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From nationalism to perpetual conflict: The case of Nagorno-Karabakh

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## **Statutory Declaration**

I declare that I have written this Bachelor Diploma Paper, *From nationalism to perpetual conflict: The case of Nagorno-Karabakh*, myself and on my own. I have duly referenced and quoted all the material and sources that I used in it. This Paper has not yet been submitted to obtain any degree.

V Praze dne (in Prague, date) ..... Podpis (Signature)

## Abstract

The dissertation addresses one of the bloodiest and most persistent ethno-denominational conflicts – the clash between ethnic Armenians and Azerbaijani over control of the region of Nagorno-Karabakh. The study examines the deep historical roots of the conflict and traces its evolution. The narrative starts with a brief account of the history of the Caucasian Albania and ends with the renewed hostilities in post-Soviet era. It also shows how the peoples of the region interacted with regional powers – the Ottoman Empire (Turkey), Persia (Iran) and Russia. It is argued that great power rivalry was often the decisive factor in the fueling of ethnic hostility. The dissertation also discusses the prospects for possible peaceful resolution of the conflict against the background of relevant provisions of international law. It concludes that the most promising approach would be the building of strong multi-ethnic states in the region with support of the international community.

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## **Introduction**

### **The collapse of the Soviet Union has ushered in bitter ethnic conflicts**

The end of the Soviet Union was accompanied with numerous armed conflicts on its former territory. The former union's southern Caucasian republics of Armenia, Azerbaijan and Georgia remain critically affected by these conflicts up to the present day.

Since 1988 Transcaucasia has been experiencing troubled times. There've been numerous claims and counterclaims concerning national statehood, administrative status, ethnic identity and delineation of borders. For the first time since the tumultuous period of 1918-1921, which followed the collapse of the Russian Empire, inter-ethnic tensions have escalated into a violence again, leading in some cases to a prolonged military confrontation, and in other to ethnic strife with periodic outbreaks of local clashes.

Transcaucasia is located in vicinity of the southern Caucasus Mountains on the border of Eastern Europe and Western Asia. The region itself has a great geopolitical significance. Located on the inter-cross between Europe and Asia, it opens a route to Central Asia and Middle East. The region has, therefore, been an arena for political, military, religious and cultural rivalries and imperial expansionism for centuries. Throughout its history, it has come under control of various empires, including the Persian Empire, Ottoman Empire and the Russian Empire, which shaped the cultural and religious diversity together with the ethnicity-based sentiments and prejudices.

Geopolitical changes in the region were one of the main underlying causes of ethnic conflicts. As in the period of 1918-1921, when the Caucasian conflicts erupted after the collapse of the Russian Empire, the current conflicts followed the weakening and then the unravelling of the USSR. Geopolitics is a projection of the vital interests of states and societies. Thus, the Warsaw Pact Treaty served the purpose of preserving the social order and ensuring the socio-economic development of the coalition by countering what was perceived as a threat from the West. With the defeat of the Soviet Union in the Cold War, these interests changed dramatically and the ruling elites of the Eastern bloc re-oriented to the building of democracy and market economy.

The weakening of Communist control from the centre put an end to the common ideological interests shared by various national elites. Political and economic sovereignty became a precondition for a free market economy and personal freedom. The priority task for the elites of the Transcaucasian republics (Georgia, Armenia and Azerbaijan) was to break away from Moscow's influence. The federal division of the USSR, especially the existence of higher and lower administrative units, built on an ethno-territorial basis, has become an obstacle to national projects of the title elites. These projects were manifested in attempts to create, or, in the case of Armenia with its nearly 90% Armenian population by 1988, strengthen statehood based on ethnicity. In Georgia, this national project was confronted by the claims of a separate statehood, language and cultural interests of the Abkhaz Autonomous Soviet Socialist Republic and the South Ossetia Autonomous Oblast. Azerbaijan in turn has faced the problem of the Nagorno-Karabakh Autonomous Oblast (NKAO), mostly populated by ethnic Armenians.

In Armenia, the treaties of the early 1920's, which defined the demarcation of borders of the Nagorno-Karabakh, were perceived as unjust, which strengthened desire of the Armenians to hold on to Karabakh considered as the only part of historical Armenia outside the borders of the republic itself still populated by Armenian majority. Thus Karabakh was the main justification and symbol of the Armenian national project as well as the central point of the Azerbaijani.

It can be added that both in Armenia and Azerbaijan, national movements did not start as anti-Soviet, but initially included demands on the Kremlin to recognize the legitimacy of the corresponding national requirements; in the case of Armenia the accession of NKAO, and in the case of Azerbaijan, to prevent this to happen. The Kremlin's inability to meet these demands pushed the movements in both republics onto the path of independence.

Aspirations of the elites of the titular nations to defend their rights for a statehood came to be forcefully articulated in the institutional vacuum created by the Soviet collapse. However, the nationalism of the titular nations in turn intensified the nationalism of minorities within those newly independent states. National minorities, anxious about their safety and survival, mobilized their population, tried to establish exclusive administrative control over their territory and began to seek help from the centre, related neighboring ethnic groups or neighboring republics. They created paramilitary formations and, along with government troops sent to suppress the "rebels", expelled "foreign" citizens from their republic.

Interests related to the achievement of sovereignty and statehood can undermine socio-economic interests. In Georgia, Armenia and Azerbaijan, no price seemed too high for the sake of the national cause. Georgian President Zviad Gamsakhurdia isolated his country from the international community, Azerbaijani President Abulfaz Elchibey reoriented his country to Turkey, risking the loss of the Russian market, while the Armenian leaders were ready to withstand the oil, gas and transport blockade from Baku for years for the sake of supporting Karabakh's independence. The predominance of special groups within national elites, such as the leaders of military formations, mafia clans and war profiteers has made efforts at conflict resolution more difficult.

However, changes within the regional elites in some cases led to realistic reappraisal of the conflicting countries' military and economic conditions. In this way, Shevardnadze and Heydar Aliyev, the successor of Elchibey, turned again to their traditional partner, Russia. At the same time, they retained other newly acquired regional partners. This new appeal to Russia, together with the political activity of the new regional states, such as Iran and Turkey, and the policies of international organizations, created new opportunities for resolving crises in the context of conflicts.

### **History has been (ab)used in the articulation of nationalist aims**

Current geopolitics and socio-economic interests are important but not sufficient in explaining the emergence of conflicts. The most important factor in the discussed conflicts is the use of history in the interests of one or another type of nationalism. Thus an influential Armenian author Zori Balayan, referring to history, defends Armenian interests by appealing to Russian imperial ambitions and belittling Azerbaijan's legitimate national status. Azerbaijan, according to Balayan, was part of ancient Armenia, which indirectly implied that Armenians have the right to annex as many Azerbaijani territories as they can. Azerbaijani authors, for their part, are trying to refute the Armenian origin of the ancient inhabitants of Karabakh.

### **The complications in the interpretation of international law**

The validity of the right to self-determination, as opposed to the principle of the territorial integrity of states, is a tricky question that does not find a satisfactory solution among the participants of the



conflicts in the former Soviet Union. Modern international law recognizes the right to independence for colonial peoples and annexed territories, but not for parts of such territories and not for national minorities of internationally recognized states. This is intended to prevent wars between states whose borders were determined by former colonial and imperial powers, often without regard to the ethnic composition of these territories. Another reason is to protect the rights of minorities within minorities and to protect them from ethnic cleansing. However, these fundamental principles have created numerous complications in other dimensions, ushering in unresolved problems.

In the case of the former Soviet Union, the countries which were recently admitted to the UN, whose independence was internationally recognized (such as Azerbaijan and Georgia) have been primarily concerned with the principle of their (state) territorial integrity: the autonomous republics within them do not necessarily challenge the internal borders but desire to uphold their status as autonomous regions; this in turn is perceived by the central authority as a slippery slope to disintegration. Georgia and Azerbaijan attempted to affirm this principle when they abolished the status of Abkhazia, South Ossetia and Nagorno-Karabakh. The independence proclaimed by Abkhazia, South Ossetia and Nagorno-Karabakh is not recognized by the international community, although the United Nations de facto recognizes Abkhazia as a negotiating partner. Abkhazians, South Ossetians and Karabakh Armenians, who "do not fall under" the category of independence in accordance with the principles of the United Nations, appeal to the right to self-determination and, based on that, seek the support of regional powers.

### **The present dissertation addresses these topical issues**

The present dissertation first tracks more than 200 years of cultural and socio-historical development and relationships between two ethnic groups, Armenians and Azerbaijani, and the regional powers' role in the fuelling of the conflict over the region of Nagorno-Karabakh. The aim of this work is to show that bitter ethno-political conflicts, such as in Nagorno-Karabkh, stem not merely from age-old hatreds (kept alive by memories of wars and massacres) but are also sharpened and manipulated by imperial, geo-political interests. Nationalism fuelled by external factors and external processes can lead, as it has done, to the fiercest conflicts of modernity.

The dissertation therefore starts, in Part I, with the description of socio-historical and cultural processes in the Caucasian Albania. (This historical designation for the eastern Caucasus, nowadays

primarily Azerbaijan, is not to be confused with the modern state of Albania). Cultural processes that had been going on in this region are of a great significance since they have a direct connection to the hereditary land rights of a particular ethnicity, whether Armenians or Azerbaijanis. Indeed, historical justification of the ethnic group's claims and rights to the land has been an important factor in the expression of the demand for self-determination. Realizing the risk of any historical interpretation of existing problems, we will merely lay out the respective positions of the conflicting actors without going into polemics.

With that being accomplished, Part II of the dissertation proceeds with the description of events further along the historical timeline to show how the political and economic processes of the modern era influenced the relations between Azerbaijanis and Armenians. This takes the narrative through the periods of subjugation by the Russian Empire and later the Soviet Union (along with their interaction with the Ottoman and modern Turkey), right to the present time.

The self-determination aspirations of nations and ethnic groups is directly related to the phenomenon of nationalism. The present study therefore also briefly highlights, in Part III, the most relevant aspects of modern theory of nationalism, yielding a sufficient explanation of its persistent appeal. This part of the dissertation also discusses the evolution of international law since World War II, in the context of the rise of the United Nations and the process of de-colonization. The objective is to explain the international community's stance on conflicts such as that in Nagorno-Karabakh.

Finally, Part IV of the dissertation analyses the respective stance of all parties involved – Armenia, Nagorno-Karabakh and Azerbaijan. That analysis suggests that the conflict will likely remain frozen in line with the "Cypriot" scenario, in which the parties have minimum mutual contacts at both the state level and in everyday life. However, in the Conclusions section this dissertation discusses more optimistic possibilities. It argues that the future solutions lie in the adoption and gradual shoring up of the model of strong multi-ethnic states, supported by the international community. The right balance of costs and benefits (in economics and security) promoting such scenarios may in the long run deliver more peace and stability.

## **Part I**

### **The historical roots of the Armenia-Azerbaijan conflict**

#### **The regional and geopolitical impact of the conflict over Nagorno-Karabakh**

The dispute between the Azerbaijanis and Armenians over area of Nagorno-Karabakh has been one of the bloodiest and most intractable ethno-political conflicts in the Transcaucasian region. This intercommunal conflict, driven by deep historical and cultural roots, acquired a new poignancy during the years of perestroika in 1987-1988 against the backdrop of a sharp rise of nationalist emotions in Armenia and Azerbaijan.

As noted by A. N. Yamskov, the conflict in fact overgrew the framework of the local problem of Nagorno-Karabakh since the majority of population of both republics were involved by November-December 1988, turning into an "open international confrontation"<sup>1</sup>, which was suspended only for a while by the Spitak earthquake.

The unpreparedness of the Soviet leadership for an adequate political action in the context of aggravated interethnic strife, the inconsistency of the measures taken, the Moscow central authority's claims that both Armenian and Azerbaijani were equally guilty in fueling a crisis situation all led to the emergence and strengthening of a radical anti-communist opposition in both republics. These developments undoubtedly contributed to the weakening and eventually collapse of the Soviet Union in 1991.

In 1991-1994 this confrontation led to large-scale military actions for control over Nagorno-Karabakh and other adjacent territories. At the level of military confrontation, they were surpassed only by the Chechen–Russian conflict, but, as Svante Cornell noted, "by virtue of being the only one among the various Caucasian ethno-political conflicts that involve two internationally recognized states as parties, it is also the conflict of the region that carries the largest geopolitical significance"<sup>2</sup>.

Indeed, in the late 1990s, the Nagorno-Karabakh conflict was instrumental in accelerating the

emergence of opposing alignments of states in and around the Caucasus. Whether by coincidence or by intent, the conflict plays a central role in the new geopolitics of Eurasia. As such, the unresolved nature of the conflict poses an increasing threat to the regional security of the Caucasus and the wider Middle East.

On 5<sup>th</sup> May 1994 the provisional ceasefire agreement, the so called Bishkek Protocol, was signed between Armenia and the self-proclaimed Nagorno-Karabakh Republic on one side and Azerbaijan on the other side in the presence of the Russian representatives. The protocol, which is still in effect, terminated the Nagorno-Karabakh war and froze the issue. Since then the ceasefire terms have been breached on a number of occasions, particularly during the 2008 skirmishes and the clashes in 2016.

### **Conflicting interpretations of the region's history**

As the Russian politician and ethnographer Galina Starovoytova (known for her work on the protection of ethnic minorities and promotion of democratic reforms in Russia) commented, this conflict is an example of the contradictions between two fundamental principles: the peoples' right to self-determination on the one hand and the principle of territorial integrity of states on the other.<sup>3</sup>

At the same time, however, most experts on the subject fairly unanimously define this conflict as territorial. It is frequently noted that both Armenians and Azerbaijanis appeal to historical legacy for the lands of Nagorno-Karabakh. In this way, the arguments used by both parties setting forth their "historical land rights" are of particular importance in explaining the origins, development and prospects for the settlement of this conflict.

When analyzing the Nagorno-Karabakh conflict, the following questions are repeatedly raised: Why do Armenians and Azerbaijanis living in the same historical, cultural and geographical region have seemingly mutually exclusive ideas about the position and place of their recent ancestors in Nagorno-Karabakh? And, likewise, how can mutually acceptable and compromise solutions be found in this area? Even for the first of these questions a satisfactory answer has not yet been found.

To address these questions, the present dissertation traces the origins of the "historical rights" to the land as they feature in the perception of the political elites of both sides. It follows, first, from the political history of the territory ("our land = the land that was part of the state of our ancestors")

and, second, from the ethnic and denominational history of the population of this disputed territory ("our land = the land where our ancestors have always lived"). It does not study the processes of manipulation of the public consciousness and historical memory of peoples by intellectual elites in the situation of recurring ethnic conflict. The presentation of historical narrative in Part I and Part II must, therefore, be understood strictly as the means for gaining adequate *understanding of respective irreconcilable positions* of the conflicting parties. This prepares the ground for the analysis of possible peaceful solutions of the dispute undertaken in Part IV and in Conclusions.

For a long period, the territory of Nagorno-Karabakh belonged to the polity that existed on the territory of present-day republic of Azerbaijan (where both of its capitals were located) and partially southern Dagestan – namely, the kingdom of Caucasian Albania (not to be confused with Albania in the Balkans). It arose in the 4th century B.C. and ceased to exist in the 8<sup>th</sup> century A.D. Later Karabakh was intermittently part of a number of state formations. Thus, from the viewpoint of the historical and cultural claims of both societies, the interpretation of history of the Caucasian Albania and its relation to Armenians and Azerbaijanis is the most disputed subject. The Caucasian Albania is certainly of interest in its own right and has engaged the attention of a range of scholars, but it acquires more significance when we look at perception of the historical and cultural claims and affiliations in both societies.

For these reasons we need to focus not only on the historical facts themselves but also on the bitter polemic they have engendered. Interestingly, the polemics between the Armenian and Azerbaijani scholars convey a significant message about the prominent role of ethnographers and ethnography in the Soviet Union. Because in the Soviet Union interethnic and inter-republic tensions were denied free political expression, such conflicts were generally projected into the past and were fought on the pages of academic journals.

The disagreement between the Armenian and Azerbaijani versions of their shared history also reflects a more submerged project as well. For each people, that project consists of defining an identity for the future development through the particular interpretation of the past.

Anthony D. Smith, a scholar of ethnicity and nationalism studies, identified ethnic criteria that provide the origins of communal identity. Those include shared historical experiences and memories, myths of common descent, a common culture and ethnicity, and a link with a historic

territory or a homeland, which the group may or may not currently inhabit. Elements of common culture include language, religion, laws, customs, institutions, dress, music, crafts, architecture, and even food.<sup>4</sup>

The Caucasian Albanians, the people at the center of this controversy, occupied in the antiquity an area situated somewhere between Lake Sevan and the Caspian Sea, and between the Araks River and Caucasus Range. The Caucasian Albanians were an autochthonous, that is, long established people in the Caucasus. They had their own culture and their language belonged to the eastern group of Caucasian languages. Some of the Albanian tribes spoke Turkic languages. Albania was Christianized sometime in the 4<sup>th</sup> century; their Church was subordinated to the Armenian Church. From the perspective of ancient history two versions have been advocated. Armenian-oriented sources assume Nagorno-Karabakh was the part of early Armenia as a province of Artsakh. In their turn, Azerbaijani sources place the province of Artsakh within the former Caucasian Albania. This question indeed has no ethnological relevance since it only shows designation of geographical territory but doesn't tell us anything about the ethnic origins of the people living at the territory at that time.

Today, the major points of disagreement regarding Caucasian Albania are:

1. Whether the ancient provinces of Utik, Artsakh (contemporary Nagorno-Karabakh, located in Azerbaijan), and Siunik (Zangezur, located in Armenia) were an integral part of the Albanian state, and
2. Whether the Azerbaijani people can be considered the direct descendants of the Albanians.

At issue is which people can claim to be the legitimate and rightful heirs to the land and culture of present day Nagorno-Karabakh.

According to the Armenian interpretation of history, the Albanians were converted to Christianity and Armenicized at a very early stage, meaning that the Albanian settlement became the part of the history of the Armenian settlement. From the Azerbaijani perspective, the Albanians made up part of the Islamicized and Turkicized ancestors of the Azerbaijani people.

However, there must have been significant interaction among the Albanians – early Armenian and early Azerbaijani (Turkic) cultures – meaning that the history of the Albanians, at least in certain parts of the region, forms common cultural heritage of both Armenians and Azerbaijanis.

Armenian scholars claim that Albania occupied a relatively small territory north of the Kura River. According to Russian Orientalist Vladimir Minorsky as many as 26 tribes occupied Caucasian Albania, each with their own language and king.<sup>5</sup> The term "Albanian" referred to all the tribes living on the territory, as a collective name analogous to the term such as "Indians", "Yugoslavs", or "Dagestanis". By the first century A.D., a process of ethnic consolidation was under way, and the administrative strengthening of Albania by the Persians, in 428 A.D., led to some interethnic integration with the Armenians. The still existing Caucasian Albania, including Artsakh or Karabakh, adopted Christianity as its state religion and the Christian (Gregorian) Church became spread through the Caucasus in the 5<sup>th</sup> century. At the beginning of the 8<sup>th</sup> century, Caucasian Albania, including Artsakh, was conquered by the Arabs, whereby Christianity was gradually supplanted by Islam.

Influenced by Armenian, Georgian, Arab and Persian cultures, the Albanian tribes proceeded to develop under different tribal names. Today the only direct descendants of the Albanians are the Udins, Lezgians and other small ethnic groups of Southern Dagestan and Northern Azerbaijan. But the broad picture is that most of the tribes of Caucasian Albania were absorbed by the Turkic tribes who migrated into the region in several waves, starting in the 11<sup>th</sup> century. The remaining few tribes were either Armenicized or Georgianized.

Right up until the late Middle Ages, Karabakh is said to have been home to the Caucasian Albanians. Until this time the territory could not be clearly classified as ethnically belonging to either to the Armenian or the Azerbaijani cultural areas. The Azerbaijani ethnos of today formed largely on the basis of shared religion, incorporating Turkic-speaking tribes, Islamicized Iranian-speakers, including Kurds, Tats, and Talyshins, Islamicized Armenians and Georgians, and some already partially Iranized, Armenicized and Georgianized Albanians.

Armenian historians say that the disputed provinces south of the river Kura such as Utik, Artsakh, and Siunik were ethnically Armenian, because from the 4<sup>th</sup> century B.C. they were part of the Armenian kingdom of the Erevanids. In 387 A.D., "Greater Armenia" was partitioned by the

Byzantine empire and Persia. In 428 the Persians reorganized their Transcaucasian possessions into the three *marzpan* of Iberia, Albania and Armenia, while to Albania they added the regions of Utik and Artsakh. It was only at that point that Albania incorporated the territory on the both sides of the river Kura. By the early 7<sup>th</sup> century the part of Albania situated north of the river broke up into numerous principalities. Thereafter the designation of "Albania" was transferred to a new entity which included the regions south of the Kura. In that process, it completely lost its former ethnically based connotation. The narratives of Armenian historians refer to this expanded unit that included both sides of the Kura as "New Albania" and in this manner they distinguish it from Albania proper, north of the river Kura.

Rejecting this narrative, Azerbaijani historians believe that politically, culturally and geographically Albania was a civilization matching the achievements of Armenia and Georgia. Thus I. Aliev argues that the Armenians in fact were relative late arrivals to the Transcaucasia, having migrated there from the first third of the first millennium B.C.<sup>6</sup> According to this interpretation, by 66 B.C. the Armenian king Tigran II had lost control of most of the territories which comprised "Greater Armenia". In late first century A.D. the areas of Utik and Artsakh had become a part of the Albanian kingdom, with the southern border of Albania shifting to the Araks River. Azerbaijani historians maintain that assertions to the contrary by their Armenian counterparts are based on an idealized picture of Greater Armenia, which, according to them, was a far cry from reality during the Persian and Byzantine domination.

Azerbaijani scholars also maintain that Albania was the first state in the Transcaucasus to adopt Christianity, and that its Church was initially autocephalous. A lingua franca was used by the Albanian tribes even before Albania was Christianized. An alphabet existed, to which Armenian monk Mesrop Mashtots only added a few modifications. A rich literature is said to have existed in the Albanian language. That none of it has survived in the original is due to the deliberate "de-ethnicization" of the Albanian people by the Armenian clergy. They are said to have translated this literature into Armenian and then destroyed the originals with the active cooperation of the Arabs.

Caucasian Albania disintegrated in the 8<sup>th</sup> century and by early 9<sup>th</sup> century Armenians commenced the cultural, linguistic and religious assimilation of the Albanians especially in Utik and Artsakh. This de-ethnicization also meant that the Albanian Church had to submit to the authority of Armenian Church. But despite these pressures, the Albanian ethnic identity did not altogether



vanish. The Albanian Patriarchy survived until the early 19<sup>th</sup> century, along with the Armenian Church. There also occurred a period of Albanian renaissance in the 13<sup>th</sup> century, during which the Gandzasar Monastery and impressive works by Albanian historians such as Mkhtar Gosh and Moses Kalankatuatsi were produced.

Nevertheless, Armenian historians argue that the tribes residing in Utik and Artsakh never became a genuine part of Albanian culture. On the contrary, they assert that “New Albania” became increasingly Armenicized, especially after the 5<sup>th</sup> century, when its metropolis was moved from Gabala (north of the river Kura) to Partav (south of the Kura); at that time Armenian was adopted as the official language of state and Church. Following these changes, Armenians of Utik and Artsakh gradually started to view New Albania as a historical Armenian land, in the assumption that their land had always been called "Albania".<sup>7</sup>

In line with this narrative, Armenians also claim that Mesrop Mashtots, who is credited with designing the Armenian alphabet, also created an alphabet for the Albanian-speaking people. However, historical, legal, and religious writings of Albania were written in Armenian: Armenian scholars do not agree with claims that these works were first produced in the Albanian language and later translated into Armenian. Their arguments rest on the analysis of internal stylistic evidence of the literature in question. Furthermore, they point out that in their works scholars such as Mkhtar Gosh and Moses Kalankatuatsi mostly identified themselves as Armenians.

### **Are Azerbaijani people direct descendants of the Albanians?**

The contemporary conflict over Nagorno-Karabakh has significant political, economic and cultural components. The territorial issue, however, is the one which is most symbolically and emotively laden. Apart from the fact that territorial disputes are often related to the possession of natural resources, they can also often be driven by culture, religion and ethnic nationalism. Questions of whether the historical province of Artsakh, which nowadays is the Karabakh area, was in actual fact Armenian and whether the population and culture of New Albania were Armenian or proto-Azerbaijani have weighty implications. In their moral claim on the Nagorno-Karabakh territory they are held by the opposing sides as intrinsic to their indefeasible heritage.

The tendency of reconstruction, and often revision, of the historical past, which defines the future

image of a given society or group, is marked not merely by desire to delimitate the territorial boundaries. Every people work on their own version of historical past to achieve a certain desired self-image. Each reworking of the past emerges as "part of a new attempt at defining identity and aspirations", and reflects "a need to go beyond the inherited, traditional and familiar past association with the discredited self-image".<sup>8</sup>

It is therefore necessary to return to the question noted in the outset of the preceding section, namely whether the Azerbaijani people can be considered as the direct descendants of the Albanians. This issue is essential in determining self-awareness of the Azerbaijani (or, rather, Azeri) people, as well as in supporting what they believe are their historical rights in their claim on the land now inhabited by ethnic Armenians.

Azerbaijani self-awareness was developed relatively late, in the end of the 19<sup>th</sup> century as a part of the Turkic revival. Nonetheless, the process of the formulation of the Azerbaijani cultural identity started when this ethnos was still split between the empires of Russia and Persia in the 19<sup>th</sup> century. In the beginning of the 20<sup>th</sup> century this same tension was felt between the currents of Turkish and Iranian culture. Even to this day, the Turkish people consider the Azeris as people of Persian descent speaking a Turkic language. Such an ambivalence can be traced also in the cultural identity of the Central Asian Turks.

Clearly, Azerbaijani ethnic identity is a relatively recently established phenomenon. Thus it is tempting for Azeri scholars to play down the ethnos' Turkic past and instead portray the Azeris as direct descendants of the indigenous Caucasian people. However, a closer look reveals a much more complicated and nuanced picture. The following analysis shows that the Azeri claims on their historical territorial rights stem chiefly from the fact that, in the wake of the clash of the Russian, Persian and Ottoman empires, the disputed region saw an inflow of ethnic Armenians with the indigenous population migrating away. Russia's geopolitical gains in the 19<sup>th</sup> century apparently inadvertently created the context in which the Azerbaijanis felt aggrieved, with their grievances understandably persisting.

In 16<sup>th</sup> and 17<sup>th</sup> centuries the territory of contemporary Nagorno-Karabakh was under the rule of five Armenian Melikdoms, or Principalities of Khamse (meaning "Five Principalities" in Arabic). These kingdoms emerged as a consequence of the dissolution of the Khachen Principality. The

Meliks of Khamsa gradually came to see themselves no longer as Armenian heirs, but as heirs of Albanian Arshakids. The fact that Meliks likely were Christian is not a sufficient evidence to place them firmly within the Armenian ethnic group since Albanian Christianity was still widespread. Instead, the Meliks' period was characterized by the intermixing of the ethnic groups and cultures. Therefore, a definitive differentiation between the Armenian, Azerbaijani or Albanian cultures is hardly possible in this case.

In the middle of the 18<sup>th</sup> century, the Karabakh Khanate was established under the rule of Pahan-Ali khan Javanashir and became one of the most prominent and largest of the Azerbaijani khanates. There was a flourish of Azerbaijani culture at that time. Most of the region was being settled by Azerbaijani tribes Otuziki, Javanashir and Kebirli. Although there was a proportion of Christian-Albanian and Armenian people, most of the population was Muslim. During that same period, the Azerbaijani khanates were facing threats from Russia and Persia, with these threats being opposed by the entire population, regardless their ethnic or religious affiliation.

In the beginning of the 19<sup>th</sup> century, when Russia threatened to invade from the north and Persia from the south, both empires went to war with each other in 1804, and being caught up in this situation, the Khan of Karabakh in 1805 bowed to the Russian Empire and relinquished his own claim to power. This was confirmed in 1813 in the Russo-Persian peace treaty of Gulistan. Karabakh maintained its autonomous status as a khanate for 17 years before it was dissolved and turned into a Russian province with a military administration in 1822. According to contemporary estimates 117,000 Muslims<sup>9</sup>, in particular Azerbaijanis and Kurds were still living in Karabakh and Erivan in this period. The Armenian population in Karabakh represented only 8.4% of the total in 1823.<sup>10</sup>

In 1823 the Karabakh Khanate was dissolved and became a Russian province, Gubernia Elizavetpol. The rest of the Transcaucasia was incorporated into the Russian Empire in 1828 according to the conditions of the Peace Treaty of Turkmenchay, which was an outcome of the Russian defeat of Persia in the 1826-1828 war for the supremacy in the southern Caucasus.

Earlier, according to Peace Treaty of Gulistan of 1813, Persia recognized the annexation by Russia of a number of khanates of the Eastern Transcaucasia, including the Karabakh Khanate. Subsequently, the Treaty of Turkmenchay of 1828 dictated that the Erivan and Nakhchivan

khanates, which up to that point had been home to a majority Azerbaijani population, also fell to Russia.

In the wake of these changes Russia attempted to consolidate its control in the whole of the Caucasus region by means of a strong policy of Christianization and resettlement of Armenians. The resettlement and concentration of Christian Armenians was intended to serve as a bridgehead of Russian power at the edge of the Middle East. Along with Christianization and resettlement, the Russian policy in the newly acquired Caucasus was also directed to the restructuring of the territorial administration. In this way in 1828 not only the Karabakh Khanate was dissolved, but also the khanates of Erivan and Nakhchivan. These two khanates, which in 1828 formed a new administrative area, the Armenian Oblast (the main part of what later was to become the Republic of Armenia) were up to that time also dominated by the Azerbaijanis.

The decision to create this administrative unit was not taken by Russia for ethnological reasons, but due to geo-strategic and power-political considerations. Not even the Armenian sources credit Erivan with playing an important part in the cultural and economic life of the Armenians before 1828. In 1840 Karabakh became part of the Kaspijskaya Oblast, in 1846 part of the Governorate Shemakhanskaya and then in 1867 part of the Governorate Elisavetpol. All Melikdoms were purposefully Christianized and Armenianized.

Up to that point the Russian military administration had lacked the support of the Muslim population. In this way, Armenians, with the low presence of 20% in the territory of the former Erivan Khanate, became the subjects of Russian Empire.

Immediately after the capture of Erivan by Russian troops, Armenians in Russia started to come up with ideas about the establishment of an autonomous Armenian province, with its flag and Armenian governors at the head. Russian military officers of the Armenian descent, such as Christopher Lazarev, Alexander Khudabashev and Argutinsky-Dolgoruky, had developed a plan to create an autonomous Armenian principality under the Russian protectorate. However, Emperor Nicholas I rejected this idea and instead approved the plan for the creation of the Armenian province with the capital in Erivan and a Russian governor. The Armenian province included the territory of the Erivan and Nakhichevan khanates and the Ordubad district, which roughly corresponds to the territory of modern day Armenia and the Nakhichevan Autonomous Republic.

A trade treaty was signed simultaneously with the Peace Treaty of Gulistan. It allowed the Russian merchants to acquire the right of free trade throughout Iran. The treaty strengthened Russia's position in Transcaucasia, contributed to the strengthening of its influence in the Middle East and undermined Britain's position in Persia. In this way, the treaty gave the Russians vessels the freedom of navigation in the Caspian Sea and exclusive right to have a navy there.

The treaty was also of great importance for the Armenians living in Persia. It provided for a resettlement of Armenians from Persia and the Ottoman Empire to the newly annexed Russian provinces in the Caucasus region, causing a massive population movements across the whole region, with a strong influx of Armenians into Nagorno-Karabakh and other areas. An estimated 57,000<sup>11</sup> to 200,000<sup>12</sup> Armenians left the territories governed by Persia and the Ottomans and migrated primarily to Erivan and Nagorno-Karabakh.

Some 30,000 Armenians settled in Karabakh alone, increasing their share of the population from 8.4% to an estimated 34.8%.<sup>13</sup> Other studies cite a figure of almost 50%.<sup>14</sup> In Erivan the proportion seemed to have increased from 24% to 53.8%. In return 35,000 of the 117,000 Muslims who once lived in Erivan and Karabakh fled Russian rule.<sup>15</sup>

If a significant number of Armenians from Persia and Turkey, with the support of Russian authorities, moved to the newly annexed Russian provinces, including Karabakh, many local Muslims migrated to Persia. To expedite the resettlement of the Armenians to Karabakh, new villages were founded with the government's financial support and estates bought up from Muslims.

Finally, and very important, Russian authorities also dissolved the Albanian-Christian patriarchy in 1836, thus ending the separate identity of Karabakh's Christians by merging them with the Armenians. The property of the Albanian patriarchy was transferred to the Armenian Church by decree. This means that the pro-Armenian sources' claims that all Christian historical architecture in Nagorno-Karabakh constitutes evidence in support of the prevalence of the Armenian ethnic group in the area cannot be accepted. From the perspective of these historical events alone, this interpretation appears to be untenable.

The Albanian Church and culture must have played a distinctive role in Karabakh until the 19th

century, otherwise there would be no compelling explanation as to why its dissolution and forced integration into the Armenian Church was an important factor in Russia's power politics.

The population movements in the first half of the 19<sup>th</sup> century were only the beginning of the ethnic upheavals of Nagorno-Karabakh. The region was struck by further waves of Armenian immigration during the Russo-Ottoman wars of 1853-1856 (the Crimean war) and 1876-1878 (Serbo-Turkish and Russo-Turkish war). In response, thousands of Muslims left the region.

The Armenian militias, however, were not able to rival the Ottoman forces and Kurdish tribes. The Kurdish invasions eventually led to a new sizeable wave of Armenian emigration to the Trans-Caucasus. There is no consensus on the exact figures of Armenian immigrants in the 19<sup>th</sup> century. Armenian and Azerbaijani figures, however, are of a similar dimension. Thus, it can be assumed that between 500,000 and 700,000 Armenians migrated to the Transcaucasian region, that is, primarily to the areas of Erivan and Nagorno-Karabakh.<sup>16</sup> This increased the number of Armenians in the South Caucasus to 900,000 by the end of the 19<sup>th</sup> century.<sup>17</sup>

During the course of the population movements and the events in Eastern Anatolia antipathies and tensions between the Armenians and Azerbaijanis grew. Fueled by preferential Russian treatment and radicalization amongst the Armenians, as well as the emergence of a state of social underdevelopment and an exaggerated sense of threat amongst the Azerbaijanis, the first significant interethnic acts of violence in the modern period erupted in the Transcaucasian region. Some 100 Armenians and 200 Azerbaijanis died in violent skirmishes in Shusha and Gyandzha.<sup>18</sup> These facts illustrate that the huge predominance of Armenians in Nagorno-Karabakh and the resulting potential for interethnic conflict in the 20<sup>th</sup> century had their origins mainly in the 19<sup>th</sup> century.

## **Part II**

### **The Armenia-Azerbaijan conflict in the 20<sup>th</sup> century and at present**

#### **Nagorno-Karabakh in the 20<sup>th</sup> century**

From the very beginning, the 20<sup>th</sup> century was marked by intense territorial conflicts between the great powers and between different ethnic groups around the world. In the century's early decades the borders of numerous modern states were drawn. This applies just as much to Europe as it does to the Middle East and the Caucasus region. The matter of territorial restructuring was a function of the ability of great powers to successfully wage war and/or project their influence derived from their military prowess. Various ethnic groups either became pawns in the great power games or strove, through the formation of strategic alliances, to assert their own power ambitions. (The principles of the modern international law did not enter the scene yet.)

When it comes to the Caucasus, the peoples of the region were also influenced by the sentiments of the time. In Russia the beginning of the 20<sup>th</sup> century was marked by the bourgeois and Bolshevik revolutions, while among the non-Russian peoples of the Empire's peripheries (who sought cultural and territorial autonomy) these ideological trends generally acquired the character of the national liberation movement. These modern phenomena then imparted new qualities on the long-standing tensions described in Part I, making the conflict ever more explosive and destructive.

The highest point of tension between Azerbaijan and Armenians, traces of which we have already considered in the previous sections came to the foreground of the events in Transcaucasia, primarily in the area of Nagorno-Karabakh, on the eve of the 1905 Russian Revolution. As we will see further these events were not only the consequence of the ethnic, cultural or religious strife alone; the conflict that led to the decades, and by now centuries, of warfare between two nations, came also to be intensely fueled by the imperialist designs.

The initial and probably first major bloody clash in Transcaucasia between Armenians and Azerbaijanis was the 1905-1906 Armenian-Tatar massacre. (To avoid confusion we must note here that Azerbaijanis were called Transcaucasian Tatars that time.) The most violent clashes took place

in Baku in February and August and in Nakhichevan in May 1905.

According to the US Azerbaijani Turkologist Tadeusz Swietochowski, during the clashes of 1905, about 158 Azerbaijani and 128 Armenian settlements were destroyed and, according to various estimates, from three to ten thousand people were killed.<sup>19</sup> Despite the attempts of Christian Armenian leaders on the one hand and Muslim spiritual leaders of Transcaucasia on the other put an end to the bloodshed, the Tsarist authorities make almost no effort to restore order.

One of the causes of hostility of Muslims toward the Armenians, manifested in the Russian Transcaucasus in the last decades of the nineteenth century, was the lacking representation of the Muslim population in local authorities, as noted by the historian Jörg Baberowski.<sup>20</sup> In particular, according to the reform of 1870, no more than a third of seats in city councils were assigned to non-Christians (and, from 1892, no more than 20%). These measures were originally directed against the Jews, but in the Transcaucasus they affected primarily the Muslims; for example, in Baku the Muslims were the main property owners and accounted for about 80% of the electorate.

Motivated by these considerations, Prince Grigory Golitsyn, appointed in 1886 the Governor-general of the Caucasus had immediately taken a stand against Armenian domination, supporting, by that means the interests of Muslim population in the region. In response to the dissatisfaction of Azerbaijani community with a disproportionately large representation of Armenians in the civil service, who allegedly occupied 50-90% of the posts, Golitsyn reduced the number of Armenian officials, replacing them with primarily Muslims representatives. Thus, almost all Armenians were dismissed from leading posts, and Azerbaijani Turks were appointed in their places. In the circle of Grigory Golitsyn and Dondukov-Korsakov, who acted as a representative of Ministry of National Education of Russian Empire, anti-Armenian sentiments were allowed to thrive, somewhat reminiscent of anti-Semitic prejudice.

A secret police report emphasized that Armenian schools' curricula and newspapers recall the memories of the great Armenian kingdom, which was interpreted as a danger. In a short period of time, 160 Armenian schools were closed, and soon after a decree about on exclusion of the history and geography of Armenia from school curricula was issued; Armenian schools were included in the all-Russian education system. And, finally in 1903 the property of the Armenian Church was confiscated. The reforms led to an aggravation of the situation in society and were provoking



dissatisfaction among the Armenian intelligentsia that wasn't willing to surrender its political and economic positions.

The reaction to the policy among the Armenians was resolute. The Armenians national movement began to resort to terrorist methods. As a result, in response to repressive measures against Armenians, several assassination attempts occurred against state officials. One of the most resonant was an assassination attempt on Golitsyn in 1903 , which evidently yielded the desired objective – after that event he left the Caucasus.<sup>21</sup>

However, the administration of the Caucasian governor Gregory Golitsyn was the only case of deviation of tsarism from official pro-Armenian line in Caucasus.

Attacks by the members of the Armenian revolutionary organization of Dashnaksutyun against Tsarist officials gave the authorities the opportunity to test the loyalty of the local Muslims. They, in turn, interpreted the complicity of the government as an implicit sign of consent to the Muslims' claim to domination in the cities of the Baku and Elizavetpol provinces.

The situation in society was fueled by the propagation of various rumors, which would influence moods in the communities to the certain direction. For this purpose, there was a spread of the information among the Baku population about upcoming attack on the procession of Muslims on the day of Ashura from the Armenian side. On 12 January 1905, a young Azerbaijani accused of murder was killed by Armenian soldiers in attempts to escape. In response, armed groups of Muslims, assembled in central Baku and proceeded to kill the Armenians they had come across. The pogroms lasted five days. The local authorities did not take any measures against the instigators. Although suspicions that the governor himself provoked the pogroms was not finally confirmed, the participation of the authorities in the violence is beyond doubt. This conflict quickly got out of control; by summer of 1905 it swept the whole districts of the Baku and Elizavetopol provinces. According to van der Leeuw clashes in Baku began over the killing of a Tatar schoolboy and shopkeeper by Armenians.<sup>22</sup>

The imperial authorities were able to suppress the riots only by 1906 after sending an expedition under the command of General Maksud Alikhanov-Avarsky to the Caucasus. Prince Vorontsov-Dashkov, appointed in April 1905 the governor of the Russian Caucasus, achieved a softening of

the anti-Armenian position of power and the return of the property of the Armenian Church.

In the wake of foreign policy conflicts with the Ottoman Empire, the Russian authorities continued to move towards a more pro-Armenian stance, while at the same time avoiding open discrimination against Muslims. Given these efforts to strike a more balanced stance and exert a stabilizing influence, responsibility for increasing tensions should be sought amidst the opposing communities themselves.

Thus the American historian Firuz Kazemzadeh notes<sup>23</sup>:

Dashnaksutyun as a party bears a major portion of responsibility, for it was often the leading force in perpetrating the massacres. The Dashnaks organized bands similar to those which operated in Turkey and recruited mostly from the Armenian refugees from that country. Such bands would attack the Muslims and often exterminate the populations of entire villages. The Azerbaijanis, on the other hand did not have any organization comparable to the Dashnaksutyun. They fought without coordination or plan.

Following the events of 1905 in Baku, Elizavetpol and other Azerbaijani cities, Armenian-Azerbaijani clashes reached critical levels at Shusha, a town of 35,000 inhabitants, situated high up among the mountains of the Elizavetpol. The population there was equally divided between Azerbaijanis and Armenians, the latter occupying the upper part of the town. The fighting in other places was producing dangerous level also at Shusha, although a conciliation committee had been formed, which managed to keep things quiet for some time.

The opinions about the instigators of the pogroms in Shusha are quite ambivalent. Firuz Kazemzadeh claims the clashes in the city were probably started by Armenians. According to Luigi Villari, the impunity of initiators of the Baku massacres encouraged the Tatars in other parts of the country, including the Shusha region, where in the middle of July a number of Armenians, travelling in omnibuses between Levlakh (a station on the Tiflis-Baku line) and Shusha, were attacked by Tatars.<sup>24</sup>

Both sides used the tactics of burning the houses, which led to massive fires. On 1<sup>st</sup> September 1906 an attempt at reconciliation was made with the mediation of the Russian Vice-Governor of

Elizavetpol, but house burning recommenced that same night with redoubled fury. The Tartars were determined to destroy the Armenian quarter and attacked it vigorously, while the Armenians replied with a heavy fire, threw some bombs, and even got hold of an old cannon, which burst after a few shots, before causing much consternation among the assailants. The Azerbaijanis were forced to retreat.

On 2<sup>nd</sup> August a truce was concluded between the Armenians and Azerbaijanis in the Russian church. Tartars and Armenians publicly embraced one another and swore eternal friendship – until next time.

As a result of the mutual pogroms and killings, hundreds of people died and more than 200 houses were burned.<sup>25</sup> According to Thomas de Waal the number of victims and wounded amounted 300, of whom about two thirds were Tatars.<sup>26</sup> The material damage amounted to about 5 million rubles.<sup>27</sup>

During the Armenian-Tatar massacre in Shusha, a lot of Armenian houses and the merchant part as well as theater were burnt. About 80 houses were burnt in the Azerbaijani sector. By the beginning of 1907 the population of the city had sharply decreased. According to Russian statistics in 1916, 43,869 people lived in Shusha; 23,396 of them were Armenians (53%) and 19,121 were Azerbaijanis (44%).<sup>28</sup>

### **Armenian Genocide as a factor of migration and anti-Turkic resistance**

The process of resettlement of Armenians to the territory of Transcaucasia that began in the 19<sup>th</sup> century reached the climax during World War I. If before the replacement of the Azerbaijani and Kurdish majority by Armenian the migration was mostly peaceful, by the early 20<sup>th</sup> century it was accompanied by interethnic clashes to some extent triggered by the situation in the international arena.

After the Ittihat revolution in 1908, Turks faced the problem of finding a new identity. Imperial Ottoman identity was undermined by the constitution, which equalized in rights the population of the various ethnic groups of the Ottoman Empire and deprived the Turks of their imperial status. The ideology of pan-Turkism was better suited in the environment of a changing society, being much more aggressive and tougher comparing to the Imperial ideology of Ottomans. In that sense,

the position of Islamic ideology in Transcaucasia was undermined by the presence of the neighboring Shiite state of Persia and the atheistic views of the leaders of the Ittihat revolution.

Pan-Turkism became one of the ideological foundations of the national policy of the Young Turks. This concept was born on the basis of the ideas of young common Turkic ethnocentrism (Turkism), the most vivid expression of which was the philosophy of the sociologist and poet Ziya Gökalp. In contrast to adherents of Pan-Islamism, he justified the need to separate secular and spiritual power and developed the concept of the Turkic nation derived from the achievements of European civilization. In this way, the integration of the Turkic-speaking peoples within the framework of a single state was one of the conditions for achieving the aim of creating the country of Turan, to be inhabited by Turkish-speaking Muslims, and whose territory should cover the entire area of the Turkic ethnoses.

This concept, which virtually excludes non-Turks not only from state power, but from civil society in general, was unacceptable to Armenians and other ethnic minorities of the Ottoman Empire. Armenians who prioritized a religious affiliation over ethnic identity initially saw Turkism a lesser evil than Islamism. During the Balkan war of 1912 Armenians were mostly inclined to the Ottoman ideology; more than eight thousand Armenian soldiers played a significant role within the Turkish army. In turn, the Armenian Hunchak and Dashnaktsutyun parties have taken an anti-Ottoman position. Dashnaks organized pro-Armenian detachments in Tiflis conducting operations against Turkey, and the Hunchakists offered military assistance to the Russian headquarters in the Caucasus.

The strength and potency of the arms on each side was a decisive factor in the conditions of the conflict between Armenians and Azerbaijanis. The Dashnaktsutyun, the Armenian nationalist party, eventually took control of a part of Eastern Armenia. However, on the numerous Turkish fronts in the Transcaucasus, the Azerbaijanis prevailed, victimizing the Armenians. Likewise, in areas where the Armenian side dominated, and hence fell under their authority of Dashnaktsutyun, the majority of the Muslim population was expelled; their lands in the Novo-Bayazet and Sharur-Daralagyoz districts of the Erivan governorate were settled by Armenian refugees. Dashnaktsutyun claimed the accession to Armenia of all the provinces of Erivan including Nakhichevan and Sharur-Daralagyoz, Kars region, part of Tiflis province and part of Elizavetpol province (Nagorno-Karabakh). In turn, the Musavatists (the Azeri nationalist party) granted only the former Erivan county to Armenians,

while claiming Karabakh, Zangezur, Sharur-Daralagyozy, Nakhchivan and Kars within Azerbaijani jurisdiction. The Dashnaks also hoped for the return of the whole territory of Turkish Armenia, i. e. Western Armenia with the assistance of the League of Nations. One of their opponents, the Bolshevik Anastas Mikoyan, commenting on the territorial claims of Dashnaktsutyun, described them as an ambitious plan to expand Armenia.<sup>29</sup>

In 1918, during the retreat of the detachments of General Andranik Ozanyan, more than 30,000 Armenian refugees moved from Turkish territories in Western Armenia, mainly from Mush and Bitlis, to Zangezur. Some of the Armenian refugees from Turkey stayed in Zangezur, while many others were resettled to the regions of Yerevan and Daralagyozy where they replaced the Muslim population expelled by the detachments of General Ozanyan. The aim was to make the key regions of the Armenian state ethnically homogeneous.<sup>30</sup> For example, in 1922 in Zangezur district only 6,500 Azerbaijanis (10.2% of the whole population) remained from initial number of 71,000 Azerbaijanis, which made 51.7% of the whole population of the district according to the data of 1897.<sup>31</sup>

However, observing such a significant reduction of the Muslim population, we should note that only the mountainous part of Zangezur district (Uyezd) became a part of Armenia, where the Armenian population already constituted the absolute majority of the population according to the census of 1897. Territories with a Muslim majority, which was the police stations number II, III and IV of the Zangezur Uyezd, joined the Kurdistan Uyezd (district) of the Azerbaijan SSR formed in 1923. At the same time the Musavatists devastated the regions of Azerbaijan populated by Armenians; the numbers are following, 17 thousand inhabitants in Shamakhi, and 20 thousand in Shaki. The Armenian population survived only in the mountainous regions of the Elizavetpol province, where the Musavatists could not penetrate.

### **Tsarist policy**

The growth of social disparity in Transcaucasia and the first bloody clashes based on interethnic conflict in the beginning of 1905 pushed the Russian Emperor Nicholas II to restore the institution of the Caucasian vice-regency, which included all the territories of Transcaucasia and the North Caucasus, except the Stavropol province. The administration of the governor Prince Vorontsov-Dashkov by means of more flexible national policy together with tough measures of police

operation, achieved a relative stabilization of the situation in the region. In particular, the restoration of the property rights of the Armenian Church led to the decrease of activity of the Armenian radical organizations. In the Terek region, a commission was being set up to study the conditions of land use and of land tenure, which aimed to ease the acute land conflicts between the Cossacks and the mountain population. And yet, the growing polarization of political forces in Russia and Transcaucasian region in 1905-1907 did not allow any effective solution of accumulating social and interethnic problems.

Transcaucasia, no less complex in its ethno-territorial composition compared to the North Caucasus, but being more economically developed, proved to be more "problematic" for the imperial authorities in respect of its political landscape. The core of three ethnicities was being expanded here. There were well organized and advanced Georgian and Armenian parties of a socialist nature, as well as more conservative Muslim organizations. The trajectory of rising politicization and radicalization of ethnic elites, provoked by the government's course in the 1890's, could not have been reliably neutralized. A host of social and ethnic contradictions here was associated with a more pronounced tendency towards the desire of regional self-government, as well as rivalry around the national representation in city councils of the main economic centers of Transcaucasia.

The compositional difference between Transcaucasia and the North Caucasus was manifested, in particular, in the fact that the notorious measure of "proper consideration of national borders" in hypothetical disengagement was even more problematic in this region. If it was still possible to delineate the Georgian territory in its probable borders, which for a long time had not been coinciding with the "historical" borders, and if it was still possible to identify individual Turkic and Armenian regions based on numerical domination, then, instead of the ethnic boundaries there were whole counties and enclaves of crossover settlements.

Although the possible disengagement of ethnic groups in the Transcaucasian territorial autonomy was conceived primarily in the "categories" of available provincial borders, the very differences in the character of the three main national groups would make the strategies of their respective political parties also fundamentally different. The Georgian parties clearly defined the space of Georgian hypothetical autonomy as the "historical borders of the Georgian states." Muslim and especially Armenian political groups faced more difficult problem, the preservation of Transcaucasia as a politically uniform space, covering all major areas of Muslim and Armenian

resettlement respectively. To a large extent these were the same areas all the way from Batum to Baku.

Tsarist Russian state power and its army, the economic integration of the region (embodied in the formation of a region-wide network of railways) together with the very structure of the resettlement and economic mobility of the Armenian, Turkic and, more broadly, Muslim groups would create an internal connectivity in Transcaucasia. However, the regional connectivity and a common interest of nationalizing elites remained predominant only within the framework of Russian political domination. Russia's descent toward the events of 1917 dictated the resolution of the maturing social contradictions in the Caucasus by force.

### **The Caucasus campaign**

External factors played a key role for the region (as well as in Russia) in the overall reconstruction of the Caucasus's conflicts in 1917-21. The political crisis in Russia brought the Caucasus back to the realms of the rivalry between the various empires. It also intensified the confrontation of respective aspirations of the national elites of the region. Obviously, the unity of the region collapsed in 1918 not only as a result of internal strife and a series of mutual Armenian-Azerbaijani pogroms, but also as of the "withdrawal" of the Russian power from the Caucasian ethno-political space. The Turkish expansion of 1918 actually polarized the main political parties of the Caucasus on an ethno-confessional basis and broke the mosaic-like make-up of Transcaucasia.

The events of the World War I contributed to the re-emergence of ethnic conflict between Azerbaijan and Armenians allowing imperial powers to manipulate the moods of the peoples by imposing a sense kinship and common religious and cultural heritage as well as the connectivity to the fatherland.

The Caucasus Campaign initiated as part of the Middle Eastern theatre during that time comprised armed conflicts between the Russian Empire and the Ottoman Empire, later including Armenia, Azerbaijan, Georgia, the German Empire, the Centro Caspian Dictatorship and the British Empire. It was extended from the South Caucasus to the Armenian Highlands region, reaching as far as Trabzon, Bitlis, Mush and Van. The land warfare was accompanied by the activities of the Russian navy in the Black Sea Region of the Ottoman Empire.

After concluding a secret treaty with Germany, the Ottoman Empire acquired a chance to strengthen its positions on the border with Russia and beyond it. One of the points of the treaty was the change of the eastern borders of the Ottoman Empire to create a corridor leading to the Muslim peoples of Russia, which implied the eradication of the Armenian presence in the changed territories. This policy was publicly announced by the Ottoman government after entering the war on 30<sup>th</sup> October 1914. The treaty contained a statement about the "natural" union of all representatives of the Turkic race.

At the start of World War I, in August 1914, representative of Turkish party Ittihat unsuccessfully tried to secure the consent of the Ottoman branch of the ARF (Armenian Revolutionary Federation, or Dashnaktsutyun) to an anti-Russian uprising in the Caucasus in the event of war. The refusal led to the assassination of several party leaders. The Russian authorities pursued similar schemes. Foreign Minister Sergei Sazonov believed that it was important to maintain the closest possible relationship with Armenians and Kurds in order to "use them at any time" in the event of an outbreak of the war. Arms were distributed along the Turkish border. Armenians in turn tried to secure Russian guarantees of postwar autonomy for Turkish Armenia. The governor of the Caucasus Prince Vorontsov-Dashkov, claimed that Russia would adhere to the observance of the promised reforms and called on the Armenians in Russia and beyond the border to be ready to implement Russian instructions in case of the war. However, these half-promises were a deliberate deception, since Russia's plans did not include the creation of autonomy in the six provinces. The plan of the governor Vorontsov-Dashkov envisaged the creation of paramilitary Armenian detachments under the command of the Caucasus. The Armenian voluntary movement was developed in Transcaucasia. Turkish authorities, for their part, tried to attract Western Armenians to their side offering the creation of volunteer detachments within the Turkish army as well as attempted to persuade the Eastern Armenians to join forces against Russia. These plans, however, were not to be realized. With the support of the Dashnaktsutyun, five volunteer battalions were formed first, and then two more, to fight on the side of Russian Empire.

Upon the October Revolution of 1917 in Russia the Caucasus campaign was disrupted. After the withdrawal of Russian troops from Eastern Anatolia and the Caucasus in early 1918, the situation in the region could only be described as "a war of all against all". Kurdish tribes tried to occupy the territories devastated after the Armenian Genocide, but now Armenian fighters in return sought, of



their own volition, to cling on to or regain territory for the national cause on the Ottoman side of the border, as well as in formerly Russian-controlled eastern Armenia as far as Nakhichevan and Zangezur. The immediate consequence were the killings of almost 10,000 Muslims in the massacres in Erzincan and Erzurum. In the region of Kars, Armenian detachments as noted by the British consul “were emptying one Tatar (Azeri) village after another”.

The October Revolution led Russia out of the World War I, in many respects at the price of the Peace Treaty of Brest-Litovsk. Yet few months before Turkey, violating the military armistice and exploiting the collapse of the Caucasian front, advanced its troops into Transcaucasia. Under the terms of the peace treaty between the Central Powers and Soviet Russia, Kars and Batumi regions were given to Turkey. However, the terms of the peace were not recognized by the transitional administration of Transcaucasia, the Transcaucasian Committee, which sought to preserve Kars and Batum within the region.

Under the Turkish military-political pressure, the Transcaucasian government become less capable of consolidating its position. The political elite of the region rapidly divided along ethnic interests, and the "national councils" began to head the national and state self-determination process of Transcaucasia. Established on 22<sup>nd</sup> April 1918 as a unit independent from Russia, the Transcaucasian Democratic Federative Republic was still trying to represent a coordinated line of the foreign policy. However, it was dissolved in the end of May 1918 forming three national Soviet republics, Georgia, Azerbaijan and Armenia, each beginning to follow its own military and political strategies.

For Georgia and Armenia, the Turkish offensive constituted an obvious threat, while for Azerbaijan, for the states of Transcaucasian Muslims (and mostly ethnic Turks), Turkey sought to act as an obvious ally, or as a fatherland.

The division of Transcaucasia between the three young national states initially was (and to a decisive extent) determined by external geopolitical and military forces. The formation of the three states was shaped by mutual relations of the three protectorates – the German protectorate in Georgia, Turkish in Azerbaijan and, quite arbitrarily, the Entente countries in Armenia.

The year of 1918 was the time of German and Turkish hegemony in Transcaucasia. Turkey’s role

was decisive in the intermediate delineation of the borders between Azerbaijan and Armenia. Primary state institutions of Azerbaijani state and the territory itself were built under Turkish patronage and with its military support. In September, Turkish-Azerbaijani forces occupied Baku, which was initially under the control of the Soviet Baku Commune and then for a short time the British. The presence of the Turkish military-political power allowed Azerbaijan not only to include within its borders the districts disputed with Armenians, but to gain a direct territorial connection with the state-patron along the Araks.

### **The post-World War I period**

In this way, in May 1918, three independent states were proclaimed in the South Caucasus; they were the Georgian Democratic Republic comprised of the Tiflis and Kutaisi provinces, Batumi and Sukhumi districts, the Republic of Armenia on the territory of the Erivan province and Kars region, captured at the time of the Ottoman empire, and the Democratic Republic of Azerbaijan on territory of Baku and Elizavetpol provinces.

In the process of determining its state territory, Azerbaijan sought to use the principle of ethnic and confessional settlement as the main criterion that would legitimize the entry of certain regions into the republic considering the amendments to the pre-revolutionary administrative structure.

Thus, in the emergence of the Azerbaijan Republic there were both ethnic and confessional components. Forming around the Muslim party Musavat, and the corresponding National Council, the organizational nucleus of the new state was at first rather of a confessional nature. In the planned demarcation of Transcaucasia, Musavat envisioned Azerbaijan consisting of all territories with a significant Muslim population. In particular, the territories with the Georgian population, including Adzharia and Meskhetia, the Avars residing in Zakataly. Also included was the Kurdish population as well as part of the territories of the Dagestan region, in addition to the areas with the Turkic-speaking population.

In other words, the initial project of Azerbaijan was a multi-ethnic state of Transcaucasian Muslims such as Tatars, Azeris and other groups of Turkic-speaking population, including Kurds, Ajars, Tats, Talyshes, Ingiloyes etc., with significant Christian minorities such as Georgians and Armenians. The category "Azerbaijani" (Azeri) within the framework of such a project did not have

a narrow ethnic and linguistic connotation, with possibility that such an “Azerbaijani nation” would include not only Azerbaijani Turks (Azeri Turkleri), but also Georgian Ingiloyts and even Azerbaijani Armenians as a religious minority. In this respect, the boundaries of the young Azerbaijani political community could and were partly more open to the incorporation of ethnic minorities than the more rigid concepts of the Georgian and Armenian nations.

Such a project of a confessional or proto-civil nation turned out to be untenable for many reasons. Although the final ethnicization, i.e. Turkization, of the Azerbaijani national project would occur later in the 1920’s and 1930’s (when the term Azerbaijani became identical with the term Azeri Turk and then supplanted the latter from use, long before these Soviet transformations) the vector of political and, with that, of cultural absorption of non-Turkic groups in eastern Transcaucasia had been manifested. The category "Muslims" inside the Russian Transcaucasia also turned out to be a confessional form for the development of such assimilation. During the collapse of the imperial Transcaucasia, the Turkic domination already acted as a stable Turkic nucleus of the young Azerbaijani protonation, its ethno-cultural and political marker.

Turkey as the international guarantor of the Republic of Azerbaijan in 1918 also contributed to the ethnicization of the national project. However, it stipulated, based on the model of self-determination of peoples, where ethno-cultural categories or communities would act as such. In Transcaucasia, this paradigm was clear; there already were two "historical people", whose criterion for self-determination under these conditions could not be other than ethnonational. Hence, the Azerbaijani state first acted as a Turkish and Muslim political counterpart to the Georgian and Armenian self-determination in the Transcaucasus and only then as a national state, which created its own "ethnic nation" and commenced its history.

In the process of forming the state territory, the Azerbaijan Republic in this case, it is possible to single out areas that differ according to two political criteria: full control over the areas and the presence of claims by others on them. It is clear that the state territory of Azerbaijan in 1918-20 was formed both by its own military-political and diplomatic efforts and by the strategies of the leading foreign-policy players.

Depending on the power strategies in a given point in time, it is possible to roughly divide the entire period of the formation of the territory of Azerbaijan in 1918-20 into three stages: Ottoman or

Turkish influence during April-November 1918, British influence during December 1918-September 1919 and the Soviet influence from April 1920. The composition of the territories controlled and publicly disputed by Azerbaijan at different stages was shifting in accordance with the change of the geopolitical player that dominates the region.

The defeat of the Central Powers and the withdrawal of Turkish troops from the region in November 1918 deprived Azerbaijan of an important ally in the rivalry with Armenia over the disputed territories. The British were pursuing a more neutral policy in this rivalry, opening up new opportunities and illusions for Armenia. In the western part of the Transcaucasus, territorial acquisitions of Turkey under the Treaty of Brest-Litovsk and the Treaty of Batum were invalidated together with the dissolution of the Kars Republic and the partition of the corresponding areas between Armenia and Georgia. The districts of the compact settlement of Armenians in Nagorno-Karabakh were actually controlled by the local Armenian National Council while remaining formally under the jurisdiction of Azerbaijan. In 1919 Azerbaijan lost control over Sharur-Daralagyoz and temporarily over Nakhichevan. Zangezur was occupied by Armenian troops back in 1918.

The proposals of the Azerbaijani delegation to the Paris Peace Conference of 1919-20 still contained claims to include virtually all areas of the former Russian Transcaucasia with a Muslim or Turkic-speaking population to the republic. However, by April 1920, when the role of the victorious powers in solving Azerbaijan's problems was coming to naught, the territory of the republic looked as follows.

There were two types of contested territories. First, the Democratic Republic of Azerbaijan was claiming that the following districts should be under its control: Echmiadzin, southern part of the Erivan and Surmalin (acquisition of these territories would allow Azerbaijan to restore territorial communication with Turkey), which were part of Armenian territories and Borchalin and Signakh districts, which were part of Georgian dominance. Second, there was the issue of areas that were part of Azerbaijan and were claimed as part of the territories or actually controlled by neighboring countries: the Zakatal district disputed by Georgia and Sharur-Daralagyoz and Zangezur districts claimed by Armenia. The Nakhichevan and the mountainous part of the Shusha and Javanshir districts, which were part of Nagorno-Karabakh, were also disputed by Armenia, but remained under the military control of Azerbaijan. Overall these territorial claims were considered as a

violation of national borders of Azerbaijan.

### **The start of the Soviet rule – Soviet accommodation with Turkey**

After Armenia, Azerbaijan and Georgia proclaimed their independence in 1918, the newly formed government of Azerbaijan with the support of the Turkish army sought to subordinate the Armenian-populated Nagorno-Karabakh.<sup>32</sup> The latter was administered by the People's Government of Karabakh elected by the First Assembly of Karabakh Armenians. The first months of the Armenian-Azerbaijani conflict in Transcaucasia in Karabakh were calm. However, by the end of summer 1918, after the capture of Baku, between 10,000 and 30,000 Armenians still residing in the city were massacred as the Turkish-Azerbaijani forces seized Shusha. Armenians of Shusha, trying to avoid the fate of the Armenians in Baku, obeyed the Ottoman-Azerbaijani army, while most of the regions of Karabakh were under the control of the local Armenian military commanders and continued their resistance until the end of World War I.<sup>33</sup>

After the Ottoman troops left Nagorno-Karabakh (as noted above) in accordance with Armistice of Mudros in November 1918, Karabakh was in a state of fragile diarchy. Azerbaijani authorities together with the British assistance attempted to block the communication and trade between mountainous part and flatland of Karabakh, which caused a famine in the former. At the same time, Governor Sultanov was organizing irregular Kurdish-Tatar cavalry detachments, led by two of his brothers, to increase the size of troops in Nagorno-Karabakh. On 4<sup>th</sup> June they unsuccessfully tried to take control of the Armenian quarters of Shusha. By the evening, however, with the British intervention the fighting was stopped.

On 18<sup>th</sup> February 1920, Sultanov issued a demand that the Armenian National Council of Karabakh urgently recognize the unconditional sovereignty of Azerbaijan over Nagorno-Karabakh. The Council, at their eighth congress held from 23<sup>th</sup> February to 4<sup>th</sup> March, responded that Azerbaijan's demand violates the terms of the 22<sup>nd</sup> August provisional agreement and warned that repetition of the events will compel the Armenians of Nagorno-Karabakh to turn to appropriate means for defence.<sup>34</sup> After issuing the ultimatum, in the middle of March Azerbaijani forces began to disarm Armenians of Karabakh. According to Richard Hovhannisyanyan the violation of the terms of the August agreement by the Azerbaijani side ultimately led to an unsuccessful attempt at an armed uprising in late March.

However, on 28<sup>th</sup> April 1920, the Sovietization of Azerbaijan commenced and a new period in the history of the region began, when the "national interests" of the Transcaucasian elites were forced to be built into the geopolitical strategy of Soviet Russia. The 11<sup>th</sup> Division of the Red Army, which entered Azerbaijan in May 1920, occupied the territory of Karabakh, Zangezur and Nakhichevan in cooperation with Azerbaijani troops. By mid-June the resistance of Armenian armed detachments in Karabakh was suppressed with the help of Soviet troops.

The Sovietization of Azerbaijan and the formation of the Soviet-Turkish strategic partnership left the Armenian Republic sidelined. The Armenian-Azerbaijani war of 1920 ended with the signing in August of a peace treaty between Armenia and the RSFSR.<sup>35</sup> By that time, Soviet Azerbaijan had already occupied disputed areas in Shusha, Nakhchivan and Zangezur districts. Finally, in October 1920, a unilateral attempt of the Dashnak government to implement the provisions of the Treaty of Sèvres and the Armenian invasion in the Oltin District provoked a new Armenian-Turkish war. The Kemalist threat from the west and the pro-Soviet uprising in the east ended with the independent Republic of Armenia ceasing to exist in early December 1920. Its territory was divided between the Soviet and Turkish control zones. The Armenian Soviet Republic was formed on the Soviet part of controlled territories, the other was incorporated into Turkey.

The complexity of Armenian-Azerbaijani territorial relations was also resolved within the framework of the Soviet-Turkish partnership regarding the Sharur and Nakhichevan. After establishment of the Nakhichevan Autonomous SSR in the region under the control of the Soviet Azerbaijan and the annexation of the Surmalin district, Turkey's chances for maintaining territorial connection with Baku increased, but only temporarily. The dispute between Armenia and Azerbaijan over Zangezur was decided in the summer of 1921 outside of Turkish influence since the Republic of Mountainous Armenia had been proclaimed by Dashnyaks on the territory of Zangezur earlier that year. It existed only until July, when, after coming to an agreement with the government of Soviet Armenia, the Dashnaks withdrew to Iran, and the territory was incorporated into the Armenian SSR.

The dispute over the territory of Nagorno-Karabakh still remained unresolved by 1921. It was connected with the origins of the Nagorno-Karabakh Autonomous Oblast (NKAO) which itself was formed as a part of the Soviet Azerbaijan in July 1923. Its creation was preceded by more than two years of fierce disputes between the leadership of Soviet Azerbaijan headed by Nariman

Narimanov, with the Soviet Armenia represented by the chairman of the Council of People's Commissars of Armenia Alexander Miasnikian.

The first stage of this dispute was marked by the declaration of Azerbaijani Revolutionary Committee, or Azrevkom, on November 30, 1920, which recognized the disputed districts of Zangezur and Nakhchivan as part of Soviet Armenia and granted the right to self-determination to Nagorno-Karabakh, where the majority of population was Armenians.<sup>36</sup> This decision was confirmed by Narimanov on December 1, 1920 at a solemn meeting of the Council of Baku. The resolution of the Karabakh issue in favor of Armenia was further confirmed during a plenary session of the Caucasian Bureau of the Russian Communist Party Central Committee on 3<sup>rd</sup> June 1921. However, the final decision was taken during a plenary session of the same Caucasian Bureau, held on 5<sup>th</sup> July 1921; Stalin intervened and thus it was decided that Karabakh be set in Soviet Azerbaijan with granting a broad regional autonomy.

One of the propositions explaining the inclusion of a region in the Soviet Azerbaijan with the overwhelming majority of Armenian population could be due to the desire of the Bolshevik leadership of Soviet Russia to ensure political rapprochement with Kemalist Turkey.<sup>37</sup> This choice was based on the strategy of the Bolshevik leaders to gain allies of the October Revolution among the peoples of the East; the Kemalist regime was perceived as a form of an export of the anti-imperialist revolution in the Muslim world. The geopolitical significance of Armenia was not comparable to the influence of Muslim solidarity with Soviet Russia.

The initial decision taken in favor of Armenia and probably intended to help the Armenian Bolsheviks on the eve of the establishment of Soviet power in Armenia, had no practical consequences. Nevertheless, it was deeply rooted in the minds of the Karabakh Armenians and subsequently served as a justification for their demands for sovereignty and unity with Armenia.

In July 1923, such districts of the Soviet Azerbaijani as Shusha, Dzhebrail and parts of Javanshir and Zangezur with the predominantly Armenian population were merged into an autonomous entity. At the same time, as Starovoitova points out, the administrative borders of the Autonomy of Nagorno-Karabakh did not coincide with the ethnic borders, and in the two districts of Soviet Azerbaijan, Shaumyan and Khanlar, bordering with the autonomy, the ethnic majority were Armenians. In the late 1930's administrative and territorial changes within the Azerbaijani SSR led to the formation of

so-called Lachin corridor, which separated the territory of Nagorno-Karabakh Autonomous Oblast from from Armenia.<sup>38</sup>

The formation of the NKAO satisfied neither the local Armenians nor the Azerbaijanis. Armenians considered as irrational the formation in the neighborhood of the Republic of Armenia of a separate autonomy with the major Armenian population. The Azeris objected to the fact that a separate formation was cut out from their territory with the completely new administrative borders, which was entirely controlled by local Armenians. However, as long as the country was ruled by the Communists, tense, but peaceful coexistence of the two peoples of Nagorno-Karabakh persisted.

The autonomy of the Armenians of Nagorno-Karabakh formally does not bear the ethnic titlature, nor the autonomy of Nakhichevan, the Azerbaijani autonomy that first was under the control of Azerbaijan, and came to be incorporated within it. However, the clear titling of a certain territories as national-state, or, in case of Nagorno-Karabakh, the compromise title with the respect to hierarchy "the people of the republic" and then "the people of the autonomy" was the results of the Soviet version of the solution of the Armenian-Azerbaijani ethno-territorial contradictions in 1920-23. The invention of such an institutional hierarchy was precisely the result of a compromise: the implementing of the right to self-determination of both conflicting groups on the same territory, for example, the Azerbaijanis of Nagorno-Karabakh at the level of the republic, the Armenians of Nagorno-Karabakh at the level of autonomy itself.

A characteristic feature in the process of Sovietization of Azerbaijan and Armenia was that the Bolsheviks didn't destroy the institution of national statehood, but used it as a form, an instrument for legitimizing the very authority of the Soviet Union. It was established exactly in the form of national state power, but was stripped of the "bourgeois attributes" of nationalism and ethnic hatred. In any case, it is obvious that Soviet power in Transcaucasia did not invent national republics and territories, but used their institutional and symbolic resources in advancement of their own interests. National republics arose as a result of the destruction of the imperial political space of Transcaucasia, in strategies for regulating the chaos that emerged.

### **The Soviet era and the Suppression of the Conflict: 1921-1987**

During the Soviet era, the Armenian elite persistently sought to change the situation and encourage



Moscow to transfer Karabakh to the Armenian SSR. Already in the 1930s, when the central government was reviewing the status of a number of territories, for example in Caucasus the status of Abkhazia in relation to Georgia, Armenians made attempts to establish control over both Nagorno-Karabakh and Nakhichevan. The change in the status of the territory in general was not altogether unacceptable for the Soviet leadership – consider the transfer of Crimea in 1954 from Russia to Ukraine. However, Armenians failed to find support in the center. The dissolution of the Transcaucasian Federal Soviet Socialist Republic in 1936 and the creation of the three Transcaucasian union republics led to an even greater separation of Nagorno-Karabakh from Armenia; the only administrative link between them was now a common affiliation with the Soviet Union.

After the failed attempts of Joseph Stalin to change the borders between Turkey and the USSR upon the end of World War II, unrealized promises to the peoples of the South Caucasus began to provoke retaliatory consequences.<sup>39</sup> The first Secretary of the Communist Party of the Armenian SSR Grigory Arutyunov claimed that there were no resources and place to accommodate repatriates, although only 90,000 Armenians arrived to the republic instead of the planned 400,000. He proposed to resettle the Azerbaijani peasants living in Armenian territory to Azerbaijan. He also offered to transfer the territory of Nagorno-Karabakh from the Azerbaijani SSR to the Armenian SSR.<sup>40</sup> Mir Jafar Baghirov, the first secretary of the Central Committee of the Azerbaijan Communist Party, responded with counter arguments and counter demands. In response to the letter of the Deputy Chairman of the Council of Ministers Georgy Malenkov notifying about the demand of the Armenian SSR in regard of Nagorno-Karabakh, answered that should that demand be acted upon, the Azeris would not agree to the transfer of the Shusha district (which, however, was a constituent part of the autonomy) since the majority of its populations was comprised Azeris.<sup>41</sup>

Moreover, in such a situation, the central government should also review the issue of some adjoining districts within Armenian territory such as Azizbey, Vedinsky and Karabagdarsky since the major population comprised of Azerbaijanis and the territories should be considered as a part of the Azerbaijan SSR. Given the exceptional cultural and economic backwardness of these areas, their transfer to Azerbaijan would provide an opportunity to improve living conditions, cultural and political services for the population. As we can see the response was conclusive. In December 1947, Stalin accepted Grigory Arutyunov's proposal to evict Azerbaijani peasants from Armenia, but he did not support the changing of the republic's borders.

Naturally, the internal borders within the Soviet Union didn't have much significance. Karabakh Armenians could receive higher education in Baku and Yerevan; their contacts with Armenia didn't stop. However, in 1963 Armenians of Nagorno-Karabakh sent a petition to the first Secretary of the Communist Party of the Soviet Union Nikita Khrushchev signed by some 2,500 Karabakh Armenians, protesting against the attitude of the Azerbaijani authorities towards the region and asserting that the Nagorno-Karabakh Autonomous Oblast is being economically discriminated against by Baku. Since Moscow did not give any response, it resulted to riots in Karabakh, during which 18 people were injured.<sup>42</sup> Tensions broke out in 1968 as well.

In 1970, according to the population census the total number of residents of the Nagorno-Karabakh Autonomous Oblast was 162,200, where 123,100 were Armenians making up 75.9% and 37,300 Azerbaijanis comprising 23.0% of the total population. Whereas another population census from 1923 of the disputed territory showed that 94% of the total population were Armenians and Azerbaijanis comprised only 5%.<sup>43 44</sup> Thus, during the half-century preceding the latest outbreak of the conflict around Nagorno-Karabakh, the number of its Armenian population had been steadily declining. During the same period, the number of the Azerbaijani population of Nagorno-Karabakh grew fivefold, increasing from 5% to 23% in the total population balance of the region.

Armenians blamed the change in the composition of the population of the Nagorno-Karabakh on the Azerbaijani government, stating that Baku intentionally seeks to reduce the number of Armenians in the region. However, in the opinion of the Russian ethnographer Anatoly Yamskov the reason for the steady "Azerbaijanization" of the Nagorno-Karabakh and other rural areas of some adjacent districts of Azerbaijani SSR as well as Armenian SSR was in a higher natural growth of the Azeri segment of the population, and most importantly in a much smaller outflow of rural Azerbaijanis to cities.

Until the mid-1980s any demands to change the status of the Nagorno-Karabakh Autonomous Oblast were silenced, any actions were immediately suppressed.

The year of 1987 is marked as a new era in the Soviet society overall. Gorbachev's new policies of glasnost ("openness") and perestroika ("restructuring") and his reorientation of Soviet strategic aims contributed to the end of the Cold War. Under this program, the role of the Communist Party in governing the state was removed from the constitution, which inadvertently led to significant

political instability with a surge of regional nationalist and anti-communist activism culminating in the dissolution of the Soviet Union.

The policy of glasnost in particular increased government transparency and removed numerous existing information taboos. Within the framework of these socio-political changes the issue of Nagorno-Karabakh once again got on the agenda. The number of sporadic incidents grew quickly from 1987 onwards, letters demanding unification started flowing in to the Moscow authorities.

The discontent of the Armenian population with its socio-economic situation in the region increased in 1987 - early 1988. The government of the Soviet Azerbaijan was accused of violations of economic, political and cultural rights of the Armenian minority in Azerbaijan, creating artificial barriers against maintenance of the cultural ties between Nagorno-Karabakh and Armenia.

In October 1987, a dispute broke out in the predominantly Armenian village of Chardakhlu, in the North of Azerbaijan, between the local Azerbaijani authorities and Armenian villagers.<sup>45</sup> The Armenian objected to the appointment of a new Azeri collective-farm director. This led to a crackdown by the local party organs on villagers. They were beaten up by the police and in protest sent a delegation to Moscow.<sup>46</sup> According to Armenian sources, the objective of the local (Azerbaijani) party organs would have been to drive out the Armenian population.<sup>47</sup> (Chardakhlu was a famous village to the Armenians because it was the birthplace of two marshals of the Soviet Union, Ivan Bagramian and Hamazasp Babajanian.) The news of Chardaklu promptly reached Yerevan where demonstration asking for the closure of polluting industries were going on.

Following a quite common trend of the glasnost period, the ecological demonstrations quickly transformed into political, nationalist demonstrations asking for the return of Nagorno Karabakh and Nakhchivan to Armenia. This time the local police intervened to dissolve the demonstration. As Moscow refrained from taking action, speculations went on that Moscow would approve of the transfer, especially given the fact that Gorbachev was surrounded by a number of high advisors of Armenian origin. In the middle of November 1987, an economic advisor of Gorbachev's, Abel Aganbeyan, told the French newspaper *L'Humanité* that the NKAO would soon be transferred to Armenia. Armenians perceived this declaration as a support of the idea by the top leadership of the USSR.<sup>48</sup> By the end of the year, an informal referendum on "reunification" (Armenian *miatsum*) with Armenia has already given 80,000 signatures.

According to Russian political analyst Sergei Markedonov, in the mass consciousness of the Armenian society, the struggle for acquisition of the Nagorno-Karabakh Autonomous Oblast was interpreted as a struggle for the "reunification" of Armenian ethnic lands and restoration of historical justice. Unlike Georgia or the Baltic states, the Armenian ethno-national movement, formed in the late 1980's, didn't interpret the struggle for changing the status of Nagorno-Karabakh and its annexation to Armenia as direct confrontation with the Communist system or the imperial forces of Russia (with an exception of the organizations of Armenian anti-communist dissidents who had a rich experience of confronting the Soviet system). In 1987, Paruyr Hayrikyan, a Soviet dissident seeking independence for Armenia founded the Union for National Self-Determination, which advocated the restoration of the territorial integrity of Armenia with acquisition of Nagorno-Karabakh, Nakhichivan and "Turkish" Armenia and the distancing from imperialist Russia.

Despite the common belief that Gorbachev and his reformists in Moscow sympathized the with the Armenian side, Soviet communist leaders didn't want to accept any changes in the borders or status of any region of the multinational empire based on the initiative from below. Soviet authorities feared, and they were absolutely justified in doing so, that the approval of such changes could lead to an uncontrolled collapse of the Soviet Union. In addition, the national democratic movement of Armenia had a noticeably anti-communist nature, which hardly contributed to Moscow's inclination to meet these demands. Therefore, in July 1988 the Presidium of the Supreme Soviet of the USSR unambiguously rejected the request of Nagorno-Karabakh to join Armenia. A month earlier, the appeal had been supported by the Armenian parliament under the strong pressure of the people and, certainly, rejected by the Azerbaijani parliament. Meanwhile, the Armenian movement was supported by the reformist intellectuals of Moscow and other large Russian cities, which endorsed its peaceful and democratic character. However, the international response to the Armenian statement on self-determination was cautious; both the governments and the Western public opinion perceived the Nagorno-Karabakh crisis as simply as a complication hampering the reform program of Gorbachev.

It is possible to conclude that similarly cautious stance was also evident in both Soviet Armenian and Soviet Azerbaijani republics. In the initial phase of the conflict, both sides mostly relied on the prevailing Communist ideology and the Soviet constitution and rarely, or even never, appealed to the norms of international law. Both Union republics promoted their interests by appealing to certain chapters the Soviet Constitution of 1977. Armenians stressed the concept of self-

determination mentioned in this constitution (Chapter 8, Article 70) in a very vague form, despite the fact that it was vigorously promoted by Lenin in the past. Article 70 of the Soviet Constitution from 1977 states:

"The Union of Soviet Socialist Republics is an integral, federal, multinational state formed on the principle of socialist federalism as a result of the free self-determination of nations and the voluntary association of equal Soviet Socialist Republics. The USSR embodies the state unity of the Soviet people and draws all its nations and nationalities together for the purpose of jointly building communism."

"The territory of a Union Republic may not be altered without its consent. The boundaries between Union Republics may be altered by mutual agreement of the Republics concerned, subject to ratification by the Union of Soviet Socialist Republics."

### **Post-Soviet era violence flares up**

Towards the end of the 1980's, the number of Armenian refugees fleeing to Armenia and other republics of the Soviet Union steadily increased in the atmosphere of the gradually developing violence against Armenians in Azerbaijan outside of Nagorno-Karabakh. Nevertheless, the Moscow leadership still refrained from using force to restore law and order in Azerbaijan, while in Armenia the Soviet troops repeatedly suppressed peaceful demonstrations. By the end of 1988, however, acts of violence and revenge in the Armenian-Azerbaijani conflict reached its apogee. As a consequence, thousands of Azerbaijanis were forced to flee Armenia and Nagorno-Karabakh. The policy of ethnic cleansing became mutually reinforcing.

The social dynamics in Azerbaijan were characterized by the interaction of three separate strata of the population. Russian researcher Dmitry Furman described them as follows. First, it was a marginalized urban "mob" coming from a rural traditional Islamic way of life and plunged into crime-ridden factory towns. In more peaceful times they were passive and indifferent to whatever ruling power, but were prone to rebellion and fanaticism under the influence of some external push (such as Armenian demonstrations). This "underclass" increased in numbers with the influx of refugees. Secondly, there was intellectual and bureaucratic elite of Baku, increasingly Russified in 1960s and 1970s. Some of them had spoken excellent Russian, but not so well Azerbaijani. These

party elites often manipulated the "underclass", who delivered the muscle in the pogroms and later contributed the national military efforts in Karabakh. Thirdly, there was a pan-Turkist and pro-Western Azerbaijani intellectuals, often of a provincial and rural origin, inspired by the short-lived Azerbaijan Republic of 1918-1920. These levels of the population were to put forward their spokesmen in the political turmoil of the upcoming years.

In January 1989 the Moscow government, in attempts to constrain the rising violence, resorted to the special form of government by transferring Nagorno-Karabakh to direct administration of Moscow. The Presidium of the USSR Supreme Soviet established the NKAO Special Administration Committee (SAC), headed by Arkadi Volsky. Thus, NKAO was removed from the administrative submission of Azerbaijan. Simultaneously, the activities of the District Committee of the Communist Party and the District Soviet of People's Deputies were suspended, with the subordination of personnel to the Special Administration Committee. Additionally, Soviet government imposed the state of emergency on part of the territory of Armenia (but not in Azerbaijan). Members of the Karabakh committee including the future president of Armenia Levon Ter-Petrosyan, were imprisoned without a trial and released after six months.

The change in the status of Nagorno-Karabakh, however, did not mean that Moscow took a more balanced stance on this issue. The legal status of the autonomy in the respect to Azerbaijan's dominance was not in fact questioned. Moreover, the central government failed to prevent Azerbaijani blockade of Nagorno-Karabakh and Armenia imposed in the summer of 1989. In November, the direct administration was abolished. Presidium of the USSR Supreme Soviet dissolved the NKAO Special Administration Committee and established the Republican Organizational Committee of NKAO, appointing Second Secretary of the Azerbaijani Communist Party, V.Polyanichko as its head. With this act, Moscow attempted to return Nagorno-Karabakh to the jurisdiction Azerbaijan. However, the Supreme Council of Armenia responded by adopting a resolution on the unification of Nagorno-Karabakh with Armenia.

In December 1989 the joint session of the Supreme Soviet of the Armenian SSR and the National Soviet of NKAO unanimously adopted a resolution on reunification of Armenia and Nagorno-Karabakh "based on the universal principles of self-determination of nations and responding to the legitimate desire to reunite the two forcibly divided parts of the Armenian people". According to the human rights organization Memorial, this step greatly contributed to the further escalation of the

conflict. This resolution was a direct violation of Article 78 of the Constitution of the USSR from 1977.<sup>49</sup>

In January, large-scale anti-Armenian pogroms began in Baku, the capital of Azerbaijan. Moscow stayed inactive until the threat to the local officials of the Communist Party arose.

An unsuccessful experiment with a special form of government in Nagorno-Karabakh demonstrated that the central government was more concerned about preserving its weakening power in the region than about resolving the conflict, which was reaffirmed in January 1990 when Soviet troops entered the capital of Azerbaijan to prevent the seizure of power by the anti-Communist People's Front. This intervention resulted in numerous casualties among innocent civilians, and set Azerbaijanis firmly against Moscow, limiting, in this way, the Soviet authorities' ability to positively influence the situation. Meanwhile, the conflict over Nagorno-Karabakh had gradually escalated into a full-scale war between the irregular formations of Azerbaijan and Karabakh, with the active support of the latter by Armenia.

The Armenian parliamentary elections in May 1990 meant the end of Communist rule in the country. The new parliament, chaired by Levon Ter-Petrosyan, adopted the declaration of independence in August of the same year. Trying to secede from the Soviet Union Armenia wasn't willing to conclude a new union treaty as it earlier was proposed by Gorbachev. At the same time, Azerbaijan was still controlled by the Communists and did not show a desire for secession. This situation, apparently, forced Moscow to return to the openly anti-Armenian position on the question of the Nagorno-Karabakh conflict. During the spring and summer of 1991, Azerbaijan, supported by the USSR Internal Forces, carried out deportations of Armenians in twenty-four Karabakh villages. These deportations known as the "Koltso" (Ring) Operation were, in fact, mass ethnic cleansing that was stopped only after the failure of the August 1991 coup d'état attempt in Moscow.

This military campaign was the last case of the military support of the Soviet center. The Soviet Union was now rapidly moving towards its collapse. A month after the failure of the coup in Moscow, Armenia held a referendum on secession from the USSR and on 23<sup>rd</sup> September declared itself independent. However, by this time the situation in Nagorno-Karabakh had undergone significant changes. The local political elite, which differed in its political orientation from the leadership of Armenia, no longer insisted on unification with Armenia, clearly preferring independence. The session of the regional council proclaimed on 2<sup>nd</sup> September the former

autonomous region as the Nagorno-Karabakh Republic (NKR), including also Shahoumian region of Azerbaijan populated by Armenians. Leonard Petrossian was elected Chairman of the NKR Executive Committee. On 26<sup>th</sup> November Azerbaijan responded by passing resolution that abolished the autonomous status of Nagorno-Karabakh. The self-proclaimed republic held a referendum on independence on 10<sup>th</sup> December 1991 where 99.89% voted for NKR independence, and after the parliamentary elections in late December adopted a declaration on the national independence of the Nagorno-Karabakh Republic (6<sup>th</sup> January 1992). The self-proclaimed RNK, although successfully resisting strong pressure from outside, had not received recognition from any member of the international community, not even from Armenia. However, its government, together with the governments of other unrecognized states of the former USSR such as Abkhazia, Crimea and the Transnistrian region outraged by the fact that they were not included in the Commonwealth of Independent States (CIS), organized their own CIS-2.

Meanwhile, violence and hostility intensified between Karabakh and Azerbaijan after they received (legally, and more often illegally) heavy weapons from former Soviet military units as well as from Turkey.

During the Cold War, the Soviet military doctrine for defending the Caucasus had outlined a strategy whereas Armenia would be a combat zone in the event that the NATO member Turkey were to invade from the west, since there already existed a conflict between Armenia and Turkey. But despite these scenarios, there were only three divisions stationed in the Armenian SSR and no airfields, while Azerbaijan had a total of five divisions and five military airfields. Furthermore, Azerbaijan obtained all the ammunition depots with 11,000 railroad cars of ammunition in comparison to Armenia's 500.

A small number of Turkish military advisers trained Azerbaijani conscripts, and about 2,000 Afghan mujahideen were hired by the Azerbaijani army. Both sides used Russian and Ukrainian mercenaries. However, the objective advantages of human and economic potential of Azerbaijan was being compensated for by the Karabakh forces' military training superiority and discipline. After a number of offensives, withdrawals and counteroffensives, the self-proclaimed Nagorno-Karabakh Republic managed to control the entire south-western corner of Azerbaijan up to the border with Iran, which is about 20% of the entire territory of Azerbaijan, including also all the lands that separated the republic from Armenia. The population of the occupied territories has



become refugees in other parts of Azerbaijan. The ancient capital of the country Shusha was occupied by the Karabakh on 9<sup>th</sup> May 1992.

### **The Khojaly massacre**

On the 26<sup>th</sup> February 1992, the war in Karabakh escalated to unprecedented levels. Khojaly was the second largest town in Nagorno-Karabakh, located on the road from Shusha and Stepanakert to Agdam and was home to the only airport in the region. The airport was of vital importance for the survival of the population in Karabakh, which had no land connection with the Republic of Armenia and was under a total blockade by Azerbaijan. According to reports from Human Rights Watch, Khojaly was used as a base for Azerbaijani forces shelling the city of Stepanakert.

Between 1988 and 1991 the population of the town increased from 2,135 to about 6,000 inhabitants due to the Nagorno-Karabakh war and the population exchanges between Armenia and Azerbaijan, along with the Meskhetian Turk refugees leaving Central Asia and subsequently settling in Khojaly.

Under the leadership of head of the defense of the city, Alif Hajiyeu, Khojaly resisted for several months. During the winter of 1991-92 Khojaly was under the constant fire. The international human rights organization Human Rights Watch collected refugee testimonies showing that some shelling was random or directly aimed at civilian objects, which resulted in civilian casualties.

Markar Melkonyan, brother of Monte Melkonyan, who since early February 1992 was one of the leaders of the Armenian armed detachments in Karabakh, in his book "My Brother's Road: An American's Fateful Journey to Armenia" (2005) indicates that the attack on Khojaly was undertaken on the anniversary of the events in Sumgait and could be regarded as a kind of retaliation.<sup>50</sup>

According to the human right organization Memorial, part of the population started to leave Khojaly soon after the assault began, trying to flee towards Agdam, and armed people from the town's garrison were among some of the fleeing groups. People left in two directions. First, from the east side of the town north-eastwards along the river, passing Askeran to their left; this route, according to Armenian officials, was provided as a "free corridor". Second, from the north side of the town north-eastwards, passing Askeran to their right; only fewer refugees fled using this route.

Memorial notes that as a result of the shelling of the city, an unidentified number of civilians died in Khojaly during the assault; the Armenian side refused to provide precise information on the number of victims. Other than that, dozens of people died from the cold and frostbite in the forests.

According to official data of the Azerbaijani authorities, as a result of this tragedy, 613 people were killed, including 63 children, 106 women, and 70 elderly. 8 families were completely eliminated. 487 people, including 76 children, were wounded, 150 people were missing. A further 1275 people were taken hostage.

Shortly after the Khojaly massacre President Ayaz Mutallibov of Azerbaijan resigned. His successor, Abulfaz Elchibey, the leader of nationalist People's Front, became the country's first leader in democratically contested elections.

### **The situation to date**

In March and April 1993, the Karabakh Armenians launched a major offensive, supported by the armed forces of the Armenian Republic. In the first days of April, Kalbajar, populated mainly by Azerbaijanis and the Kurdish minority, ceased its resistance. A few weeks later, another territory with a homogenous Azerbaijani population in the south-east of Karabakh, Fizuli, was attacked.

Meanwhile, the situation attracted international attention. For most members of the international community, including the Russians, it became clear that the Armenians had gone too far. In such an atmosphere, the United Nations Security Council adopted resolution 822, which called for the immediate withdrawal of Armenian occupying forces in the Kalbajar district. Russia, the United States and Turkey proposed a joint peace plan, which was adopted by the governments of Armenia and Azerbaijan. However, the Karabakh Armenians refused to accept it, which demonstrated the weakening of the control of the Armenian government over its Karabakh allies. Subsequently, the Karabakh officials unexpectedly began to get high positions in the Armenian government that was falling under the control of Karabakh Armenians. In 1997 Robert Kocharian, who was the president of Nagorno-Karabakh Republic until 1997, became prime-minister and then President of the Republic of Armenia.

Psychologically, the Nagorno-Karabakh conflict has become more and more self-reinforcing as the increase in the number of deaths and suffering causes a thirst for revenge and the "demonization" of

the enemy's image. This vicious circle makes the prospects for a peaceful settlement even more remote.

Since the end of 1991, a number of mediation efforts have been undertaken by individual countries such as Russia, Kazakhstan, Iran, Turkey and France as well as by international organizations, which comprise both Armenia and Azerbaijan, the CIS and the OSCE. However, all ceasefires during the first four years of the war were either disrupted or didn't come into effect.

By 12<sup>th</sup> May 1994, after six years of intense fighting when the bloody war exhausted both parties concludes a ceasefire agreement. Azerbaijan, with its manpower exhausted and aware that Armenian forces had an unimpeded path to march on to Baku, counted on a new ceasefire proposal from either the CSCE or Russia.

The Karabakh army occupied a significant territory of Azerbaijan outside the Nagorno-Karabakh Republic: entire territories of Kelbajar, Lachin, Zangilan, Jebrail, Kubatly districts and most of Aghdam and part of Fizuli. Out of these areas, left by the Azerbaijani population (about 350,000 people), an external "security belt" of the NKR was being formed. Eastern part of the Mardakert and Martuni districts of the former NKAO, as well as the entire Shahumyan were remaining under the control of the Azerbaijani forces.

Armenian and Azerbaijani diplomats met in May of 1994 to hammer out the details of the ceasefire. With Russia acting as a mediator, all parties agreed to cease hostilities and vowed to observe a ceasefire that would go into effect at 12:01 AM on 12<sup>th</sup> May. Provisional ceasefire agreement, the Bishkek Protocol, was signed by the respective defense ministers of the three principal warring parties; Armenia, Azerbaijan, and the Nagorno-Karabakh Republic.

The ceasefire line in Karabakh, as well as the positions separating the parties along the northern regions and areas of Nakhichevan province of the Armenian-Azerbaijani border, has for the past ten years remained a region of a mutual alienation and complete absence of communications. Armenia and the NKR are blockaded by Azerbaijan and Turkey, depriving, in turn, Azerbaijan of transport access to the Nakhichevan Republic and Turkey.

Over the course of more than a decade, the parties to the conflict remain completely isolated from

each other, confined to occasional high-level meetings, contacts within the sluggish "Minsk group", humanitarian meetings (scientists, journalists, human rights activists) and cooperation during the OSCE inspections of the regime Ceasefire.

Attempts to mediate and resolve the conflict have been undertaken in an international format by the joint and rival efforts of the member countries within the framework of the OSCE Minsk Group. The positions of the parties in the conflict and the prospects of its settlement concern several interrelated problems, first of all, the liberation of the occupied territories, the determination of the status of Nagorno-Karabakh, the unblocking of communications, the return of refugees and the socio-economic rehabilitation of the conflict zone. However, none of principles of reviewing or solving these problems have been put into practice and the only "success" since the ceasefire resolution remains the compliance with this agreement.

Current positions of both parties and possible scenarios for the resolution of this conflict are discussed in Part IV of the present dissertation. Before that, however, the dissertation examines, in Part III, several fruitful approaches to the study of nationalism. This is undertaken in order to gain a deeper (theoretical) understanding of the forces that are at work in Transcaucasia (and elsewhere). Part III also describes post-World War II efforts by the international community to regulate and moderate the manifestations of nationalism in the context of de-colonization, when modern framework of international was developed under the auspices of the United Nations.

## **Part III**

### **Nationalism and modern international law**

#### **The origins and persistence of nationalism**

The 20<sup>th</sup> century was marked by numerous historic events, which have made a lasting impact in numerous dimensions. The collapse of the Communist ideology in the Eastern Europe and across the Soviet Union led to the dissolution of the bipolar system that arose after the World War II, and undoubtedly reduced the risk of a third world war. Nevertheless, regional conflicts came to the agenda and international community was again involved to the process of dealing with unexpected and idiosyncratic problems; whether it was in Bosnia, in the Persian Gulf, or in Nagorno-Karabakh.

In the words of Samuel Huntington, as a result of the Russian Revolution, when the new era for civilization had begun, the conflict of nations yielded to the conflict of ideologies. But even then, the process of economic modernization became a push factor of the emergence of fundamentalist and nationalist movements, with the cultural element still remaining the dominant source of conflict.

High technologies, especially in communications, have transformed the world into a single "global village" of information, thus, leading the humanity to standardization and unification in most activities. The pre-industrial world was extremely diverse and rich in cultural differences, but could not resist the "melting pot" of urbanization. Nevertheless, contrary to expectations, nationalism has thrived as industrialism has spread. One might think that the powerful, standardizing imperatives of modernization would tend to break down national differences, but they actually have grown more intense.

Why has industrialism stimulated nationalism rather than sweeping it away, when liberalism and Marxism, arguably two most important thought systems of the modern era, both predicted the decline of nationalist sentiment? Liberalism expected the decline of nationalism because "trade flows across frontiers; the life of the intellect ignores frontiers; and with the progress of learning, wealth, and industry, the prejudices and superstitions and fears which engender frontiers would decline". Marxism expected its decline because "industrial workers were forced to become mobile

and rootless; their labour became a homogeneous and undifferentiated commodity. They could have no local associations, let alone loyalties, as little as a mass-produced object can be a differentiating part of a local tradition."<sup>51</sup> These theories treat nationalism as a deviation.

As Ernest Gellner, though, demonstrated nationalism is, in fact, a necessary consequence of the very forces described by liberals and Marxists. He maintains that this established "mobile, literate, culturally standardized, interchangeable population" begins to form a single cultural, linguistic and ethnical unit.<sup>52</sup> The choice of language and culture that modernization requires is ultimately arbitrary, but usually an existing high culture is imposed. It is this process that leads to nationalism.

It is quite extraordinary that despite fundamental differences in theoretical approaches the proponents of totalitarian ideology and liberal Western theorists have equally underestimated nationalism as a political and psycho-social phenomenon. For Marxists, the triumph of proletarian internationalism meant a break with the traditional prejudices of "unenlightened" peasant life. Their opponents, supporters of the maximum degree of non-interference of state institutions in the affairs of society, believed that the forces of the free market would help overcome atavistic features of ethnic culture.

National feelings are usually founded on the idea of a certain linguistic, religious and psychological community based on the ancient kinship of members of a given ethnic group. Moreover, the subjective perception of this community is more important than objective historical facts. So Walker Connor, following Max Weber, defines the nation as "a grouping of people who believe that they are connected by generic ties, this is the largest group that shares this belief".<sup>53</sup>

A very influential approach to nationalism has been that of Karl Deutsch, who proposed 'social mobilization' as one of the contributors to the development of nationalism. Modernization stirs up hitherto undisturbed cultural sediments and brings them into the stream of historical change. Because the newly mobilized groups often outnumber the ones whose culture predominated earlier, profound shifts in national language, sentiment, and myth may accompany this process, as Deutsch demonstrates empirically.<sup>54</sup>

If we want to review the place of national identity in the broader political context, we should also look at the ideas of Dov Ronen in "The Quest for Self-Determination." He writes that nationalism

was the only one of several possible expressions of a desire for self-determination, which is intrinsic to the individuals.

Ronen maintains that the basic purpose of nations is to enable individuals to struggle. "Ethnic groups are born and arise because of the perception of oppression; if there were no perception of oppression, real or imagined, there would be no ethnic self-determination".<sup>55</sup> Applying this argument to the case of Palestine, Ronen notes: "For thousands of years there had been no Palestinian identity or 'nation'; as in the case of other peoples, the identity and the nation have been created as a weapon". Ronen notes that oppression may be "real or imagined."<sup>56</sup> The feeling elicits political action, of which nationalist agitation is only one possible kind.

From Ronen's theory we can draw two observations. First is the historical inaccuracy of the claims of so many nationalist movements. History as written by nationalists is usually tendentious: Gellner notes, not surprisingly, that "nationalism...above all is not what it seems to itself".<sup>57</sup> The second point is that the decision by individuals to adopt the nation as their preferred weapon of struggle for self-determination is affected by the general environment. The existence and acknowledged legitimacy of nations in general gives added strength to nationalist demands in the modern world. When a movement acquires the label "nationalist" it acquires a heightened legitimacy. We live in a world in which demands expressed in the language of nationalism are difficult to resist. But since the content of nationalism is so arbitrary, the potential number of such demands and of the politicians espousing them seems almost limitless, as is the number of conflicts they can create—within states that contain potential national subgroups, and between and within nations.

Nationalism over the last few centuries may have produced greater homogeneity in some societies, but it certainly has also produced the opposite – strife and fragmentation: the multiplication of assertions of the right to nationhood, the repeated fissions of nationalist movements, the steady escalation of demands as those nationalist, or regionalist, groups confront the larger state they wish to leave.

While “young” ethnic groups are struggling to establish their statehood in the historical arena, the already recognized states that have been long occupied their place in the scope of the international organizations react to the principle of self-determination with extreme suspicion. Probably, it has been forgotten that these countries, in turn, have gained their own self-determination through

separation from the empires of the past.

### **The right of national self-determination and post-World War II de-colonization**

In the historical retrospect, the general idea of self-determination first appeared during the French Revolution. Self-determination was seen as a democratic ideal which can be applied to all of humanity. Government's legitimacy was no longer based on the will of the monarch, it was to be based on the will of the people. Those who are not consonant with the current government of their country should have had the opportunity to leave it and organize their life as they pleased (as American settlers did). This new approach meant that the territorial element in political formation lost its feudal attributes (where subjects implicitly had no choice but submit to the territorial authority), giving a way to a personal element implicit in the freedom of choice. At the same time, self-determination from the outset took the nature of a threat to the legitimacy of the established order. Further, in the event of conflicts, a method for the resolution offered by this principle made people themselves the arbiters.

After Napoleonic wars, the demands of self-determination were put forward by Poles, Italians, Magyars (Hungarians) and Germans, as well as minorities living among them. The Vienna Congress of 1815 did not accept the principle of self-determination as a basis for redrawing the map of Europe, but the demands of self-determination that came from the oppressed peoples of the Austro-Hungarian and Russian empires were later accepted more favorably by Europe. After the revolutions of 1948, mass popular movements led to the formation of two new European powers, Germany and Italy.

Prior to the beginning of the twentieth century, territories were annexed in most cases by force as in the case of annexation of Hanover, Schleswig and Alsace-Lorraine by Prussia in the 1860s and 1870s. However, after the World War I, when the old European system began to fall apart, the principle of self-determination was unexpectedly given strong support. In the first place, Vladimir Lenin and other Russian Bolsheviks, striving to gain support of the people of the Russian Empire, promised to realize the right to self-determination in accordance with their anti-imperialist action program. Likewise, the President of the United States, Woodrow Wilson, spoke in support of the idea of self-determination expecting that decolonization, connected with the realization of self-determination, will give the American capital greater opportunities in the territories that have gained



independence.

However, Wilson's attempt aiming to incorporate self-determination into the Covenant of the League of Nations in order to "universalize the principle applied in the postwar settlements" failed and, therefore, this principle could not obtain the status of legal principle during that era. As a result, in Shaw's words, "in the ten years before the Second World War, there was relatively little practice regarding self-determination in international law".<sup>58</sup>

World War II again changed the map of the world beyond recognition, but the principle of self-determination affected these changes only to a very small extent. An intensive development of international legal documents began with the formation of United Nations. An elaboration of such documents was stimulated by fresh memories of the Nuremberg process, which was the first precedent of the supremacy of international norms over the domestic legislation of a country.

However, there were significant difficulties during the process of drawing the UN Charter, primarily stemming from the use of the terms "people", "nation" and "state." The final formulation stated the term "nation" be used for all political entities, state and non-state, while the term "people" refers to the group of people who may or may not constitute a state or nation. The right to self-determination in the UN Charter is associated only with the concept of "people", other cases are categorized as colonies.

The main controversy is what can fall under the subject of the right of self-determination, "the nation" or "people". President Wilson and Lenin put both notions under this category, but they, however, failed to give a clear definition of these terms, which, moreover, have different semantic nuances in English, German, Russian and French. In the post-World War II era it became more or less generally accepted that the right to self-determination belongs to the colonies.

The awakening of national self-awareness of peoples after World War II led to the emergence of national liberation movements among the population of the colonies and ended with the recognition of the injustice of the existence of the colonial system in the world. On 14<sup>th</sup> December 1960, the UN General Assembly adopted the Declaration on the Granting of Independence to Colonial Countries and People in a resolution. It affirmed the granting of independence to former colonial countries and people and passionate yearning for freedom in all dependent peoples, the decisive role of such

peoples in the attainment of their independence and that the people of the world ardently desire the end of colonialism in all its manifestations.<sup>59</sup>

The Declaration regulations were formulated on the basis of benchmarks previously approved by the international community. Before that, the UN Charter proclaimed the principle of equal rights and self-determination of peoples and nations and obliged the colonial powers to "maximize" assistance for the development of the colonial population towards self-government or independence. This made it easier for many countries to free themselves from colonial oppression.

Nevertheless, by 1960, there were still about 100 million people under colonial oppression, and in such places as for example Algeria and Indochina independence wars were waged. The colonial powers, under the guise of preventing "chaos and violence" and preparing the colonies for "being able to stand on their own feet," hindered the de-colonization in every possible way.

Western politicians and scientists, justifying the policy of preserving colonialism, asserted that only "nations" can claim the right of self-determination; this principle does not apply to the population of the colonial countries, since the nations had not yet formed there.

Great Britain, forced to grant independence to a number of its colonies, sought to transfer control to the hands of the white minority wherever possible. Moreover, all the colonial powers, in gross violation of the will of the peoples, did their utmost to preserve the capitalist social order in the liberated countries imposed upon them during the colonial rule, thus depriving people of the chance to exercise their right to self-determination in full.

The emergence of the world socialist system after World War II changed the balance of power in the international arena. The emergence of new socialist states, as well as inclusion of the first liberated countries into the UN itself, significantly influenced the balance of power in the organization, where a voting procedure biased in favor of the US authorities had functioned without fail. Relying on the support and example of the world socialist system, the national liberation movement gained strength. In 1960 alone 17 new states were established in the African continent.

The theoretical development of the international legal aspects of the abolition of colonialism was of great importance. The scholars of the socialist countries as well as the progressive figures of the

liberated states argued that the right to self-determination is to be enjoyed not only by “nations” but also by people consisting of a part of a national group forming in a nation or several such groups that have a common territory, one or several other generalities (historical, linguistic, religious) and common goals, which they want to achieve through self-determination.

It was also argued that the principle of self-determination includes not only the right of the people to determine their international status, but also the right to independently resolve all their internal affairs, including the definition of the social system.

### **The legal contradictions: state integrity vs. the right of self-determination**

Although the determination of eligibility and justification of the potential subject of self-determination is an important objective, the international law has not been able to avoid some fundamental problems. One of most obvious is the contradiction between the principle of self-determination and the principle of inviolability of the borders of sovereign states, meaning the principle of the territorial integrity. An examination of the UN covenants shows that, perhaps under the influence of the de-colonization process, the right to self-determination appears to enjoy precedence.

Two most significant relevant documents of the post-colonial period are the following international treaties: the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights. Both were adopted by the United Nations General Assembly on 16 December 1966 and were opened for signature and ratification.<sup>60</sup> They came into force in the USSR in 1976 and in the USA in 1991.

Article 1, similar in both documents, repeats the basic idea of the Declaration on Decolonization of 1960, recognising the right of all peoples to self-determination, including the right to "freely determine their political status", pursue their economic, social and cultural goals, and manage and dispose of their own resources. Additionally, it appears that the third paragraph of Article 1 (also in both documents) is even more explicit: "The State Parties to the present Covenant, including those having responsibility for the administration of Non-Self-Governing and Trust territories, shall promote the realization of the right of self-determination, and shall respect that right, in conformity with the provisions of the Charter of the United Nations".

However, in 1970, the United Nations General Assembly adopted an important non-binding document - Resolution 2625, "The Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States" in accordance with the UN Charter.

In this declaration, the contradiction between non-interference, emerging self-determination and the territorial integrity of already existing states became evident. However, in contrast to the 1966 covenants, the principle of territorial integrity seems to be given preference. Here are the 5<sup>th</sup> and 8<sup>th</sup> paragraphs of the declaration<sup>61</sup>:

The establishment of a sovereign and independent State, the free association or integration with an independent State or the emergence into any other political status freely determined by a people constitute modes of implementing the right of self-determination by that people.

Nothing in the foregoing paragraphs shall be construed as authorizing or encouraging any action which would dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States conducting themselves in compliance with the principle of equal rights and self-determination of peoples as described above and thus possessed of a government representing the whole people belonging to the territory without distinction as to race, creed or colour.

Another relevant document, the Final Act of the Conference on Security and Co-operation in Europe held in Finlandia Hall of Helsinki, Finland, during July and August 1975, likewise does not remove the contradiction between these two principles. Both are present in the Final Act, but at the end of the document, it is emphasized that all its sections are equally valid.

However, there is another legal approach to this problem. The right to self-determination as an assertion arising from the fundamental principles of democracy and human rights is interpreted as an imperative or absolute norm applied to any ethnos, that is, *jus cogens*. External attacks on the integrity of the state are unacceptable, because they violate sovereignty, *but the right to acquire sovereignty cannot be taken from the people constituting the state*.

In practice, the UN has usually been the arbiter, whether the concept of self-determination is

applicable or not, although, as we have seen above, there is still no clear guidance for making such decisions. Therefore, decisions are often influenced by accidental circumstances or even based on personal sympathies of politicians. There is no need to point out that such approaches are pernicious for a given society in determining the future destiny of peoples and hence are unacceptable for the international community. In the twenty-first century, we can face many demands for self-determination coming from the African continent, China and other regions; and international institutions should be ready to offer answers that would maintain peace on the planet.

### **The special case of Nagorno-Karabakh: Armenia's role as an external player**

Territorial disputes are a major cause of wars and terrorism as states often try to assert their sovereignty over a territory through invasion and non-state entities try to influence the actions of politicians by use of insurrection and terrorism. International law does not support the use of force by one state to annex the territory of another state. The UN Charter says: "All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations."<sup>62</sup>

The position of international community is clear about the Illegal use of force in the territory outside the jurisdiction of the given country. Nevertheless, there are much more complex circumstances and situations that have been developing during centuries, often influenced by external forces apart than the actual actors of the conflict. In the case of the conflict over Nagorno-Karabakh these external factors were regional powers such as Ottoman Empire (later Turkey), Persian Empire (later Iran) and the Russian Empire.

The complex relationships between these more powerful entities affected the social and ethno-political processes that have been taking place within smaller in size, yet strategically critical, region of Transcaucasia. Different population movements and ethnic cleansing changed drastically the composition of the Nagorno-Karabakh's population. This has jeopardized relations between culturally (but not confessionally) akin ethnicities such as the Armenians and Azerbaijanis. A dividing line has, therefore, been drawn between these two ethnoses as they aligned with one or another great power. The alliance and support of Azerbaijanis by Ottoman Empire and later Turkey a priori excluded any positive changes in the relationships between Azerbaijanis and Armenians

since the memories of the Genocide were still fresh and Azeri Turks and Turkey is basically became different denomination of the same entity.

All these sentiments, based on ethnic intolerance, first became an outcome and then cause of the conflict, which started as a local problem and then devolved into the full-scale war at the time when the international agreements in various legal issues were already established.

After the collapse of the Soviet Union all the Union republics inherited the borders of the recent administrative division. As it is always the case greater empires never concentrate their attention on trying to solve some local problems; there is only an imperial ambitions and interest. Thus, when these empires ceased to exist, the problems that had been silenced and the conflicts that has been suppressed come out to the forefront of a society's concerns. Exactly this happened in the Transcaucasia and many other places after the fall of the Soviet rule; Abkhazian and South Ossetian conflict in Georgia or dispute over Nagorno-Karabakh between Armenians and Azerbaijanis in Azerbaijan.

Even though these conflicts are similar, there is an essential distinction. Abkhazian and South Ossetian struggles with Georgians can be classified simply as an issue of self-determination of a nation while the dispute over Nagorno-Karabakh has a much complex nature. In the latter case, there is claim of the right of self-determination by the Karabakh Armenians *but at the same time there is also threat to the territorial integrity* of the state posed by the active role played by the Republic of Armenia. Azerbaijan argues, not without justification, that Armenia's occupation of Karabakh and the surrounding areas violates the principle (of international law) concerned with the preservation of territorial integrity. On this basis, Azerbaijan argues that it has the right (in terms of international law) to seek the withdrawal of Armenian forces, if necessary by military means, from the territory of Nagorno-Karabakh. Furthermore, this complication (i.e. the direct involvement by Armenia) can be interpreted as a factor that weakens Nagorno-Karabakh's appeals to the right of self-determination.<sup>63</sup>

## **Part IV**

### **Irreconcilable positions of the opposing parties and prospects for the future**

Part II of this study concludes that the Minsk process under the auspices of the OSCE, commenced in 1994, has so far failed to make any significant progress. In fact, no tangible progress has been made even on the preliminary steps. The opposing sides still cannot reach a compromise formula that would determine the role of the parties to the conflict and who should represent the parties at the talks.

Azerbaijan insists that the conflicting party is the Republic of Armenia, not the population of the Karabakh Armenians. Hence the conflict is defined as interstate and territorial, and Armenia is perceived as an aggressor state occupying part of the territory of Azerbaijan. Another plank of the Azerbaijani position is the recognition of Nagorno-Karabakh as an internal political conflict, which should be qualified as a separatist movement that violates the principle of the territorial integrity of a state. Azerbaijani approach insists on the condemnation of the aggressor with the liberation of the occupied territories as a pre-condition, to be only then followed by establishing relations between the Azeri state and Karabakh-Armenian ethnic minority. (Various forms of autonomy could then be up for negotiations, including territorial, as a mechanism for ensuring the rights of the Armenian population of Karabakh).

The Armenians as well as Karabakh Armenians dispute the central claim of the Azeri side, namely that the Nagorno-Karabakh is a part of independent Azerbaijan. They proceed from the fact that the intra-Soviet borders of Azerbaijan, which included Nagorno-Karabakh, were abolished by the act of the restoration of the independence of the Republic of Azerbaijan. Thereby, Baku eliminated the very constitutional legal basis of the Soviets that allowed to include Nagorno-Karabakh in the AzSSR back in 1921. Therefore, two independent states, Azerbaijan and NKR, are determined as the parties of the conflict. The Armenian approach to the conflict resolution presupposes an equal, non-hierarchical interaction of both sides (both states). The implicit nominal self-elimination of Armenia as a party to the conflict is a mere diplomatic stratagem, since Armenia's position in the conflict has been effectively built into the negotiation position of Nagorno-Karabakh.

The definition of parties in the conflict is directly related to the conflict resolution because it has a

direct bearing on the respective political and legal status of Azerbaijan and the NKR.

In the Minsk process the following options have been discussed:

- the NKR is an autonomy within Azerbaijan (the position of Azerbaijan);
- the NKR is a territory or state associated with Azerbaijan, or the formation of a confederation with Azerbaijan;
- the formation of a "common state" of Azerbaijan and the NKR (position supported by Armenia);
- the NKR is a condominium of Azerbaijan and Armenia.

According to the international legislature, the state status of the NKR and the change of the borders of Azerbaijan in the wake of Soviet disintegration in 1991 are unlikely to be recognized. The borders of the post-Soviet states are distinctly "successive" to the borders of the union republics on the principle of *uti possidetis*, which means that the old administrative border, previously existing within the territory of a newly formed independent state, becomes an international border.

The reconciliation of the sides on the status of the NKR is limited on the one hand by the above mentioned principle, on the other hand by the factual impossibility of the integration of the NKR into Azerbaijan; Stepanakert manages to use effectively an external support and the efforts of the Armenian population of Karabakh to create a stable military-political structure of the NKR. Hence the reconciliation formula for the status should be determined within the framework of the nominal preservation of the territorial integrity of Azerbaijan and the actual independence of the NKR from Baku.

Such a framework can limit as well as empower the status of the NKR, with the region enjoying the following attributes:

- self-government;



- presence of their own armed and police forces;
- preservation of a number of the foreign policy prerogatives primarily the special relations with Armenia;
- the right for regulation of the migration;
- special Nagorno-Karabakh citizenship accompanying the all-Azerbaijani or dual citizenship of Armenia and Azerbaijan;
- fiscal autonomy and the use of two national currencies.

This package of powers, guaranteed by international agreements, could be accompanied by the liberation of six of the seven regions of Azerbaijan occupied by the Karabakh forces (except for Lachin) and the return of Azerbaijani refugees there.

The question of security is yet another problem here as it is closely related to the configuration of control zones and communications. Stepanakert has rejected the demands for the release of the territories outside the NKR occupied during the last warfare until an adequate security guarantees are developed. In addition, the Lachin Corridor, which provides direct access of the NKR to the territory of Armenia, is considered by Armenia and Karabakh as a strategic sector, over which Azerbaijan should have no means of control.

In order to solve the Lachin problem, the "Goble plan" put forward a proposal for the exchange of territories on the following terms. Transfer the part of the NKR to Armenia remaining the areas with the Azerbaijani population within Azerbaijan. In return for the transfer of the Armenia-controlled corridor between Azerbaijan and Nakhichevan to Azerbaijani control. Such an exchange would cut off Armenia from Iran, its important economic partner. This proposal was also rejected by Azerbaijan. From a legal point of view, such a decision would also shift the center of gravity of the conflict from the problem of self-determination to the territorial dispute between Armenia and Azerbaijan.<sup>64</sup>

US Ambassador John Maresca, who for a long time was involved in the negotiation process within

the framework of the OSCE Minsk Group, also suggested that NKR be granted the status of self-governing territories within Azerbaijan, freely associated with the sovereign Republic of Azerbaijan, with the preservation of borders that existed before the outbreak of the conflict in 1988. Armenia and Azerbaijan would sign an agreement on mutual transit through each other's territory (between Armenia and NKR and between Azerbaijan and Nakhichevan). These transit zones would be under international control. Refugees would be allowed to return under international supervision. The entire territory of Armenia and Azerbaijan, including RNA, would become a free trade zone. Corresponding agreements signed at the Minsk Conference would be guaranteed by the OSCE and the UN Security Council representatives.

Such mutual unblocking of strategic areas could be accompanied by the opening of the Armenian-Turkish and Armenian-Azerbaijani borders for the movement of people and goods. Positive developments in the status of the occupied territories, the return of refugees and the unblocking of communications opens the possibility for the general conflict resolution and for the return of refugees outside the zones of their "ethnic" domination. Unfortunately, currently there is no perspective that could in reality envisage the return of refugees to zones of "alien" control and, even more so, the prospect of the reintegration of Armenians and Azerbaijanis as ethnic minorities into civil societies of their respective adversary.

Therefore, the coming years, the NKR will likely remain a self-proclaimed state entity and the recipient of foreign support of Armenia and the Armenian diaspora. The conflict itself will likely remain frozen in line with the "Cypriot" scenario, in which the parties have minimum mutual contacts at both the state level and in everyday life.

Ethnicity here serves as a basis for mobilizing the population around mutually exclusive political, and then military-organizational goals. Ethnic solidarity has become not only a clear determinant of the results of a hypothetical referendum on disputed territories, but a weighty military resource. The very configuration of existing ethnic settlement is now embedded in the calculus military of confrontation, in which a side's "population" becomes a factor that provides valuable advantages over the enemy. Zones of sustainable military or administrative control in such conflicts tend to coincide with the areas of ethnic domination. Hence, the ethnic composition becomes the object of direct military efforts whether protective or hostile, always having tragic humanitarian consequences. The deportations and war of 1990-1994 led to the final territorial delimitation of the

Armenian and Azerbaijani populations in the sub-region by zones of the ethnic control, thus completing the formation of national states and, accordingly, the two political and civil nations based on a rigid ethnic and mutually exclusive basis.

## Conclusions

### The main features of the Nagorno-Karabakh conflict

Having surveyed the historical causes, and the history, of the clash between Armenians and Azerbaijanis in the Transcaucasia, we can now draw several useful conclusions. The conflict in Nagorno-Karabakh is an ethno-political conflict, characterized by following distinctive features:

- deep historical roots that affect the current state of the conflict
- long-lasting character
- nonlinear dynamics of development (i.e. periodic transformations from the proliferation of individual foci of the armed stage of the conflict to the full-scale military actions, followed by (relatively) peaceful coexistence that submerges a latent confrontation with acute risk of re-escalation to armed clashes)
- extremely complex subject-object political architectonics of the conflict (mercenaries, parties, negotiators, mediators, etc.) making it difficult to find stable effective mechanisms for its peaceful settlement,
- the affinity and inter-connectedness with similar other conflicts in the post-Soviet space in terms of the economic and geopolitical interests of countries fighting for control over the Caucasus and Central Asia
- the impact of global phenomena and processes.

It should also be noted that the ethnic conflict in Nagorno-Karabakh is perpetuated by the proliferation of open and/or latent conflicts in the Caucasus region: Disagreements between states over disputed territories, separatism, hegemony of some countries (for example, Turkey), aimed at establishing control over transport communications and natural resources, also hamper the legal and political resolution of conflicts in this region.

The main obstacle to the resolution of the conflict in the South Caucasus is the widespread and deeply embedded nationalist mindset. The construction of the desired interpretation of history, mythologization of ethnical genesis and unity are the narratives that will be reproduced again in the decades ahead. Each of the parties to the conflict justifies its "historical right" to the Karabakh land.

Furthermore, the conflict has now acquired dynamics of its own, because it is to some extent also perpetuated by the political status quo that has actually materialized as one of its outcomes. The political regimes of South Caucasian states overall are similar. These regimes are in power largely due to the unresolved conflicts, the presence of conflicting external interests in the region and more or less successful balancing between these interests. All parties involved in the conflict or its resolution shortsightedly "recognize the necessity" of preserving this situation, thus further "freezing" the conflicts, and this forms the illusion of the need to stabilize the current regimes and relevant politicians. However, this kind of "frozen stability" is not only superficial and fragile, it also causes widespread violations of rights and freedoms of citizens. Such trends also contradict the needs of the international community.

### **Is there a way out?**

The way out of this situation should, therefore, be sought:

- in the muting of the ethno-national self-consciousness of the Azerbaijani and Armenian peoples
- and inducing the region's regimes to switch toward a more visionary, internationalist calculus by demonstrating that "legitimacy" based on perpetual conflict is a fruitless strategy

The search for ways out of the Karabakh crisis should be based on a set of complex of legal, political and economic measures. Both, the desire of the conflicting parties, and the political will of the world community as a whole, are of a great necessity and importance. The solution should be based on the agreements reached through the mediation of the international organizations and the efforts of the bilateral diplomacy of the presidents of Armenia and Azerbaijan.

Summarizing an overall result of the study of one of the worst conflict situations in the world, it

should be noted that the solution of problems of minorities cannot and should not be the creation for each ethnic group of its own ethnically pure state or semi-state. An important condition for preventing this threat should not be the dismemberment of states, but on the contrary, their strengthening along with the strengthening of the influence of international institutions in efforts of the universal protection and promotion of human rights.

Thus settlement of the conflict must be based, first of all, on the restoration and strict observance of the territorial integrity of Azerbaijan, along with the preservation and encouragement of the identity of the Armenian minority residing on its territory. At the same time, it is necessary to differentiate the status of the subjects that are part the Republic of Azerbaijan from cultural autonomy to a special economic zone.

The legitimate needs of the Karabakh ethnic groups can be adequately provided by many technologies. Ethnic groups can receive legal, constitutional and even international guarantees of their economic, social and political rights and cultural interests.

### **The case of Nagorno-Karabakh could become a useful model**

From the perspective of international law, the main problem analyzed in this study, significant for the resolution of the Karabakh conflict, is the correlation of the principle of territorial integrity and the principle of self-determination of peoples. The discussion in this dissertation has shown that initially the right to self-determination was given a priority as a way to assist and support decolonization process after World War II. Although with time the principle of the inviolability of national borders acquired a greater relative weight, the right to self-determination, if interpreted as one of the fundamental principles of democracy and human rights, continues to feature as a universal value which both sides of the conflict should be able to equally embrace and from which they can both benefit. From this we can see that the demands of both parties to the conflict could be internationally justified.

The history of the Nagorno-Karabakh conflict shows that an armed conflict affects the wellbeing of people living in a conflict zone. The result of the armed confrontation has become tens of thousands of dead and wounded, huge economic damage and almost a million of refugees.

Ideally, a means of ensuring the territorial integrity of existing states and legitimate rights of national minorities, not only in Azerbaijan but also in other states, can be the creation of a political and legal model of initiatives that will encourage states to protect the basic rights of ethnic minorities and, at the same time, aspirations of ethnic minorities for full self-determination, with the availability of other channels to protect their rights.

States that grant fundamental rights to ethnic minorities would receive international support in their struggle against secessionist terrorists, and states that deny the basic rights of minorities would know that by doing this they risk international recognition of their territorial integrity. It cannot be ruled out that this approach can provide sufficiently strong incentives for the regimes of conflicting states (and ethnicities) to seek a peaceful resolution, not only in the case of the Nagorno-Karabakh conflict but also in similar such hot-spots in the world.

## **Appendix**

### **The case of Georgia**

The case of Georgia, the new independent Transcaucasian republic, which was for years been plunged into a bloody civil war, illustrates the enormous problems that arise for an emerging sovereign nation trying to assert its territorial integrity in the face of the demands of self-determination put forth by ethnic minorities.

Georgia is located on the territory of 69,700 square kilometers in the western part of Transcaucasia. Its population is ethnically heterogeneous. By 1989 Georgian national majority made up slightly more than 70% of the population. The most numerous national minorities are Armenians (8.1 percent), Russians (6.3%) and Azerbaijanis (5.7%). In recent years, however, the serious challenge to the nascent Georgian statehood came from smaller ethnic groups, namely, from Ossetians comprising 3%, and from Abkhazians, whose share in the population was less than two percent of the population.

Unlike many other newly independent states that emerged from the former Soviet Union, Georgia has a long tradition of independent statehood dating back to antiquity. Although, with the exception of short periods of the existence of a single state, the country was usually divided into regional principalities. Georgia began to lose its independence only at the end of the 18<sup>th</sup> century, under the pressure of Persia and Turkey. The country was formally incorporated into the Russian Empire in several stages: in 1783, according to the Treaty of Georgievsk, Georgia became a Russian protectorate; in 1801 the Kingdom of Georgia (Eastern Georgia) became part of the Russian Empire; in 1864 the process of incorporation of Western Georgia into the structure of the empire ended.

While official Soviet historiography interpreted the accession of Georgia as voluntary, most of the Georgian historians considered it an annexation by the Russian Empire. However, yet from the nineteenth century the tsarist regime favoured the Georgians, who most of the cases were Orthodox. Georgian and Armenian aristocracy often contracted marriages with the Russian nobility, including the royal family.



Until 1917, Georgian nationalists, in general, were only requiring one thing, the autonomy within the Russian Empire. However, immediately after the revolution of 1917, Georgia declared independence, which was recognized by the international community as well as the Bolshevik leaders in Moscow. This second era of Georgian independence lasted only three years, ending in 1921 with the invasion of the Red Army to the Republic of Georgia. Despite the resistance of the population, Georgia again became a part the Union of Soviet Socialist Republics, the Communist heir of the Russian Empire. Thus, seven decades later, when the Soviet Union was on the verge of collapse, Georgia's statements about self-determination and secession from the Union had a solid historical justification.

Though not a federation, Georgia had a complex national-administrative structure under the Soviet regime. The relatively small Union Republic of Georgia included three autonomous territories; Abkhazia and Adjara being autonomous republics, and the South Ossetia Autonomous Oblast. Adjarian autonomy was unusual for the Soviet Union since it was based on religion rather than ethnicity. Its population consisted mainly of Georgian-speaking Muslims, Abkhazia while South Ossetia were based on ethnicity. Such a complex ethno-territorial structure can be regarded today as a characteristic feature of the Communist regime in its efforts to create permanent sources of interethnic tension with the aim of using the classical principle "divide and conquer." For most of the Soviet period, these ethnic-based autonomies were not a guarantee against oppression and attempts to assimilation for the minorities. Georgian Communist leaders continued to pursue a more or less vigorous policy of "Georgianization."

Nationalist-minded Georgians saw the very existence of these autonomous territories, which covered a significant part of the historical Georgian lands, as a threat to the survival of the nation. Since the late 1980s, it was clearly evident that Georgia, seeking its own sovereignty, would deny such a right for the republics that were within its composition. The Nobel Prize laureate and human rights activist Andrei Sakharov that in the long term, Georgia from this point of view can be considered as a "small empire", competing with a larger empire, the Soviet Union, in the matter of unequal treatment of national groups.

The national idea, based on memories of independence, never lost its popularity, although until the late 1980s the Georgian demands for national self-determination and separation from the USSR openly came only from a small group of dissident intellectuals. Their appeals were addressed to

fellow dissidents in other parts of the Soviet Union and, of course, to the international community. The international response was minimal though. Soviet dissidents, however, while supporting Georgia's right to self-determination, also took into account the situation of some Georgian minorities who also suffered from human rights violations, in particular, the Meskhetian Turks who were forcibly expelled from southern Georgia to Central Asia in 1944. None of the members of the Georgian national movement supported the demand of the Meskhetian Turks to return to their native land.

In 1987 and 1988, when the Soviet Union already lost most of its influence, similar to what happened in the Baltic and some other regions of the Soviet Union, the situation in Georgia remained relatively calm. The turning point was April 1989, when Soviet troops brutally suppressed a peaceful demonstration in Tbilisi, killing several people. General indignation over violence caused a rise of anti-communist and separatist sentiments. Meanwhile, Moscow's ability to control the situation in Georgia and elsewhere in its multinational empire quickly declined. In October 1990, during Georgian first free parliamentary elections, the separatists from the block of the Round Table Free Georgia, headed by a former dissident Zviad Gamsakhurdia came to the power. The Communist rule in Georgia was over. In April 1991, that is, two months after the invasion by the Soviet troops of the Lithuanian capital Vilnius, the Georgian parliament, under the chairmanship of Gamsakhurdia, proclaimed the independence from the USSR. A month later, Gamsakhurdia was elected president by the popular vote.

Gamsakhurdia had many influential enemies both in Georgia and abroad. As a result, a long struggle for power followed, culminating in a military coup in December 1991-January 1992 and the resignation of Gamsakhurdia. Supreme authority in the country was soon taken by Eduard Shevardnadze, who was the head of the republican Communist party in 1972-1985, and who served as Soviet foreign minister under Gorbachev.

The authority of Shevardnadze became legitimate only after the new parliamentary elections in October 1992. Nevertheless, international community, which did not show intention to recognize Georgia's sovereignty during Gamsakhurdia's rule, almost immediately accepted Georgian statehood after Shevardnadze came to power.

During Gamsakhurdia's presidency, Georgia suffered from political instability, hence failing to win diplomatic recognition, however it had not become more stable and democratic under Shevardnadze. The only reason the international community recognized the state with the self-appointed leader connected to the very personality of Shevardnadze, who was credible for the international diplomatic community due to his former role in the Soviet Union. This case illustrates that the current criteria for the recognition of new states should be more logical and consistent. The political struggle in Georgia, which never ceased after the overthrow of Gamsakhurdia, occurred against the backdrop of violent ethnopolitical conflicts when the Georgian ethnic majority faced the demands of self-determination emanating from the territorially autonomous minorities of Ossetians and Abkhazians.

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