostage-takers

[72] The two sides came close to a deal, with the Chechens offering a two-year moratorium on independence and the Russians insisting on a five-year one. With the Russian's having been so close to victory, and with the Chechen's newly emboldened, there would be no compromise (Gall and de Waal 1998: 280; Smith 2006: 205-06).

[73] The OSCE objected to elections, but rather than lodging a formal complaint, the delegation simply left Chechnya (Gall and de Waal 1998: 287). As voting began on 14 December, a large Chechen force attacked and briefly occupied Gudermes.

A Russian offensive early in 1996 was again meant to be decisive. Yet the Chechens used the previous summer's relative peace during the negotiations to regroup, rearm and coordinate disparate units (Smith 2006: 217-19). Over the next several months, the Chechens rebounded, winning a series of battles on the way to defeating the armed forces of a former superpower.[74] Terrorism played a major role, however. In January, in a repeat of the Budyonnovsk hostage-taking, Salman Raduyev led an attack on Kizlyar, Dagestan, that again forced the Russians into a devastating and futile assault that exacted a high civilian toll, completing it by razing the village of Pervomaiskoye with artillery (Gall and de Waal 1998: 293-305; Smith 2006: 215).[75]

In April 1996, hopes for peace gained when Dudayev was killed by a Russian air attack just as it appeared he would finally meet with Yeltsin.[76] With the erratic Dudayev out of the way, a reinvigorated OSCE mission under new leadership, and Yeltsin under pressure to end the unpopular war ahead of elections, conditions were favorable for negotiations. Despite his credentials as an avowed separatist and nationalist ideologue, the new Chechen leader Zemilkhan Yandarbiyev agreed to set aside demands for independence in the interests of ending the war. On 27 May, a Chechen delegation headed by Yandarbiyev met with Yelstin at the Kremlin, a symbolic moment for a government Yeltsin had dismissed as bandits. Follow-up negotiations on 10 June hammered out an OSCE-backed agreement on demilitarization and a Russian troop withdrawal. Just a week after Yeltsin had won the second round of elections, however, the war resumed with a large Russian offensive.[77]

The fighting raged until 6 August, days before Yeltsin's inauguration ceremony, when the Chechen forces attacked Grozny in a series of brazen attacks across the republic, including the cities of Argun and Gudermes. For Mashkadov, the strategy was intended to prove

---

[74] For instance, in March Chechen forces assaulted Grozny and for three days attacked the Zugayev administration and Russian positions in the city before the Russian forces pushed them out. In April, they ambushed a Russian convoy in a crucial victory that left the convoy destroyed and 200 soldiers killed (Blandy 2003: 426).

[75] Raduyev survived, while at the same time a hostage taking in Trabazon, Turkey, ended without a fight.

[76] Leadership passed smoothly to vice-president Yardarbiyev as per the constitution of Chechnya-Ickeria, with Chechen commanders quickly declaring their allegiance (Smith 2006: 231).

[77] This included an attack on the Chechen leadership that nearly killed President Yandarbiyev and Mashkadov, his top commander (Smith 2006: ?).

that the Chechens armed forces are not 'bandit groups,' they are a real, powerful, directed force, united under a single command, and the puppet power that the Russian leadership set up, this power does not exist, except in the bunker at the northern airport, nothing more, and when we want we can throw them out of there (Gall and de Waal 1998: 332)

Maskhadov made his point. The battle for Grozny, a catastrophe for Russian forces with over 500 dead, resulted in a push for peace.[78]

Chechens Impose a Settlement: The Khasavyurt Accords

By 31 August 1996, Russian troops had withdrawn from Moscow as Alexander Lebed, Yelstin's new Chechnya envoy, and Maskhadov signed a peace accord brokered by the OSCE in Khasavyurt, Dagestan.[79] The agreement conceded *de facto* control of the Chechnya to Grozny, but left Chechnya's *de jure* status undecided. It did, however, seek to finalize the relationship between Chechnya and Russia by the end of 2001.[80] The subsequent "Peace Treaty and Principles of Interrelation between Russian Federation and Chechen Republic Ichkeria," a short reunciation of the use of force signed by Maskhadov and Yeltsin in May 1997, also left Chechnya's status undecided, as did the other 50 agreements signed after the 1996 peace accord. These accords quickly came to be seen as more of a cease-fire than a comprehensive settlement.[81]

---

[78] A core of approximately 2000 fighters attacked Grozny, supplemented by thousands of irregular *boyeviki*. Within hours they were within 100 meters of the government compound in the city center (Oliker 2001: 30-1; de Waal 1998: 332; Smith 2006: 246).

[79] The choice of Ledeb was significant. He had been a critic of the war, even arguing that Chechnya should be allowed to leave the Russian Federation if it so voted in a referendum. As Carlotta Gall and Thomas de Waal note, his plain talking on the war marked a turning point, comparing the war to Afghanistan and abandoning the Russian policy of propping up the Zavgayev government (1998: 346).

[80] The controversy with which the Khasavyurt Accord was met in Moscow did not bode well for its future. Yeltsin had not signed himself, nor did he endorse the agreement publicly. Only on 23 November did Yeltsin order Russian troops to withdraw, as Chernomyrdin signed an accord with Maskhadov on their departure. Having been forced to publicly defend the terms of the peace by strong communist and nationalist elements in Parliament, particularly Interior Minster Anatoly Kulikov, Lebed was fired for insubordination by Yeltsin on 17 October 1996.

[81] Indeed, the Chechen media referred to it as a "truce" (Tishkov 2004: 1999).

The Second Chechen Republic of Ichkeria

After his victory in OSCE-sponsored elections in January 1997, Maskhadov declared "Chechnya is an independent state… Only this remains: that the rest of the world, including Russia, recognize this independence" (Smith 2006: 259). This would not happen. The dynamics of waging a secessionist war left the republic shattered and its government unable to either consolidate the empirical authority it had won at such great cost. Nor could legitimate its claims to sovereign status having delegitimated its internationally claims through terrorism and an increasingly radical Islamic rhetoric.

While the terms that ended the first war appeared to pave the way for a negotiated settlement reconciling Chechnya's *de facto* independence with final resolution of its *de jure* status, either through negotiated secession or wide-ranging autonomy, Russia was free to sign the documents in the knowledge that no outside state would recognize Chechnya. The only way for Chechnya to legitimate its claims would be with Russian consent for its secession – something Moscow remained unwilling to do – or Russia's agreement to an innovative settlement reconciling Chechnya's demands for *de jure* recognition of its sovereignty with Russian insistence on maintaining its territorial integrity and sovereign unity. But Moscow had little interest in such a settlement, no were they pushed to reach one by outside states, who also ignored repeated Russian violations the undertakings it committed to in its agreements with Chechnya.[82]

Legacies of the War: Institutional Development and Winning Ugly

Two lasting consequences of the war for Chechnya impeded the likelihood of negotiating such a settlement. First, the modalities of irregular warfare impeded rather than promoted institutional development. Unlike in Nagorno Karabakh, where the increasingly conventional nature of fighting provided a context favourable to statebuilding, allowing Karabakh Armenians to negotiate from a position of strength, the irregular mode of warfare in Chechnya left the government without centralized control over the means of coercion or an effective state able to control social forces after the war. The hard-won victory left Chechen society shattered. With escalating criminality, lawlessness, and

---

[82] Whether this is due to the pathetic state of Chechen bureaucratic structures and infrastructure (Tishkow 2004: 186), or a conscious attempt by Moscow to "bleed" its Chechen opponents to "death" (Smith 2002: 26) is a matter of debate. But reconstruction made no visible progress.

ideological radicalism, what Georgi Derlugian (2005) terms "the long decay of the Chechen Revolution" took its toll.[83] Having to rebuild the Chechen state from the ground up, the government of President Mashkadov was unable to overcome violent divisions in the stillborn *de facto* state, facing private armies, a ruined economy, social collapse, uncontrollable crime, a population exodus, and increasingly powerful Islamist challengers (Derlugian 1999; Tishkkov 2004: Ch 11; Henkin 2006: 196). As a result, for the next several years, the Chechen government would negotiate from a position of weakness despite having won the war.

Second, the Chechens forfeited crucial international legitimacy through terrorism. Russia's brutal conduct in the war otherwise would have generated important symbolic resources for the Chechens, but these potential gains were offset by terrorist tactics; as Matthew Evangelista observes, the Chechens manage to win the war by becoming the terrorists Moscow always claimed them to be (2002: 101). The limited criticism that Russia did meet with during the war was directly solely towards its conduct in the war and grave abuses of human rights, almost invariably accompanied by insistence on Russian territorial integrity (Lapidus 1998; Cornell 1999b). Particularly disturbing for outsiders was the role of Islamic radicals on the Chechen side; if their power was exaggerated by Moscow during the war, events in the late 1990s only confirmed prejudices about Chechen Islamic radicalism.[84]

Consequently, as the Maskhadov government struggled to reign in social chaos that accelerated in post-war Chechnya, his government was without the institutional means to subdue internal challengers and there was little outside help available. "There

---

[83] As anthropologist and close observer of Chechnya Valery Tishkov recalls, "the split could be seen in several directions: between commanders and the rank and file, the war veterans and the new recruits, the highland (red-haired) and lowland (city) Chechens" (2004: 105). The result would be an "ideology of extremes" based on extreme nationalism, notions of liberating the Caucasus, and increasingly radical and transnational Islam as the foundations of the Chechen political project (Tishkov 2004: 196-209).

[84] Indeed, support from the wider Islamic world did provide important financial support for a movement without any assistance from a foreign government and lacking a secure rear base. "No foreign government overtly supplied military aid to the Chechens during the war although some helped train fighters. Iran actually sent a representative to offer Dudayev assistance before the war, according to Basayev. But the conditions that it should be covert aid made Dudayev, who desparately wanted international recognition, refuse he said. The Saudi Arabian-based Islamic Relief Organization did set up in the region and was probably a source of substantial funds to the fighters... Jihad funding has become a small industry in itself and there is no doubt that the Chechens tapped into it" (Gall and de Waal 1998: 308). The Russian government would claim as many as 6,000 Islamic mercenaries, though many observers of the war estimate anywhere from "several dozen" (Lieven 1998: 84) to no more than two hundred.

were no UN programmes here offering stipends to former fighters… any number of measures might have been implemented to help assist Chechnya, but none were attempted" (Wood 2007: 93). Even the OSCE Assistance Mission to Chechnya, the only remaining international body with a presence in Chechnya by 1998, was forced to evacuate "against the backdrop of ever-worsening socio-economic conditions; crime, unrest and acts of terrorism have acquired endemic proportions, adding to a volatile political situation and a general breakdown of law and order" (OSCE 1999: 29).

Insisting on Independence

Both the institutional weakness of Chechnya and the absence of international support compounded the difficulty of reaching a negotiated settlement. In terms of empirical and juridical authority, President Maskhadov's position essentially reversed Dudayev's: whereas before the first war the Chechens insisted on maintaning *de facto* independence in exchange for becoming a juridical subject of the Russian Federation, Maskhadov now offered political reintegration in exchange for Chechnya being treated as a "subject of international law" by the Russian Federation. He never used the word "independent" to describe his vision of Chechnya's future, nor did he hold a referendum on independence – a standard means of generating symbolic legitimacy for a declaration of independence – so as not to tie his hands in negotiating a deal with Moscow (Lanskoy 2003: 189).[85] Though the Russian side floated proposals for "associated status" that could have met this position, the Yeltsin government was unwilling to negotiate seriously on Chechen sovereignty, partly for fear of its nationalist and communist opposition (Lapidus 1998: 47-8; Lanskoy 2003: 203).

---

[85] Lanskoy uses the examples of Ukraine and Moldova during Soviet times, both sovereign but not independent. Maskhadov himself did not cite this example, but in his own words,

> After the war I took every step that I could towards growing closer with Russia… But the whole meaning of my life is to end the tragic page in the history of my people… Yes, there is interdependence. But there is also independence, when the sides agree to build their relations in accordance with principles of international law. So that if tomorrow some Zhirinovsky or Zyuganov or some one else decides that he wants to bring "constitutional order" here, the whole world won't shrug its shoulders and say that this is Russia's internal affair and its territorial integrity... I have to protect my nation against the possibility of genocide. And beyond that, of course, everything else is interdependent – borders, anti-aircraft defense systems, industry, economics (in Lanskoy 2003: 189)

The key problem for the Chechen government, however, was its credibility as an interlocutor able to commit to any agreement. In institutional choice terms, there were too many Chechen separatists doing the choosing. The expanded influence of political Islam in postwar Chechnya, a direct consequence of the war and its aftermath, bears substantial responsibility for undermining the authority of the Maskhadov government. The final year of Chechnya's second period of *de facto* statebuilding, between the summer of 1998 and 1999, witnessed increasing confrontations between Maskhadov and an alliance of more radical Islamic field commanders from the first war.[86] This grouping, the *mekhkan shura*, united opposition factions, including Basayev's. In the run-up to a second war, Maskhadov was increasingly willing to compromise. However, Islamist opposition criticized his willingness to concede Chechen sovereignty and increasingly pushed for a more radical Islamic, pan-Caucasian project. Though Maskhadov had sought Russian support in confronting his internal opponents, Moscow did little to assist him. Monies promised for pensions and reconstruction failed to appear. In fact, the Yeltsin government appeared to repudiate negotiations over Chechnya's status when it announced in December 1998 that it had annulled a previous directive to negotiate a treaty with Chechnya defining their relationship (Evangelista 2002: 56). Continued terrorism and banditry, particularly Basayev's incursion into Dagestan in 1999 and the September 1999 apartment bombings attributed to Chechens led to a second military invasion as Chechnya spiralled towards civil war.[87]

The Second War: From Failed De Facto *State to Contested Autonomy*
On 1 October 1999, 93,000 Russian soldiers crossed into Chechnya. Reorganized Russian forces adopted a strategy of increasingly brutal counter-insurgency that involved laying waste to urban centers to compensate for their deficiencies in urban warfare and rounding up large segments of the local population in "filtration" camps (Kramer 2000; Human

---

[86] Whereas Dudayev maintained relative control over the finances behind the first war, particularly from the Chechen diaspora in Russia, Turkey, and the Middle East, the increased prominence of autonomous criminal rackets and an influx of funds from radical Islamic groups to warlords undercut the Maskhadov government's authority (Blandy 1998; Wilhemsen 2004: 41).
[87] Whereas Yeltsin's invasion was unpopular with the Russian public, terrorist attacks and the incursion into Dagestan generated uncritical public support for strong action, eventually helping Putin win the presidency in March 2000 elections. In late 1997, by contrast, between 50-70 per cent of respondents in Russia supported Chechnya's right of secession (Lapidus 1998: 47).

Rights Watch 2000; Politkovskaya 2004; Leiven 2004). When disparate Chechen factions finally cohered in the face of the second Russian invasion, they were unable to replicate the military successes of 1996 against reorganized Russian forces (Orr 2000; Felgenhauer 2002; Blandy 2003; Kramer 2004). With Chechen forces divided and suffering heavy losses, they lost control of almost the entire Chechen territory (Brody 2003: 228).

The brutality of Russian occupation and continued international isolation has accelerated the Chechen resistance's strategic turn to terrorist tactics, only increasing its international isolation.[88] But Chechen terrorism has provided domestic and international cover for the Putin government's reluctance to negotiate seriously with the Maskhadov government or his successors after his assassination in March 2005, even as Russia's inability to subdue the resistance has became obvious. The preconditions placed on negotiations with separatists – complete disarmament, dropping the demand for independence, and handing over terrorists – have been uncompromising, effectively precluding a real peace process (Hughes 2005).

Chechenization

Instead of negotiating with separatists, the Russian government has pursued a policy of Chechenization that acknowledges its inability to subdue the Chechen resistance through coercion. Former secessionist warlord Ahmed Kadyrov was designated as the Russian government's strongman, his rule legitimated through electoral fraud and a new constitution providing Chechnya with a degree of *de jure* autonomy within the Russian Federation. Kadyrov's assassination and the rise to power of his son, Ramzan, have taken place against an expanding Chechen civil war between the Kadyrov's militia, the *kadyrovtsy,* and a persistent but fragmented Islamist and nationalist resistance in the midst of the Russian occupation (Lokshina 2005; Sakwa 2005; Wood 2007).

The result of Putin's Chechenization policy, however, have been termed "separatist lite" and "hidden separatism," with Kadyrov's loyalty to Moscow thought to be conditional on the Russian government providing a constant stream of benefits by

---

[88] More radical elements of the Chechen resistance have exported the conflict to neighbouring regions and eventually Moscow itself with the seizure of the Dubrovka theatre in October 2002 and the Beslan school in 2004 ((Wilhemsen 2004; Dunlop 2004). Dunlop ascribes a role in the Dubrovka hostage-taking to Russian intelligence (2004: 115-17).

financing Chechnya's reconstruction and the lifestyles of a corrupt Chechen administration. As John Russell observes, "[Kadyrov] has used his position to wrest concessions from the Kremlin that were never offered to Dudayev or Maskhadov, let alone Basayev. The price of paying lip service to Russian territorial integrity appears to be all the current Chechen administration has to pay for effective self-determination free from brutal Russian interference" (2007: 23). In other words, the institutional effect of two devastating wars appears to have led to precisely the sort of institutional arrangement that Dudayev offered prior to the first war, whereby Moscow would cede *de facto* independence to a local strongman in return for Chechnya's *de jure* integration into the Russian Federation.

Kosovo: Externalized Separatist Statebuilding

The Chechen case conforms to the predictions of institutionalist and norms-based theories. Lacking the constitutional status and equivalent institutions of other Soviet constituent republics whose secessions succeeded, Chechnya's secessionist bid was doomed to fail. The Kosovo case is a revealing outlier for these same theories – a second-order jurisdiction whose non-consensual secession was first effected *de facto* by NATO intervention and UN administration, and which now has the support of the US and EU for *de jure* recognition of its sovereignty.

I argue that the surprising success of the Kosovo Albanians' secessionist bid is located in the conflict's externalization. This process began with dynamics of regime collapse that were different in Yugoslavia than the Soviet Union: whereas the dissolution of the USSR occurred through a domestic process of negotiation and consent, outside states dissolved Yugoslavia in an internationalized process meant to manage its violent secessionist wars. The ability of Kosovo Albanians to take advantage of norms of conflict management in international efforts to mediate a settlement to Yugoslavia's wars has been a key source of the empirical authority they have already attained and the juridical status they are poised to attain by the end of the year. Externalization of the conflict has provided Kosovo Albanians with symbolic and coercive resources, empowering them to

defy the efforts of both the Serbian government and international society to deny them a right to external self-determination.

A Revolution of Writers

To explain why Kosovo's Albanians seized the early opportunity to legitimate their claims to self-determination through internationalization requires understanding the transformations of Kosovo Albanian politics in the years before Yugoslavia broke apart. Though Albanians controlled the province's politics through the 1980s, having gained autonomy during Tito's constitutional reform of 1974, Milosevic's thorough appropriation of Kosovo's autonomous institutions left Kosovo's Serbs dominant in the official administration and its security institutions by the early 1990s (Vickers 1997: 179-80; Malcolm 2000: ?).[89] But the high degree of institutionalized autonomy that Albanians enjoyed until the late 1980s provided administrative skills and structures of political organization that were retained as administrators and politicians expelled from formal administrations created a parallel government in the late 1980s and early 1990s (Judah 2002: 61-98; Kostovicova 1997; ICG 1998; Clark 2000). The base of this government comprised the professional associations of writers and philosophers, which merged with the former Communist Party members and purged officials to create the moderate but nationalist Democratic League of Kosovo (LDK). Under the leadership of Paris-educated literary theorist and poet Ibrahim Rugova, the LDK would dominate the Kosovar resistance until the rise of the militant Kosovo Liberation Army (UÇK).[90]

The empirical authority and juridical status of Kosovo had been stripped through the reforms and constitutional amendments of 1988-90, but Kosovo's previous history of

---

[89] The conflict between Kosovo Albanians and Serbs dates back to the territorial partitions that followed the Ottoman retreat from the Balkans in the late 19th and early 20th century, with periods of violence around both world wars, with Kosovo attached to Serbia in the new Kingdom of Serbs, Croats and Slovenes. Under Yugoslavia's 1946 constitution, Kosovo was provided for regional autonomy within Serbia that amounted to little in practice (Malcolm 2000: 316).

[90] Indeed, the backgrounds of the leaders that emerged from the national revolutions to head the separatist movements in Kosovo, Chechnya, and Karabakh likely contributed to their strategic choices. It is not surprising that Ibrahim Rugova, journalist, literary theorist and poet, and the writer's union and other civil society groups in the "Kosovar Alternative" alliance, emphasized the cultivation of symbolic legitimacy. Nor is it surprising that Robert Kocharian, the electrical engineer, and the provincial Karabakh bureaucrats and military officials around him, and Dzokhar Dudayev, the Soviet Air Force general, and the nationalists who displaced the *partokratiia* in Chechnya, emphasized the coercive aspects of their struggles.

self-rule provided the nucleus of a parallel Albanian government as autonomous institutions migrated into a parallel state (Clark 2000: Ch 5; Pula 2003). The Serbian government, preoccupied with wars unfolding elsewhere, did not want to incite an Albanian revolt and therefore allowed Kosovo's non-violent leadership a margin of latitude to establish separate schools, a university, clinics and welfare system under the aegis of an impoverished but minimally functional administration.

One crucial element this parallel state lacked, however, was an army. Provincial Kosovo's territorial defence force had been abolished and stripped of weapons after protests calling for the upgrade of Kosovo's status from autonomous province to federal republic in 1981 (Judah 2002: 61, 88). They therefore lacked the military means to resist Serbian efforts to recentralize authority, unlike the Slovenian, Croatian, and to a lesser extent Bosnian constituent republics, where territorial defence forces provided the coercive resources for waging conventional secessionist warfare. Despite signs that Kosovo was headed for violence in the late 1980s, with an "Albanian *intifada*" breaking out in 1989 (Maliki 1998: 82), Kosovo Albanians ratcheted down the violence, opting out of the violent territorial free-for-all that engulfed the rest of Yugoslavia.

Externalization and Means of Legitimation

The collapse of Yugoslavia also left Kosovo bereft of a right to self-determination. Under the 1974 SFRY Constitution, Kosovo Albanians were designated as a nationality, rather than a nation, a constitutional status that denied them the titular republic that Yugoslavia's other peoples had, and with it, a theoretical right to secede under the constitution. Nonetheless, their *de facto* status was almost on part with other republics, including a constitution, central bank, assembly, police force, and representation on the federal presidency. In interpreting Kosovo's constitutional status, outside states chose a restrictive reading that denied Kosovo a right to self-determination that was granted to Yugoslavia's constituent republics in December 1991. When the Kosovo Albanian authorities submitted their request for international recognition, the European Community pointedly refused to consider it (Caplan 2005: 139). Instead, outside states and international organizations insisted on respect for human rights and the restoration of

Kosovo's pre-1989 autonomy within Serbia – which they termed "self-administration" rather than "self-determination."

Thus, as in Nagorno-Karabakh and Chechnya, the constitutional inheritance of Albanians had determinative influence on the initial decision of outside actors to deny recognition of its claim to external self-determination. But diplomatic externalization of the Kosovo question was an explicit part of the LDK government's platform, attempting to manipulate the symbolic resource of Kosovo's arbitrary constitutional status while appealing to western norms of democracy, human rights and market liberalization and drawing on a large Albanian diaspora to raise funds and lobby in foreign capitals, with the LDK opening offices in a number of capitals.

The diplomatic strategy was premised on the idea that "the attitude of Europe and the west can be changed," as LDK grandee and vice-president Fehmi Agani maintained (Judah 2002: 76). This belief was based on the observation of western back-tracking around the recognition of Slovenia and Croatia in January 1992, then Bosnia in April, despite their previous opposition to unilateral secession. "It is impossible to underestimate the importance of this radical reversal of policy. It meant that, from then on in, Kosovars never believed that US or European policy was immutable when it declared that Kosovo did not have the right to independence because of its provincial status" (2002: 76).

A Simulated State: A Non-Violent Secession
In a strategy premised directly on Albanian's lack of coercive resources but belief in an opportunity for recognition of Kosovo's right to self-determination through the cultivation of symbolic legitimacy, Kosovo Albanians pursued independence through non-violent resistance. The strategy consisted of "virtual" statebuilding and internationalization of their struggle.

The construction of the parallel state responded to the exigencies of maintaining a functional separate society in the face of Serb repression and a boycott of official institutions, as well as the need to build international support. Attempts to legitimate their claim to self-determination through symbolic statehood took a number of forms. These included drafting an independent constitution and holding referendum on the declaration

of Kosovo as a sovereign and independent republic in September 1991, which returned a 99.87 per cent vote in favour (among 87.01 per cent of eligible voters given that Serbs did not participate). Using this as a mandate, the government unilaterally declared the independence of the "Republic of Kosovo." In May 1992, the Kosovo Albanian government held elections to create a republican assembly that came to be dominated by Rugova's LDK.

Despite having their declaration of independence ignored by outside states while Slovenia, Croatia, and Bosnia attained international recognition, Kosovo Albanians nevertheless persisted in their campaign.

> By setting up the institutions of a separate republic, the Albanians of Kosovo have engaged in a strategy of political 'as if'. To behave as if Kosovo were not part of Serbia might seem, in the short-term, sheer make-believe; but if the strategy were persisted in for long enough, foreign governments might eventually feel obliged to admit that they were the ones who were engaging in fiction when the continued to treat Kosovo as a mere region of the Serbian state (Malcolm 2002: 348-9)

Indeed, initial international engagement with Kosovo gave Albanians hope that their claims could be legitimated without recourse to violence. Early international involvement included, *inter alia*, a CSCE monitoring missions in Kosovo from September 1992 to June 1993 as the province was included in its Mission of Long Duration to Yugoslavia; monitoring from a Special Rapporteur from the UN Commission on Human Rights and NGOs such as Human Rights Watch and Amnesty International; inclusion of Kosovo in the International Conference on Former Yugoslavia "minorities rights working group;" and the famous US "Christmas Warning" from President Bush to Milosevic threatening military action if the conflict in Kosovo took a violent turn (Bellamy 2002: 13).[91]

Human rights thus became a symbolic resource for Kosovo Albanians, one that gained special resonance when set alongside their emphasis on democracy and market liberalization, in contrast to Serbia's image as an aggressive authoritarian state complicit

---

[91] The Christmas warning, sent by US Secretary of State Lawrence Eagleberger, a personal aquaintence of Milosevic, contained one sentence, read verbatim and without elaboration to the Serbian President: "in the event of conflict in Kosovo caused by Serbian action, the US will be prepared to employ military force against Serbians in Kosovo and in Serbia proper" (Bellamy 2002: 34). There was military intelligence suggesting possible Serb planning for an offensive against Kosovo Albanians, though it is difficult to say whether this contributed to preventing the operation (see Bellamy 2002: 34-5; Judah 2002: 73-4).

in the worst forms of human rights abuse. Rugova's government framed their struggle in terms of a legitimate campaign for democracy and human rights, attempting to blur the line between them and self-determination by translating support for the former into the latter.

Notwithstanding the attention, international society remained unwilling to engage in a discussion of Kosovo's *de jure* status, which was treated as an internal matter.[92] International engagement did provide a framework for attempts at a negotiated solution on the basis of internal self-determination, however. As part of the International Conference on the Former Yugoslavia (ICFY) a negotiating forum was opened for Kosovo in 1992. Though its focus was on education rather than the contentious matter of Kosovo's status, attempting to restore Kosovo's autonomous institutions and improve the human rights situation, the forum inflated Kosovo Albanian expectations that their claims were receiving attention (Weller 1999: 34). When Belgrade terminated cooperation with the international community after refusing to keep its commitments, the venue was dropped. More promising was the "Three Republic" solution discussed secretly by Kosovo Albanians and representatives of the Serb government at the Swiss embassy in Belgrade. As a compromise, the Serbs would cede Kosovo and elevate it to the status of a republic alongside Serbia and Montenegro within the Yugoslav Federation (Judah 2002: 97). But with little bargaining power from either a coercive capability or international legitimacy for Kosovar external self-determination, little came of these initiatives.

Building an Army

Growing frustration with a lack of progress on attaining international recognition led other elements of the Kosovo Albanian resistance to plan for a campaign of secessionist or irredentism warfare. The details of early underground efforts to acquire a coercive capability are murky, with the Rugova insisting that allegations of an armed, underground resistance were merely meant to discredit the LDK's strategy of passive resistance.[93] Yet there were multiple attempts to organize resistance against Serb rule, both inside the

---

[92] For instance, the first Security Council resolution on Kosovo, 822 (1993), called upon Yugoslav authorities to allow the CSCE mission in Kosovo, Sandjak and Vojvodina, but emphasized its commitment to the FRY's "territorial integrity and political independence."
[93] Indeed, Rugova maintained that the KLA was an invention of the Serbian security services right into the insurgency (e.g Judah 2002: 104).

province, across the border in Albania, and in the European diaspora.[94] Between 1993-98, for instance, there were repeated charges and trials of Kosovo Albanians for organizing armed resistance. These trials hinted at the increasingly obvious reality of a growing Albanian insurgency as attacks grew with a series of bold attacks on police from 1993. In addition, a number of Kosovo Albanians who would go on to important positions in the Kosovo Liberation Army (UÇK) were fighting on the side of Croatia and Bosnia (Vickers and Pettifer 2007: 97-8; Judah 2002: 113-14). Here, the campaign of passive resistance and responsible statehood of the LDK, helped mask the reality of increasing militarization as Kosovo Albanians, particularly when combined with clumsy Serb propaganda. This early organization would soon provide recourse to a military option when the diplomatic tack failed to achieve independence.

Dropping Kosovo for Dayton

By 1995 Kosovo Albanians had little to show for their efforts to externalize the conflict. As western states sought FRY/Serbian assistance in settling the wars in Bosnia, the pressure they had placed on the Serb government over human rights and autonomy in Kosovo was dropped in the interest of a Bosnian settlement (Bellamy 2002: 48-56; Caplan 2005: 140). When the Dayton Accord was negotiated between the Presidents of Croatia, Bosnia and Serbia, Kosovo was excluded from the proceedings and reduced to a passing mention in the text, all in the interests of ensuring Milosevic's support in reaching the accord and implementing it in the coming years.

For moderate Albanian politicians in Kosovo, who promised independence as the reward for non-violence and good behaviour, Dayton came as a huge blow.[95] Even worse was the EU's decision to belatedly extend international recognition to what remained of

---

[94] These trials include the September 1993 trials of members of an alleged "Ministry of Defence and General Staff of the Army of the Republic of Kosovo," the alleged armed wing of Rugova government. Then, in the November 1994, a trial of 2000 former Albanian policemen began. Dismissed from service when Albanians were purged from public institutions, they attempted to create a parallel police force – a step to far for Serb authorities. These trials are in addition to those of smaller groups, including a 1992 trial of 19 Albanians on charges of founding a "National Front of Albanians" for armed struggle. But the tendency of Serb police to exact confessions under torture and the subversion of the judicial process to propaganda gave these trials little credibility in the international community. Indeed, Tim Judah quotes Pleurat Sejdiu, former KLA spokesman and deputy foreign minister, as admitting that "in 'ninety per cent' of cases, the Serbs had caught the right people" (see Judah 2002: 87-90).
[95] See, for example, Malcolm (2000: 353); Bellamy (2002: 53-4); Judah (2002: 120-06).

the Federal Republic of Yugoslavia in April 1996. With the decision, the EU recognized Serbia, including Kosovo, and Macedonia while leaving out earlier provisions for a "special status" for Kosovo.[96] As Richard Caplan observes, "in the absence of war in Kosovo it was thought that there was no need to deal with the question [of Kosovo]. In this respect Ibrahim Rugova, the Kosovo Albanian leader, had arguably become the victim of his own success" (2005: 141). The lesson was obvious to hardline nationalists, particularly those in the diaspora who had been advocating armed struggle since the late 1970s (Judah 2002: Chapter 4; Hockenos 2003; Sullivan 2004).

From 1996 onwards attacks on Serb forces and institutions in Kosovo increased. By late 1997 it became possible to speak of a strategic turn towards violence as the Kosovo Liberation Army (UÇK) became increasingly influential in the Albanian resistance. As the moderates had predicted, the cost of its violence was a growing humanitarian crisis in the province as the Serb government stepped up repression.[97] What the moderates had miscalculated, however, was the extent to which violence could be conducive to the long-term effort to legitimate Kosovo's claims, despite what international society insisted at the time.

A New Strategy: Violent Secession

This strategic shift to violence was the result of the changing distribution of legitimacy and coercion in the conflict. The strategy of legitimating claims through non-violent resistance emerged from the discredited Dayton Accords.[98] But perhaps more important

---

[96] It is possible to track a marginalization delegitimation of Kosovo Albanian claims to self-determination through this process. From restoration of the autonomous status of Kosovo in an October 1991 draft convention, then to "special status" in a November 1991 convention, by April 1996 the EU "merely noted at the time that it 'considers' that improved relations between the FRY and the international community will depend on, among other things, a 'constructive approach' by the FRY to the granting of autonomy to Kosovo" (Caplan 2005: 139-40).

[97] Reflecting the disorganized emergence of the UÇK, there is still no definitive account of its emergence. It appears, however, to have emerged from the Popular Movement for the Republic of Kosovo (LPRK), which split into the Popular Movement for Kosovo (LPK), forerunner of the UÇK and the National Movement for the Liberation of Kosovo (LKÇK) in 1993 (Judah 2002: 104-06. Also important was the Armed Forces of the Republic of Kosova (FARK), allied with Bujar Bukoshi who split from the LDK over its commitment to passive resistance after organizing its fundraising efforts abroad. It was thus the result of a merger between disparate groups organized around the relatively uncoordinated efforts of diaspora Albanians, former Enverist radicals, a younger generation of student radicals, and defectors from Rugova's pacific resistance, the League for a Democratic Kosovo (LDK) (Judah 2000: 115-120; Hockenos 2003).

[98] Diplomatic support from Albania, which lobbied for Kosovo's self-determination claims until international pressure forced it to moderate its calls for territorial revision, also ceased in 1994.

were the new coercive resources made available to Kosovo Albanians after anarchy caused by the collapse of pyramid investment schemes in northern Albania during 1997 . Up to three million weapons were looted during the crisis, as soldiers deserted *en masse* (ICG 1998), allowing for the easy procurement of arms across the permeable border (Pettifer and Vickers 2006: 57-8). Training was also stepped up across the border in Albania, where increasing numbers of refugees who made their way to camps under the control of the UÇK, or the short-lived Armed Forces of the Republic of Kosova (FARK).

The initial western response was to label the UÇK as a terrorist movement. Most famously when US special envoy Robert Gelbhard stated of the UÇK in February 1998 "I know a terrorist when I see one and these men are terrorists." Wrongly perceiving this as a green light to crack down hard on the nascent Albanian insurgency, Milosevic's disproportionate offensive against the UÇK played into longstanding Albanian efforts to internationalize the conflict. The Serb offensive highlighted the repressive nature of Serb rule in the province, particularly after the well- publicized massacres at Donji Prekaz on 5 March 1998. The explosive status quo that had prevailed in the 1990s was increasingly untenable. Western powers who had invested so much in Yugoslav stability in the early 1990s could no longer put off a settlement to the festering Kosovo conflict.

This massacre proved to be the catalyst for the beginning of an international debate over intervention (Bellamy 2002: 72-4). Security Council Resolution 1160 passed in the wake of the massacre at the end of March condemned the UÇK and the Serb government equally, but called the UÇK a terrorist movement while reaffirming Yugoslav territorial integrity. Yet it marked a decisive turn in the externalization of the Kosovo conflict: for the first time, the resolution declared the Kosovo conflict to constitute a threat to international peace and security under Chapter VII. By drawing outsiders into the conflict through violence, the UÇK had accomplished in months what the LDK's democratic politics had failed to do in the previous eight years.[99]

---

[99] Recognizing the threat posed by internationalization of the conflict, Milosevic sought to bolster his hand by calling a referendum on international mediation in the Kosovo on 23 April 1998 as the Contact Group's window for compliance with Resolution 1160 closed. 94.73 per cent of voters (excluding Albanians) endorsed his rejection of an international role (Bellamy 2002: 78).

Negotiating Under the Threat of NATO Intervention

In response to a Yugoslav summer offensive against the UÇK, further exacerbating the humanitarian situation and threatening a broader Balkan war, the UN Security Council passed Resolution 1199, calling for "further action and additional measures to maintain peace and security in the region" should its calls for moderation and negotiation not be adhered to.[100] The American and British governments then convinced skeptical NATO allies to support a plan for phased airstrikes against Yugoslavia, approved in the North Atlantic Council with a delayed activation order on 13 October 1998.

The measures convinced Milosevic to accept an OSCE monitoring mission, the Kosovo Verification Mission (KVM), by the end of October 1998, under the terms of what came to be known as the Holbrooke Agreement. The intention of these measures was to force a political settlement between the moderate Kosovo Albanian leadership and Milosevic. Its real effect, however, was to convince the UÇK to redouble its efforts. As one commander recalled "the [OSCE KVM] mission changed everything. We could now see that the west was on our side."[101] Though the LDK did engage in negotiations, discrediting it among an increasingly radical Albanian public, the Serbian government was widely perceived to have been negotiating in bad faith. Peace proposals forwarded by US negotiator Christopher Hill made concessions to Albanians in return for accepting a three-year deferral of demands for independence. But as the Serbs refused, more concessions were made to Belgrade in subsequent drafts, leading the LDK to reject the final draft of the "Hill process" and the UÇK resumed attacks (Bellamy 2002: 110).

The short peace process between October and November also gave the UÇK crucial time to rearm and reorganize after they had been badly mauled by the Serb offensive in May and June 1998. Despite early organizational efforts, the pace of events largely overtook Kosovo Albanian efforts to build a proper guerrilla force.[102] Serbian efforts to seal the border and shut down supply lines were remarkably effective by mid-1998 as the war escalated that spring, with the Serbs reoccupying territory that the

---

[100] This language would later be used by NATO states to justify air strikes after the threat of a Russian veto made it impossible to gain a Security Council resolution authorizing the operation.
[101] Interview, former UÇK field commander, Pristina, December 2006.
[102] In interviews with two KLA field commanders, both admitted to being poorly prepared and under-equipped. Interviews, Pristina, 16 and 17 December 2006. See also Judah (2002: 140-41), whose interviews with senior KLA officials reveal a movement overtaken by events.

Albanians had took earlier that year (Sullivan 2004: 196). But in the fall, as Serb forces withdrew under the terms of the Holbrooke Agreement, the UÇK were able to reoccupy their positions.[103] As the Serbs resumed offensive operations against them on Christmas Eve, violence escalated dramatically. Unable to directly challenge Serb forces, the UÇK relied on hit-and-run tactics that led to a predictably heavy-handed response as they retaliated against villages alleged to be harbouring guerrillas.

The violence culminated in the massacre of 45 Kosovo Albanians at Raçak on 15 January 1999.[104] In response, outside states convened a peace conference at Rambouillet, near Paris, inviting the Serb government to negotiate an agreement with an Albanian delegation that included the UÇK in addition to the LDK and other major Albanian parties.[105] For the UÇK, Rambouillet represented a crucial step towards transforming them from terrorists to statesmen, with Hashim Thaci from the UÇK voted as head of the Albanian delegation.[106] Despite the threat of NATO action, the Rambouillet talks ended inconclusively as the Albanian delegation insisted on consultations back in Kosovo with UÇK hardliners around Adem Demaçi who threatened to orchestrate a coup within the movement (Judah 2002: 216-17). The hardliners were upset that under the Rambouillet terms, Kosovo Albanians were forced into a compromise agreement that promised to respect Yugoslavia's territorial integrity. Despite being threatened with "assassination at the airport" the moment they returned to Kosovo for even contemplating signing, the UÇK members returned to Kosovo and settled discontent within their ranks under intense US pressure to sign.[107]

---

[103] Interview, former UÇK field commander, Pristina, 13 December 2006. Also see Report of the Secretary General, 24 December S/1998/1221: 5.

[104] See Human Rights Watch, "Report of the Massacre at Raçak," 29 January 1999. Alex Bellamy does an excellent job refuting conspiracy theories that the massacre was staged by the UÇK to legitimate NATO intervention (2002: 114-18).

[105] The international presence at the Rambouillet talks is indicative of just how externalized the conflict had become, including all foreign ministers of the Contact Group, representatives of the OSCE, the EU, the European Commission

[106] Milosevic was doing all he could to provide delegitimate his own claims to Kosovo. His conversation with Klaus Naumann, Chairman of the NATO Military Committee prior to Rambouillet is revealing of the extent to which his government had gone from the linchpin of post-Dayton stability to the major threat to regional peace. Claiming he would solve the Kosovo problem once and for all, he stated that "We will do to them what we did to Albanians in Drenica in 1945… It is quite simple. We got them together and we shot them" (in Bellamy 2002: 121-2).

[107] Interview, former UCK commander, Pristina, 15 December 2007.

At follow-up talks that reconvened in Paris, the Albanians enthusiastically signed the Rambouillet Accords despite lingering doubts about whether the terms of the "political interim settlement" satisfied their demands for independence.[108] In contrast, the FRY/Serb negotiating team was intransigent to the last, submitting a draft that eviscerated the Rambouillet Accord.[109] When asked whether the Kosovo Albanians would have signed a document that deferred their demands for independence even if the Serbs had accepted the agreement, one UÇK member of the delegation observed that

> We had to sign. Our military position was weakening as ammunition supplies
> decreased and the US in particular made it clear that even if the Serbs reneged on
> the terms, they would remain committed… We had many promises. We visited
> [NATO SACEUR Wesley] Clark at a military base where he promised three times
> to attack if we signed and Milosevic did not. He told us 'I hate Milosevic as much
> as you.'

Then, pausing, he smiled, "But we still did not believe NATO would intervene. It was the first time in history that Albanians had outsiders on their side!"[110]

NATO Intervenes

On 24 March, a 78-day NATO bombing campaign began, precipitating a Serb campaign of ethnic cleansing – major Serb miscalculation premised on provoking a mass exodus of Albanian refugees to show NATO that it could destabilize neighbouring states in order to halt the intervention (Posen 2000: 52-3).[111] While NATO refused allegations that is was operating as the air force of the UÇK, there was tacit cooperation between UÇK units and western militaries. In the words of one American General, "What you had, in effect, was

---

[108] The measures for final status compromised by both calling for an international meeting "to determine a mechanism for a final settlement for Kosovo, on the basis of the will of the people… and the Helsinki Final Act." Despite confirming both a referendum on final settlement and Yugoslavia's territorial integrity, the Albanian delegation received assurances that the formula did establish a legal right to hold a referendum on Kosovo's independence (Weller 1999: 245).

[109] Indeed, they resorted to insulting negotiators (Weller 1999: 235). When international negotiators entered the Serb chamber they were "greeted with a hail of invective such as 'Have you come to fuck us again?' (Judah 2002: 223).

[110] Interview, former UCK commander, Pristina, 15 December 2007.

[111] See Alex Bellamy on the vital importance of the ethnic cleansing in bolstering the political resolve of reluctant NATO allies in favor of bombing (2002: 154-55). As Miranda Vickers and James Pettifer wryly observe, "one should never underestimate the extent to which the policies of international actors towards the Balkans are determined by population movements" (2007: 69).

the UÇK acting as a surrogate ground force" (Byman and Waxman 2000: 29). Still, the UÇK remained no match for Serb forces on the ground, (Posen 2000; Byman and Waxman 2000).

NATO's intervention fundamentally transformed the coercive balance in Kosovo. Without it, a reinvigorated UÇK under the command of Agim Çeku, who fought with Croatian forces against Serbs in the early 1990s, might have turned the tide absent the intervention. But most indications in the spring of 1999 support the conclusion that the UÇK was "not routed but certainly on the run" under the pressure of a brutal Serb counter-insurgency campaign (Judah 2000: 282). All three field commanders I interviewed insisted that they would have continued to fight, one even evoking Jeffrey Goodwin's (2000) argument in observing that "we had no other way out." Ultimately the overwhelming disparity in power between Belgrade and NATO forced Milosevic to capitulate. On 9 June 1999, a Serb delegation signed a military-technical agreement detailing a withdrawal of Serb forces from Kosovo.

Towards Statehood under UNMIK

The next day, the Security Council passed Resolution 1244, placing Kosovo under a United Nations transitional administration – in effect a protectorate under UN auspices. The text of 1244 represented a diplomatic compromise healing the rift between NATO allies and Russia by the intervention. On the one hand it affirmed Yugoslavia's sovereignty and territorial integrity; on the other, it set a task for the new administration to facilitate a "political process designed to determine Kosovo's future status, taking into account the Rambouillet accords," which had envisioned an international mechanism for determining final status. But exactly what Kosovo would transition towards was left unclear. In the meantime, the resolution authorized an "interim administration for Kosovo under which the people of Kosovo can enjoy substantial autonomy within the Federal Republic of Yugoslavia, and which will provide transitional administration while establishing and overseeing the development of provisional democratic self-governing institutions…" (UNSCR 1244, 10 June 1998).

In the short term, the devolution of authority to autonomous Kosovo institutions has provided for autonomous Kosovo Albanian empirical authority in democratic

institutions, with the Special Representative of the Secretary General retaining the right to veto legislation and NATO forces maintaining a security role. These same institutions have also provided Kosovo Albanians with the coercive and symbolic resources to legitimate their claims to self-determination.

The war left Kosovo Albanians with a coercive capability, the absence of which had always shaped their previous strategies of moderation in seeking independence. Though it was NATO that had liberated Kosovo, the Kosovo Albanians treated the UÇK as liberators.[112] Not wishing to come to be seen as an occupying force, NATO's KFOR had to tread gently in pushing demilitarization. The deal that KFOR and the UÇK struck over the creation of the Kosovo Protection Corps (KPC) provides one example of the leverage their guerrilla army gave them in designing the institutions of postwar Kosovo and creating the institutional foundations for an independent state. In return for neutralizing a major threat to the transition towards a civilian-led democratic government and presenting NATO forces with the unappealing task of forcibly disarming the guerrillas, the UÇK became the organizational nucleus of a Kosovo army (ICG 2000; King and Mason 2006). The compromise also allowed the KLA to maintain a large cache of weapons in Albania in the event of future conflict, despite the symbolic handover of a substantial arsenal (Judah 2000: 299).[113]

During the war, despite the commission of war crimes, the UÇK had not relied on a strategic logic of terrorism or violent ethnic cleansing. More importantly, the UÇK was not perceived to have done so by powerful outside actors. Prior to the war and during the intervention, western states acceded to the Kosovo Albanians framing of the conflict as one-sided, with Albanians the victims of Serb terror. The UÇK thus emerged from its short war with the support of its new western allies. In the aftermath of the war, outside states had an interest in the postwar political rehabilitation of the UÇK in order to stabilize their new protectorate.[114]

---

[112] For an interesting analysis of the militant "master-narrative" constructed around Adem Jashari in post-war Kosovo, see Di Lellio and Schwandner-Sievers (2006).

[113] "It was not intended by the UN/KFOR to be simply a continuation of the KLA under a new name albeit with only harmless tasks; officially the KPC was an entirely new creation, and membership would be open to all residents of Kosovo including Serbs. But no one seriously believes that the KPC is anything but a new manifestation of the KLA, inheriting its leaders and loyalties" (ICG 2000: 6).

[114] After the withdrawal of Serb forces, however, the UÇK dented the symbolic resource of their victimhood, as elements of the resistance engaged in a series of well-documented human rights abuses

Constructing Legitimate Claims

Indeed, the combination of a relatively short insurgency and the high degree of international involvement in postwar Kosovo combined to create political space for the internationally favoured LDK moderates, political heirs to Rugova's pacifist resistance, to resume power.[115] The Democratic Party of Kosovo (PDK) and the Alliance for the future of Kosovo (AAK), which split along factional lines of the disparate UÇK resistance, were nevertheless well-integrated into democratic politics through the same process, converting dangerous and delegitimating violent factionalism into democratic pluralism as the ex-guerrillas were put through what one called "democracy school" with the help of American advisors. The democratic transition was arguably eased by the victory of Rugova and the LDK moderates in the first elections.[116]

Having constructed a independent democracy in Kosovo, outside states have found it difficult to ignore the democratic will of the vast majority of the population for independence. International support for the transition to democratic politics has also encouraged Kosovo Albanians to cultivate more symbolic legitimacy by renouncing irredentism and committing to a minority rights regime, under the Ahtisaari Plan, that would be the most advanced in Europe.[117]

---

against local Serb population (Human Rights Watch 1999). Though the UÇK publicly condemned such attacks and crime within its ranks, both have dampened international enthusiasm for an independent Kosovo. But with NATO forces consistently worried about the UÇK turning on them, led the international administration to take a relatively soft line with the Albanians perpetrating these abuses (King and Mason 2006: 53-56)One aspect alleviating the diplomatic consequences of the postwar persecution of Serbs and Roma for the Albanian resistance was that KFOR was legally responsible Kosovo's security. Its delayed deployment and emphasis on preventing a renewed Serb attack, rather than protecting Serb civilians, rendered it responsible through faults of omission.

[115] In the period between the end of Serb authority in the province and the delayed deployment of UNMIK, the UÇK "provisional government" administered almost all Albanian municipalities in Kosovo for several months. But its inept, corrupt, and sometimes brutal rule was responsible for the political comeback of Rugova and the LDK moderates in the first elections.

[116] In the period between the end of Serb authority in the province and the delayed deployment of UNMIK, the UÇK "provisional government" administered almost all Albanian municipalities in Kosovo for several months. But its inept, corrupt, and sometimes brutal rule was responsible for the political comeback of Rugova and the LDK moderates in the first elections. It is not uncommon for Kosovo Albanians to have supported both Rugova's LDK and the UÇK for their roles in the liberation of Kosovo, despite the bitter rivalry between them.

[117] Early UÇK pronouncements throughout 1998 and 1999 consistently linked the group to a Greater Albania.[117] Yet more moderate elements in the leadership realized quite quickly that the irredentist thrust of a "Greater Albania" project compromised the more immediate goal of self-determination for Kosovo. Independence thus became the official aim of the UÇK as it gained support in Kosovo, the diaspora, and

Coercing the Occupiers

While building symbolic legitimacy for their claims, Kosovo Albanians have also taken advantage of their unusual ability to coerce outside states into recognizing them. The threat of irredentism is one example. Indeed, the clear links between UÇK structures and insurgencies in the Presevo Valley and Macedonia in 2000-2001 had the perverse effect of making resolution of Kosovo's final status the antidote to Albanian irredentism rather than a manifestation of it:

> In the second half of 2003, Kosovo's politicians began to explore instrumentalizing the threat of a Greater Albania as leverage to persuade the international community to settle for an independent Kosovo. The message they conveyed amounted to: 'If you won't grant us independence, we can opt for something worse.' In such a context Kosovo independence could be presented as splitting the difference, a compromise" (ICG 2004b: 16).

When interviewed, two ex-UÇK commanders, now parliamentarians in the Kosovo Assembly, were insistent on the links between the Serbian and Macedonian insurgencies and final status in Kosovo; one even boasted of threatening Greek diplomats with a separatist uprising by the small Albanian minority in Greece if the government in Athens continued to oppose Kosovo's independence.[118]

Arguably, a more coercive approach towards resolution of Kosovo's status manifested itself during the March 2004 riots, which demonstrated the depth of Albanian

internationally (ICG 2004: 15). Since the war, a consensus has emerged among a majority of Albanians in favor of independence within the administrative borders of Kosovo had under the SFRY (Kola 2003; ICG 2004a). Partly this was the result of determined NATO resistance to Albanian attempts to provoke a larger conflagration in Albanian areas of southern Serbia in 2000 and Macedonia in 2001. The Liberation Army of Presevo, Medvedja and Bujanovac (UCPMB) was behind the 2000 insurgency in southern Serbia. In Macedonia the National Liberation Army (NLA) spearheaded the 2001 insurgency (ICG 2001, 2003). Western states made it clear that these idealist forays compromised the tangible goal of independence and the Albanian leadership in Kosovo got the message.

[118] Interview, ex-KLA commander and Kosovo Assembly member, Pristina, 15 December 2006. A similar logic has occurred with outside fears around radical Islam. National resistance in Kosovo did not rely on radical Islam for legitimation, nor were Islamic charities and fighters prominent. Despite consistent efforts to prove such a connection, evidence points to few substantive connections between the UÇK and al-Qaeda or other radical forces, though religious groups have made limited inroads (ICG 2001). The oft-quoted Paskho Vasa Shkodrani observed that "the religion of Albanians is Albanianism." As with irredentism, the international presence has forestalled religious radicalization while the moderate, democratic and pro-western Islamic orientation of Kosovo Muslims becomes one more argument in favor of independence in western capitals.

frustration with the absence of a timetable for independence and the ability of hardliners to plunging the territory back into violence (ICG 2004c).[119] Ever fearful of coming to be seen as occupiers by a restless (and incompletely disarmed) local population – one survey commissioned by UNDP estimated between 330,000 and 460,000 firearms in civilian hands in Kosovo (Khakee and Florquin 2003) – the US and European states have been pushed towards the present prospect of recognizing Kosovo's unilateral secession by the judicious and calibrated threat of chaos. While denting Kosovo Albanian legitimacy, the riots achieved their intended effect of kick-starting a moribund final status process into action and diluting the "standards" that Kosovo had to meet prior to independence (ICG 2005; King and Mason 2006).

Whereas recognition of Kosovo's secession represented the biggest threat to regional stability until quite recently, Kosovo Albanians have managed to turn non-recognition of their claims into a far bigger threat.[120] A western diplomat covering Kosovo with the OSCE commented that

> there is certainly an element of blackmail in what Albanian radicals are doing to drive final status process forward – in a sense the we have succumbed to terrorism and blackmail. But the US has put itself in a very difficult situation by making promises that are proving difficult to keep.

When asked how the US and EU sought to reconcile "terrorism and blackmail" with the western push for legitimacy of recognizing Kosovo's unilateral secession, however, he

---

[119]In this reading, the riots demonstrated to the internationals that Kosovo could implode through manipulation of mass frustration, allowing Kosovo's Albanian elites to play a two-level game with internationals. Though the extent of elite-manipulation versus spontaneous mass uprising remains debated, interviews with observers and participants in the riots support the notion that the uprising was well-managed and controlled by Albanian radicals. Interviews, Pristina, 12-16 December 2006. See also Bock and Pham (2006).

[120] The imperative driving the final status has always been the need to prevent instability in Kosovo while preventing an unravelling of the delicate settlement that ended the first round of Balkan wars until 1995. Prevarication and delay on final status has been motivated by concerns for regional stability, including such factors as shoring up the Bosnian institutions, democratization in Serbia, preventing Albanian flirtations with irredentism in Macedonia and Serbia, and the EU's interest in keeping Montenegro and Serbia together in their doomed confederation, partly in order to prevent spillover on the issue of Kosovo's final status. Today, however, the situation is entirely different. Delays in Kosovo's final status process, or a politically unsatisfactory degree of independence, have become the main threats to renewed violence in the region now that the above concerns have largely subsided: Bosnia is less likely to return to violence; Albanians have renounced irredentism; Macedonia's conflict with its Albanian population has subsided; Montenegro is independent; and much of Serbia's population, if not its politicians, are largely resigned to the loss of Kosovo even if a negotiated secession is politically impossible for Serbia's politicians.

returned to his "talking points," stating that "Kosovo is a unique case, both because of Resolution 1244 and the genocide that happened there." [121]

Interpretations of the legitimacy of Kosovo's claim to self-determination vary in international society, as does the ability of Kosovo Albanians to coerce outsiders. The Russian position, conversely, is that "KFOR can maintain order and we suspect that the western countries know this and that fears of extremism and violence are overrated."[122] But any Albanian violence would be a problem for NATO countries whose presence in Kosovo and substantial investment in its stability have made them vulnerable to coercive pressures, rather than Russia. Moscow's position combines elements of principle, around the illegitimacy of secession in international law and the inability of the Security Council to impose a settlement, with an interest in leveraging western diplomatic vulnerability over Kosovo's final status for gains elsewhere (ICG 2006, 2007; Antonenko 2007).

An Institutional Choice for Sovereign Statehood, Settling for Conditional Sovereignty
The means of legitimation and coercion at the disposal of Kosovo's Albanian politicians have led them to insist on sovereign statehood. While the outcome of the high-stakes final status process remain unclear, Kosovo has the possibility of attaining it, consistent with the theory. Given that the legitimacy of their claims remains disputed by Russia, however, it is likely to come in one of two restricted forms (see ICG 2007). The first scenario would see Kosovo accede to "supervised independence" under a new Security Council resolution as per the terms of the Ahtisaari Plan that emerged from deadlocked negotiations between the Serbian and Kosovo governments. Given continued Russian opposition to any new Security Council resolution, however, a second scenario of unilateral declaration of independence is being seen as increasingly likely. This destabilizing scenario presents serious problems, not least because neither UNMIK nor the Kosovo government has been able to extend state authority to a substantial Serb community in northern Kosovo and in scattered southern municipalities. This would set the stage for *de facto* partition of Kosovo, and possibly, a renewed separatist conflict pitting Kosovo Serbs against the Albanian-dominated government.

---

[121] Western diplomat, Vienna, 27 June 2007.
[122] Interview, Dmitry Balakin, First Secretary, Russian Mission to the OSCE, Vienna, 27 June 2007

THE INSTITUTIONAL EFFECTS OF SEPARATIST CONFLICT

What accounts for the different outcomes of these three conflicts? Comparison of trajectories of secession in these three cases reveals the centrality of processes of regime collapse, separatist warfare, and external intervention in shaping the coercive and symbolic resources available to separatists, and in turn, their institutional choices and the strategies to realize them.

Dynamics of Regime Collapse

The means of coercion and legitimation that separatist groups attained during the process of regime collapse varied. While Karabakh Armenians, Chechens, and Kosovar Albanians all inherited claims to self-determination perceived as illegitimate in international society, the non-consensual, violent, and highly internationalized breakup of Yugoslavia created greater opportunities for the international legitimation of separatist claims from the outset than in the Soviet Union. Kosovo Albanians were without the arms bonanza that made violent secession feasible in Nagorno Karbakh and Chechnya until 1997, when armouries were opened up across the border in northern Albania.

National revolutions had profound impacts on the ability of these groups to effectively translate these resources into separatist struggle. The nationalist displacement of moderate communists in the government of Nagorno Karabakh produced the nucleus of a hyper-militarized nationalist state under the strong leadership of the State Committee on Defence, while a weak, fragmented, incoherent state in Chechnya under erratic leadership followed the Chechen revolution. In Kosovo, a peculiar sort of revolution allowed the Albanians to preserve their autonomous institutions in an unofficial capacity as they were expelled from official institutions, leading to a bifurcated resistance movement that drew on the coercive strengths of the emergent UÇK and the international legitimacy of the long-standing LDK.

Secessionist Warfare

Once conflicts turned violent, secessionist warfare shaped separatist trajectories, both in terms of institutional development and in terms of how the way separatists fought their wars bolstered or compromised their international legitimacy. The "semi-guerrilla war" in Chechnya, where the exigencies of military struggle were compatible with – even conducive to – the decentralization of the resistance, contrasted with the increasingly conventional war in Nagorno Karabakh. The war fought in Nagorno Karabakh facilitated institutional development, allowing the Armenians to consolidate their empirical authority after the war, deterring Azerbaijan's efforts to retake the territory while engaging in a sustained diplomatic campaign to attain sovereign statehood. In Chechnya, the decentralized resistance undercut the Maskhadov government's ability to build an effective state after the war, compounding the difficulty of legitimating Chechen claims and deterring a second Russian invasion.[123] In Kosovo, the insurgency was short enough that the moderate politicians that dominated Albanian political life until the war could resume their positions of power, bringing a degree of professionalism and a capacity for restraint that hard-liners lacked.

In terms of military tactics, it is significant that while all three groups engaged in norms-violating behaviour during war and its aftermath, the military campaign of the Kosovo Albanians did not rely on a strategic logic terrorism or violent ethnic cleansing to the same extent as either the Chechens or Karabakh Armenians.[124]

Externalization

Finally, external intervention has played an important role. Military interventions in both Nagorno Karabakh and Kosovo changed the coercive balance in their conflicts. The close relations that emerged between governments in Yerevan and Stepanakert also facilitated statebuilding in the enclave as Nagorno-Karabakh was grafted on to the Armenia state

---

[123] Contrast the extensive disarmament carried out in post-war Nagorno Karbakh with the continued existence of private armies in postwar Chechnya. Indeed, the fate of Samuel Babayan, Karabakh war hero, warlord, and rackateer, versus the fate of his counterparts in Chechnya is illustrative. After Babayan was removed from his post, he was implicated in an assassination attempt on the Karabakh President in March 2000, after which the extensive network of forces loyal to him and business under his control were brought under state control.

[124] Though both postwar Serbia and Kosovo were ruled by indicted war criminals, Ramush Haradinaj in Kosovo gained international acclaim for voluntarily surrendering to the Hague tribunal while Milosevic first helped other indicted war criminals evade capture then only appeared in the Hague after being overthrown.

through military coordination, joint budgets, and increased communications and trade. Likewise in Kosovo, internationally financed separatist statebuilding provided a highly conducive atmosphere for gradually extending and consolidating empirical authority while seeking a resolution of final status.

But the modalities of intervention varied between unilateral irredentism by isolated Armenia in Karabakh versus multilateral humanitarianism by the most powerful western states in Kosovo, with important effects on the means and opportunities for each group to legitimate its claims to self-determination.[125] Whereas outside states prefer the status quo in Nagorno Karbakh to renewed violence, the government of Kosovo has benefited from the extent to which the status quo threatens violence unless there is positive momentum towards resolution of final status on the basis of sovereign statehood.

NATO intervention also saved Kosovo from the devastating counter-insurgency tactics Russia used in Chechnya. By making independence a realistic prospect, it helped prevent the radicalism, internecine factionalism and criminality that overtook post-war Chechnya. It is of course impossible to know if Kosovo would have developed into a warlord insurgency along Chechen lines.[126] As it happened, however, the circumstances

---

[125] The Albanian government in Tirana would not play the same role for Kosovo Albanians that Yerevan did for Nagorno-Karabakh Armenians; though this handicapped Albanians militarily, it ultimately worked in their favor by facilitating the move towards recognition of Kosovo's independence. The Albanian government did contemplate war with Serbia, however. During the Serbian offensive in Kosovo, the Albanian government signaled its readiness to respond to Yugoslav aggression if it did not end "ethnic cleansing" in Kosovo. The position was emboldened by US threats to intervene and the reclassification of the KLA from terrorists to guerrillas (Pettifer and Vickers 2006: 148).

[126] A counterfactual, however, would note the following similarities and differences. Kosovo shared some features that are attributed to the rise of warlordism in Chechnya, including comparably diffuse and fragmented social structure; multiple, antagonistic factions and semi-autonomous commanders within the KLA; the absence of an external patron strong enough to push disparate elements together as Albania sought to isolate itself from the conflict; and a social base of fighters similar to Chechen resistance as more sophisticated, intellectual politicians of the late 1980s and early 1990s were displaced by more thuggish elements evocatively described as "a bunch of farmyard Albanian ex-Marxist-Leninist terrorists" (Garton Ash 2001: 53). The type of guerilla warfare being fought in Kosovo would likely have brought intra-Albanian divisions to the fore. The KLA had consistent problems unifying central command and control during fighting and witnessed an attempted coup during the critical Rambouillet negotiations. Most damning of all, however, was the KLA's record of governance in the substantial gap between the end of Serb authority in the province and the deployment of UNMIK administrators. The KLA administered almost all Albanian municipalities in Kosovo for these few months, but its inept, corrupt, and sometimes brutal rule was responsible for the political comeback of Rugova and the LDK moderates in the first elections, which arguably would not have taken place without the international presence. On the other hand, however, the Kosovo Albanians had a history of remarkably coherent institutions of self-government even after they had been forced "underground" by Serb repression. Unlike in Chechnya, where there was significant resistance to Dudayev's secessionist project from the outset, Albanians were strongly united around the popular leadership of Rugova's LDK, and then around the KLA during the conflict. Kosovo also

of NATO intervention and UN administration provided the conditions for a relatively orderly transition from a project of separatist insurgency to internationally-assisted separatist statebuilding.

Separatist Resources and Institutional Choices

At key junctures, each of the separatist groups formulated their institutional choices and the strategies for realizing them with reference to their coercive capabilities and the international legitimacy of their claims.

In Nagorno Karabakh, separatist conflict escalated sharply as a failed effort to legitimate their claims through petitions to Moscow for constitutional reform and border changes gave way to a violent secessionist bid. Once *de facto* statehood was consolidated, Karabakh Armenians have been unwilling to compromise on sovereign statehood, confident in their ability to deter Azerbaijani and sensing an opportunity to attain international recognition through international mediation.

Chechnya's institutional choice to pursue independence through violence is the most puzzling in terms of the theory here. Though there is evidence that the Chechen government was willing to compromise, without the means to legitimate its claims in international society or defend its independence, it should have been more willing to leverage its *de facto* independence to negotiate autonomy on favourable terms. In a sense, Dudayev's choice to fight for Chechen independence was vindicated in the 1996 victory over Russian forces – but at the cost of destroying his Chechen republic. Neither side has since been able to impose a settlement on the other in a decade of fighting. With the Chechens so divided that multiple institutional strategies are being pursued by what remains of the resistance, the Russian government's Chechenization policy represents one institutional sort of pseudo-settlement. Acknowledging Russia's inability to subdue the Chechens, it grants the highest degree of empirical autonomy to one faction of the Chechen resistance in exchange for a juridical status within the Federation – more or less the terms Dudayev insisted on prior to the first war.

---

lacked the violent contest between Islamists and more secular modernizers that tore the Chechen resistance apart.

Finally, the Albanian resistance in Kosovo switched strategies from the non-violent pursuit of self-determination to an armed secessionist bid after the means of legitimating their claims through international diplomacy were denied after Dayton and coercive means became available after diaspora organizing and the appropriation of arms during the 1997 chaos in northern Albania. Provided with the coercive means and symbolic resources to legitimate their claims to statehood under international administration, Kosovo Albanians have been reluctant to make concessions on their demands for sovereign statehood. But because their claims lack universal legitimacy and their authority does not extend across the entire jurisdiction, the sovereignty Kosovo demands looks set to be a conditional.

CONCLUSION

Viewing the institutional choices of separatists and their strategies to realize them in terms of coercion and legitimacy has a number of implications for contemporary efforts to manage separatist conflict. First, the effort to prevent destabilizing secessionist conflict by denying recognition to separatist claims to self-determination appears to have little effect on dissuading separatist insurgency. Where separatists possess the coercive means to make their struggle for independence feasible absence of the means to legitimate their claims is unlikely to deter them. The resource endowments of separatists inform their strategies; remove symbolic resources and they simply abandon a diplomatic tack for a military one. Moreover, actors with little legitimacy to lose tend to employ strategies with a purely coercive logic, whether it is Chechen terrorism, the displacement of the non-violent LDK by the radical UÇK in Kosovo, or ethnic cleansing in Nagorno Karabakh. Instead, treating secessionist claims as uniformly illegitimate merely narrows the room for compromise solutions, reducing the incentive for innovative solutions that might otherwise reconcile separatist demands for independence with the territorial integrity of the central government.

Second, comparison of these conflicts reveals wide-ranging variation within the international system and its provision of symbolic and coercive resources to separatists. Kosovo Albanians, on the periphery of the EU, have legitimated their claims through

recourse to broadly liberal norms such as the democratic entitlement, the enforcement of minority rights, war crimes prosecution, and the maintenance of regional security. Humanitarian interventions, protectorates, preventative peacekeeping deployments, peacemaking missions in the interests of containing conflicts, and promises of EU integration have been the hallmark of Balkan diplomacy. In the Caucasus, however, the Chechens and Karabakh Armenians are in a far more marginal position to benefit from these same norms. Separatist conflicts there have been shaped by the unilateral interventions of stronger states intervening in their weaker neighbours – Armenia in the Karabakh case, but Russia in Abkhazia, South Ossetia, and Transnistria. The effects of this support, have registered more on the coercive capabilities of separatists while simultaneously delegitimating the claims to self-determination of groups perceived as the proxies of outsiders.

Finally, bringing these two implications together points towards modalities of conflict externalization as a key source of the underlying differences between the institutional effects of separatist conflicts in the former Yugoslavia and Soviet Union. Of separatist conflicts that have not resulted in sovereign statehood in post-communist Europe, those in the former Yugoslavia have tended towards negotiated autonomy while those in the former Soviet Union tend towards *de facto* statehood. Occupied territories and *de facto* states in the Balkans were temporary arrangements, pushed into negotiated settlements through western intervention (see Appendix 1). In the Caucasus, *de facto* states have proven more durable, an integral part of the post-Soviet security order rather than an untolerable threat to it by regional powers. Neither institutionalist theories nor norms-based theories focused narrowly on global norms of self-determination and territorial integrity provide compelling explanations for such regional variation in conflict outcomes. Instead, the explanation for this variation lies in the very different modes in which these conflicts have been inserted into a broader political context through the entrance of outside actors and forces.

Appendix 1:

Institutional Effects of Separatist Conflict in Post-Communist Europe, 1991-2005

Separatist Minority	Central Gov't	Conflict Begins	Conflict Ends	Institutional Settlement	Polity
Armenians	Azerbaijan	1988	1994	*de facto* state	Nagorno-Karabakh Rep.
Moldova	USSR/ Russia	1990	1992	sovereign statehood	Republic of Moldova
Georgia	USSR/ Russia	1991	1993	occupied territory / sovereign statehood	Republic of Georgia
Slovenes	Yugoslavia	1991	1991	sovereign statehood	Republic of Slovenia
Croats	Yugoslavia	1991	1995	occupied territory / sovereign statehood	Republic of Croatia
Serbs	Croatia	1991	1995	*de facto* state / -	Rep. of Serb Krajina / -
Bosniaks	Yugoslavia	1991	1995	occupied territory/ autonomy	Federation of Bosnia and Herzegovina
Croats	Bosnia	1992	1995	*de facto* state/ autonomy	Rep. of Herceg-Bosna / Federation of Bosnia and Herzegovina
Serbs	Bosnia	1992	1995	*de facto* state / - autonomy	Republika Srpska / Republika Srpska
Dniester Slavs	Moldova	1991	1992	*de facto* state	Pridnestrovyan Moldovan Rep., PRM (Transnistria)
Gagauz	Moldova	1991	1992	autonomy	Territorial Autonomous Unit of Gagauzia
Chechens	Russia	1991	1991	*de facto* state	Chechen Rep. of Ichkeria
Chechens	Russia	1994	1996	*de facto* state	Chechen Rep. of Ichkeria
Ossetians	Georgia	1991	1992	*de facto* state	Republic of South Ossetia
Abkhaz	Georgia	1992	1993	*de facto* state	Abkhazian Rep.
Abkhaz	Georgia	1998	2002	*de facto* state	Abkhazian Rep.
Kosovo Albanians	Serbia	1997	1999	autonomy / *sovereign statehood?*	Kosova
Chechens	Russia	1999	-		Chechen Republic, Russian Federation
Albanians	Serbia	2000	2001	-	
Albanians	Macedonia	2001	2001	autonomy	
Ossetians	Georgia	2004	2004	*de facto* state	Rep. of S. Ossetia

**Appendix 2: Mapping Self-Determining Polities in Post-Communist Europe
in terms of Juridical and Empirical Authority Relations**
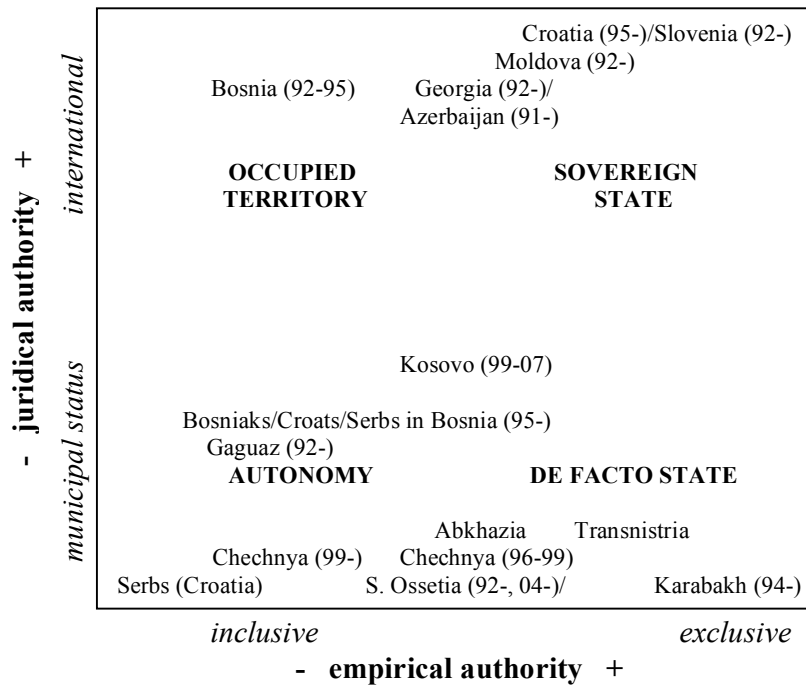
SELECT BIBLIOGRAPHY

General and Comparative

Bartkus, Viva Ona. *The Dynamic of Secession*. Cambridge University Press, 1999.

Beissinger, Mark R. Nationalist Mobilization and the Collapse of the Soviet State. Cambridge: Cambridge University Press, 2002.

Biersteker, Thomas and Cynthia Weber. *State Sovereignty as Social Construct*. Cambridge: Cambridge University Press, 1996.

Bob, Clifford. *The Marketing of Rebellion: Insurgents, Media and International Activism.* Cambridge: Cambridge University Press, 2005.

Brubaker, Rogers. *Nationalism Reframed: Nationhood and the National Question in the New Europe.* Cambridge: Cambridge University Press,

Bunce, Valerie. *Subversive Institutions: The Design and the Destruction of Socialism and the State*. Cambridge: Cambridge University Press, 1999.

-- 'Violent Versus Peaceful State Dismemberment: Comparison of the Soviet Union, Yugoslavia, and Czechoslovakia', *Politics and Society,* Vol. 27, No. 2 (June 1999): 217-237.

Cassese, Antonio. *Self-Determination of Peoples: A Legal Reappraisal.* Cambridge: Cambridge University Press, 1995.

Centiyan, Rupen. 'Ethnic Bargaining in the Shadow of Third Party Involvement." *International Organization* 56.3 (Summer 2002): 645–677.

Chesterman, Simon. *You the People: The United Nations, Transitional Administration and State-Building*. Oxford: Oxford University Press, 2005.

Chesterman, Simon, Michael Ignatieff, and Ramesh Thakur (eds). *Making States Work: State Failure and the Crisis of Governance*. Oxford: Oxford University Press.

Cooley, Alexander, 'Imperial Wreckage," *International Organization, 53(2), 2000.*

Connor, Walker. 'Self-Determination: The New Phase." *World Politics* 20 (October 1967): 30-53.

Cornell, Svante. *Autonomy and Conflict: Ethnoterritoriality and Conflict in the South Caucasus – Cases in Georgia.* Department of Peace and Conflict Research, Uppsala University, Report No. 61, 2002.

-- *Small Nations, Great Powers*. Routledge: 2001.

-- 'Autonomy as a Source of Conflict: Caucasian Conflicts in Theoretical Perspective' *World Politics* 54.2, (January 2002): 245-276.

Cunningham, Kathleen Gallagher. "The Break Up of States: Why States and Self-Determination Movements Fail in Bargaining Over Autonomy." Ph.D. dissertation, University of California, San Diego, 2006.

Derluguian, Georgi. *Bourdieu's Secret Admirer in the Caucasus.* Chicago: University of Chicago Press, 2005.

Englebert, Pierre, and Rebecca Hummel. 'Let's Stick Together: Understanding Africa's Secessionist Deficit," *African Affairs* Vol. 104, No. 416 (July 2005): 399-427.

European Community, 'Guidelines of the Recognition of New States in Eastern Europe and the Former Soviet Union", *European Journal of International Law*, Vol. 4, No. 1 (1993).

Fabry, Mikulas. International Society and the Establishment of New States. PhD dissertation, University of British Colombia, 2005.

Gardner, Anne-Marie. *The Internationalization of Self-Determination Claims*. PhD Dissertation, Princeton University, 2003.

Giuliano, Elise. "Secessionism from the Bottom Up: Democratization, Nationalism, and Local Accountability in the Russian Transition." *World Politics* Vol. 58, No. 2 (2006): 276-310.

Goddard, Stacie. 'Uncommon Ground: Indivisible Territory and the Politics of Legitimacy." *International Organization* Vol. 60, No. 1 (Winter. 2006): 35-68.

Gurr, Ted Robert. *Peoples versus States.* Washington, DC: United States Institute of Peace Press, 2000.

Hale, Henry. "The Parade of Sovereignties: Testing Theories of Secession in the Soviet Setting." *British Journal of Political Science* Vol. 30, No. 1 (2000): 31-56.

Hale, Henry. "Divided We Stand: Institutional Sources of Ethnofederal State Survival and Collapse." *World Politics* Vol. 56, No. 2 (2004): 165-93.

Hanson, Stephen E. "Ideology, Interests, and Identity: Comparing the Soviet and Russian Secessionist Crisis." In *Center-Periphery Conflict in Post-Soviet Russia*, ed. Mikhail A. Alexseev. New York: St. Martin's Press, 1998.

Hannum, Hurst. *Autonomy, Sovereignty and Self-Determination: The Accommodation of Conflicting Rights*. University of Pennsylvania Press, 1996.

Heraclides, Alexis, 'Secessionist Minorities and External Involvement," *International Organization* 44(3), 1990.

Hechter, Michael. *Containing Nationalism.* New York: Oxford University Press, 2000.

Herbst, Jeffrey. 'The Creation and Maintenance of National Boundaries in Africa," *International Organization* 43(4), 1989.

-- 'The Challenge to Africa's Boundaries," *Journal of International Affairs*, 46(1), 1992

--- *States and Power in Africa.* Princeton: Princeton University Press, 1999.

Horowitz, Donald. "Patterns of Ethnic Separatism." *Comparative Studies in Society and History* Vol. 23, No. 2 (1981): 165-95.

Jackson, Robert. *Quasi States: Sovereignty, Internaitonal Relations and the Third World.* Cambridge: Cambridge University Press, 1990.

Jackson, Robert and Carl Rosberg, 'Why Africa's Weak States Persist," *World Politics* 35, 1982.

--- 'Sovereignty and Underdevelopment: Juridical Statehood in the African Crisis," *Journal of Modern African Studies*, 24(1), 1986.

Jenne, Erin. *Ethnic Bargaining: The Paradox of Minority Empowerment.* Ithaca: Cornell University Press, 2007.

Kaufann, Chaim, "Ethnic Population Transfers and Partition", *International Security* 23, 1998.

Kechichian Joseph and Thomas Karasik, "The crisis in Azerbaijan: How clans influence the politics of an emerging republic," *Middle East Policy*, 4(1), 1995, pp 59-74.

King, Charles, 'The Benefits of Ethnic War: Understanding Eurasia's Unrecognized States' *World Politics*, Vol. 53, No. 4 (July 2001): 524-552.

Krasner, Stephen. *Sovereignty: Organized Hypocrisy*. Princeton University Press, 1999

-- *Problematic Sovereignty*. New York: Colombia University Press, 2001.

-- 'Sharing Sovereignty: Institutions for Collapsed States', *International Security* 29(2), 2004.

Lustick, Ian. *Unsettled States, Disputed Lands: Britain and Ireland, France and Algeria, Israel and the West Bank-Gaza*. Ithaca: Cornell University Press, 1993.

Lynch, Dov, "Managing Separatists States: A Eurasian Case Study," Institute for Security Studies, Occasional Paper 32, Paris, November 2001.

-- *Engaging Eurasia's Separatist States.* Washington: USIP, 2004.

Ratner, Steven, 'Drawing a Better Line: Uti Possidetis and the Borders of New States' *American Journal of International Law*, 90, (1996).

Rich, Roland, 'Recognition of states: the collapse of Yugoslavia and the Soviet Union', *European Journal of International Law* 4, 1 (1993): 36–65.

Roeder, Philip. "Soviet Federalism and Ethnic Politics." *World Politics* Vol. 43, No. 2 (1991): 196-232.

Saideman, Stephen, 'Explaining the International Relations of Secessionist Conflicts: Vulnerability Versus Ethnic Ties", *International Organization* 51(4), 1997.

Sambanis, Nicholas, 'Partition as a Solution to Ethnic War," *World Politics* 52(4), 2000.

Seymour, Lee, "Self-Determination as Hierarchy: Unbundling Authority in Separatist Conflicts," unpublished paper, 2007a.

-- "Conflicts of Self-Determination, 1975-2005: A Dataset," 2007.

Spruyt, Hendrik. *The Sovereign State and Its Competitors*. Princeton University Press, 1994.

--- 'The End of Empire and Extension of Westphalia," *International Studies Review* 2(2), 2000.

Streich, Philip, and Jack Levy, "Time Horizons, Discounting, and Intertemporal Choice," *Journal of Conflict Resolution*, 51(2), 199-226 (2007).

Suny, Ronald Grigor. *The Revenge of the Past: Nationalism, Revolution, and the Collapse of the Soviet Union.* Stanford: Stanford University Press, 1993.

Toft, Monica Duffy. *The Geography of Ethnic Violence: Identity, Interests, and the Indivisibility of Territory.* Princeton: Princeton University Press, 2003.

Treisman, Daniel. 1997. "Russia's 'Ethnic Revival': The Separatist Activism of Regional Leaders in a Postcommunist Order." *World Politics* 49 (2): 212-49.

-- *After the Deluge: Regional Crisis and Political Consolidation in Russia.* Ann Arbor: Michigan University Press, 2001.

Zürcher, Christopher. The Post-Soviet Wars: Rebellion, Nationhood and Ethnic Conflict in the Caucasus. New York: New York University Press: 2007.

Chechnya

Avioutskii, Viatcheslav, and Hayder Mili. "The Geopolitics of Separatism: Genesis of Chechen Field Commanders." *Central Asia and the Caucasus: Journal of Social and Political Studies* Vol. 2, No. 20 (2000): 7-13.

Derluguian, Georgi. "Ethnofederalism and Ethnonationalism in the Separatist Politics of Chechnya and Tatarstan," *International Journal of Public Administration*, 22(9), 1999, p 1387-1428.

-- "Che Guevaras in Turbans." *New Left Review* 237 (September/October 1999): 3-27.

Dunlop, John B. Russia Confronts Chechnya: Roots of a Separatist Conflict. Edinburgh: Cambridge University Press, 1998.

-- The 2002 Dubrovka and 2004 Beslan Hostage Crises: A Critique of Russian Counter-terrorism. Stuttgart: Ibidem-Verlag, 2006.

Evangelista, Matthew. *The Chechen Wars: Will Russia Go the Way of the Soviet Union?* Washington, DC: Brookings Institution Press, 2002.

Gall, Charlotta, and Thomas de Waal. *Chechnya: Calamity in the Caucasus.* New York: New York University Press, 1998.

Gammer, Moshe. *The Lone Wolf and the Bear: Three Centuries of Chechen Defiance of Russian Rule.* London: C. Hurst & Co., 2005.

-- Post-Soviet Disorder: Ethno-Nationalism, Islam and the State in the Caucasus. New York: Routledge, 2007.

Graham, Thomas. "Can Russia Win in Chechnya?" *Brown Journal of World Affairs,* 8(1), 2001, pp 21-29.

International Alert, "Chechnya: Report of An International Alert Fact-Finding Misson," London, 1992.

Lapidus, Gail. "Contested Sovereignty: The Tragedy of Chechnya." *International Security* Vol. 23, No. 1 (1998): 5-50.

Lieven, Anatol. *Chechnya: Tombstone of Russian Power.* New Haven: Yale University Press, 1998.

Lokshina, Tanya, Ray Thomas and Mary Mayer. *The Imposition of a Fake Political Settlement in the Northern Caucasus.* Stuttgart: Ibidem-Verlag, 2005.

Michael Orr, "Better or Just Not So Bad? An Evaluation of Russian Combat Performance in the Second Chechen War," Conflict Studies Research Center paper, P31, 2000.

Oliker, Olga. *Russia's Chechen Wars, 1994-2000: Lessons from Urban Combat.* Santa Monica: RAND, 2001.

Organization for Security and Cooperation in Europe, "Annual Report 1999 On OSCE Activities," SEC.DOC/2/99, 17 November 1999.

Politkovskaya, Anna. *A Small Corner of Hell: Dispatches from Chechnya.* Chicago: University of Chicago Press, 2003.

Pain, Emil and Arkady Popov, "Chechnya," in Jeremy Azreal and Emil Pain, eds., *U.S. and Russian Policymaking With Respect to the Use of Force.* Santa Monica: RAND, 1995.

Siren, Pontus, "The Battle for Grozny: The Russian Invasion of Chechnia, December 1994-96," in Ben Fowkes (ed.), *Russia and Chechnia: The Permanent Crisis*, London: MacMillan, 1998.

Smith, Sebastian. Allah's Mountains: The Battle for Chechnya. London: I.B. Tauris, 1998.

Tishkov, Valery. *Chechnya: Life in a War-Torn Society.* Berkeley: University of California Press, 2004.

Wilhelmsen, Julie. *When Separatists Become Islamists: The Case of Chechnya.* Kjeller: the Norwegian Defence Research Establishment, 2004.

Kosovo

Antonenko, Oskana, "Russia and the Deadlock over Kosovo," *Survival* 49(3), September 2007, pp 91-106.

Caplan, Richard, "International Diplomacy and the Crisis Over Kosovo," *International Affairs,* 74(4), 1998, pp 745-53.

-- Europe and the Recognition of New States in Yugoslavia. Cambridge: Cambridge University Press, 2005.

Cohen, Lenard. *Broken Bonds: Yugoslavia's Disintegration and Balkan Politics in Transition.* Boulder: Westview Press, 1995.

Clark, Howard. *Civil Resistance in Kosovo.* London: Pluto Press, 2000.

Hockenos, Paul. *Homeland Calling: Exile Patriotism and the Balkan Wars.* Ithaca: Cornell University Press, 2003.

International Crisis Group. Kosovo Spring. Pristina and Sarejevo: 1998.

-- "Kosovo: No Good Alternatives to the Ahtisaari Plan," Europe Report N°182, 14 May 2007.

-- "Kosovo's Status: Difficult Months Ahead," Europe Briefing N°45, 20 December 2006

-- "Kosovo Status: Delay Is Risky," Europe Report N°177, 10 November 2006

-- "An Army for Kosovo?," Europe Report N°174, 28 July 2006

-- "Kosovo: The Challenge of Transition," Europe Report N°170, 17 February 2006

-- "Bridging Kosovo's Mitrovica Divide," Europe Report N°165, 13 September 2005

-- "Kosovo after Haradinaj," Europe Report N°163, 26 May 2005

-- "Kosovo: Toward Final Status," Europe Report N°161, 24 January 2005

-- "Collapse in Kosovo," Europe Report N°155, 22 April 2004

-- "Two to Tango: An Agenda for the New Kosovo SRSG," Europe Report N°148, 3 September 2003

-- "Kosovo's Ethnic Dilemma: The Need for a Civic Contract," Europe Report N°143, 28 May 2003

-- "Return to Uncertainty: Kosovo's Internally Displaced and The Return Process," Europe Report N°139, 13 December 2002.

-- "Finding the Balance: The Scales of Justice in Kosovo," Europe Report N°134, 12 September 2002.

-- "UNMIK's Kosovo Albatross : Tackling Division in Mitrovica," Europe Report N°131, 3 June 2002

-- "A Kosovo Roadmap (I): Addressing Final Status," Europe Report N° 124, 1 March 2002.

-- "A Kosovo Roadmap (II): Internal Benchmarks," Europe Report N°125, 1 March 2002

-- "Kosovo: A Strategy for Economic Development," Europe Report N° 123, 19 December 2001.

-- "Kosovo: Landmark Election," Europe Report Nº120, 21 November 2001.

-- "Religion in Kosovo," Europe Report N°105, 31 January 2001

-- "Reaction in Kosovo to Kostunica's Victory," Europe Briefing N°14, 10 October 2000

Judah, Tim. *Kosovo: War and Revenge*. New Haven: Yale University Press, 2000.

King, Iain and Whit Mason. *Peace at Any Price: How the World Failed Kosovo*. Ithaca: Cornell University Press, 2006.

Khakee, Anna and Nicolas Florquin. 2003. *Kosovo and the Gun: A Baseline Assessment of Small Arms and Light Weapons in Kosovo*. Geneva: Small Arms Survey.

Kostovicova, Denise. *Parallel Worlds: Response of Kosovo Albanians to Loss of Autonomy in Serbia, 1989-1996*. Keele: Keele University Press, 1997.

Malcolm, Noel. *Kosovo: A Short History*. New York: New York University Press, 2002.

Maliqi, Shkëlzen. *Kosova: Separate Worlds, Reflections and Analyses, 1989-1998*. Pristina: Dukagjini Publishing House, 1998.

Mertus, Julie. *Kosovo: How Myths Start a War*. Berkeley: University of California Press, 1999.

Pettifer, James and Miranda Vickers. *The Albanian Question: Reshaping the Balkans*. London: IB Tauris, 2006.

Radan, Peter. *The Break-up of Yugoslavia and International Law*. Routledge, 2002.

Silber, Laura and Allan Little. *The Death of Yugoslavia*. London: Penguin, 1995.

Vickers, Miranda. *Between Serb and Albanian: A History of Kosovo*. New York: Columbia University Press, 1998.

Weller, Mark. *The Crisis in Kosovo, 1989-1999: From the Dissolution of Yugoslavia to Rambouillet and the Outbreak of Hostilities*. London: Documents and Analysis Publishing, 1999.

Woodward, Sudan. *Balkan Tragedy: Chaos and Dissolution after the Cold War*. Washington: Brookings, 1995.

Wynaendts, Henry. *L'engrenage: Chroniques yougoslaves, jullet 1991-août 1992*. Paris: Denoël, 1993.

Nagorno Karabakh

Brown, Cameron. "Wanting to Have Their Cake and Their Neighbor's Too: Azerbaijani Attitudes Towards Karabakh and Iranian Azerbaijan," *Middle East Journal*, 58(4), 2000, pp 576-596.

Caspersen, Nina. "Standards Before Status in the Caucasus? State-building and Democratisation in Nagorno-Karbakh and Abkhazia," paper presented to the Annual Convention of the Association for the Study of Nationalities, 12-14 April, 2007.

Chorbajian, Levon, ed. *The Making of Nagorno-Karabagh: From Secession to Republic*. New York: Palgrave, 2001.

Croissant, Michael. *The Armenia-Azerbaijan Conflict*. London: Praeger, 1998.

Cornell, Svante. *The Nagorno Karabakh Conflict.* Department of East European Studies, Uppsala University, Report No. 46, 1999.

Danielyan, Emil. "Has a New Chance Emerged for Karabah Peace?" RFE/FL, 15 February 2007.

de Waal, Thomas. *Black Garden: Armenia and Azerbaijan Through Peace and War.* New York: New York University Press, 2004.

-- "Fearing the Worst," *World Today,* 62(12), December 2006, pp 23-24.

Fuller, Liz, "Nagorno Karabakh: Mediators Take the Process Public," RFE/RL, 30 June 2006.

Goltz, Thomas. *Azerbaijan Dairy*. ME Sharpe: 1998.

Gormann, Patrick, "The Emerging Army in Azerbaijan," Central Asia Monitor, 1, 1993.

Herzig, Edmund and Marina Kurkchiyan. *The Armenians: Past and Present in the Making of a National Identity*. London: Routledge, 2005.

Human Rights Watch. Azerbaijan: Seven Years of Conflict in Nagorno Karabakh. New York: Human Rights Watch, December 1994.

International Crisis Group, "Armenia: Internal Instability Ahead," Europe Report No. 158, Yerevan and Brussels, 18 October 2004.

-- "Nagorno-Karabakh: Viewing the Conflict from the Ground," Europe Report No. 166. 14 September 2005.

-- "Nagorno-Karabakh: A Plan for Peace," Europe Report No. 167, 11 October 2005.

-- "Azerbaijan's 2005 Elections: Lost Opportunity," Europe Briefing No. 40, 21 November 2005.

Kechichian, Joseph, and Theodore Karasik, "The Crisis in Azerbaijan: How Clans Influence the Politics of an Emerging Republic," *Middle East Policy*, 4(1-2) September 1995, pp 57-71.

Koehler, Jan and Christoph Zuercher, "The Art of Losing the State: Weak Empire to Weak Nation State around Nagorno-Karabakh," in Koehler, Jan and Christoph Zuercher (eds.). *Potentials of Disorder*. Manchester: Manchester University Press, 2003.

Laitin, David and Ronald Suny, "Armenia and Azerbaijan: Thinking a Way Out," *Middle East Policy*, 7(1), October 1999, pp 145-76.

Libaridian, Gerard. *Modern Armenia: People, Nation, State*. London: Transaction Publishers: 2004.

Luchterhandt, Otto. *Nagorny Karabakh's Right to State Independence According to International Law*. Boston: Baykar Publishing, 1993.

Malakasian, Mark. *Gha-ra*-bagh: The *Emergence of the National Democratic Movement in Armenia.* Detroit: Wayne State University Press,1996.

Melander, Erik. "The Nagorno Karabakh Conflict Revisited: Was the War Inevitable?" Journal of Cold War Studies, 3(2), 2001: 48-75.

Melkonian, Markar. *My Brother's Road.* IB Tauris: 2005.

Petrosyan, David. "Review & Outlook: What are the reasons of Armenians' success in the military phase of the Karabakh conflict (1991 to mid-1994)?" *Armenian News Network/Groong* 01 June 2000.

Potier, Tim. *Conflict in Nagorno-Karabakh, Abkhazia, and South Ossetia: A Legal Appraisal*. Martinus Nijhoff Publishers, 2001.

Saroyan, Mark, "The 'Karabakh Syndrome' and Azerbaijani Politics," in *Minorities, Mullahs and Modernity: Reshaping Community in the Former Soviet Union*, Edward W. Walker (ed.). University of California Press: Edited Volume #95, pp. 175-203, 1997.

OSCE, "Statement by the OSCE Minsk Group Co-Chairs," Vienna, 3 July 2006.

Suny, Ronald. *Looking Toward Ararat: Armenia in Modern History*. Bloomington: Indiana University Press, 1993b.

Zverev, Alexei, "Ethnic conflicts in the Caucasus 1988-1994" in Bruno Coppieters, ed., *Contested borders in the Caucasus*. Brussels: vub Press, 1996. Online edition: http://poli.grmbl.com/publi/ContBorders/eng/ch0101.htm