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POSTCOLONIAL TRANSITIONS ON THE SOUTHERN BORDERS OF THE
FORMER SOVIET UNION
The Return of Eurasianism?

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As the Soviet Union dissolved into a new territorial reality, it released the doubly repressed histories of Tsarist and Soviet imperium. In the states to the south of the new Russian Federation, the post-soviet jostled with the postcolonial as nations were reinvented across a vast swathe from the Caucasus through Central Asia. In the process, the old Russian linguistic duality between Russki (the ethnic Russian) and Rossiiskii (the citizen of Russia) founds its echo in Russia itself — which encompasses over 20 million Muslims — and in the newly sovereign states — all with large Russian minorities and even larger Russian-speaking populations. For the Azeris, Uzbeks and Kazaks, the repositioning of nation against a recent past of Russian dominance was significantly more problematic. In Chechnya, formally in the Russian Federation, it has reached a cathartic war. The argument here uses international human rights instruments as a litmus test of this troubled recent history. The controversial concept of Eurasia — now resurgent in Russian politics — may not necessarily mean the reinscription of Russian domination, but seeks to offer an alternative to the Atlantic Empire.

Introduction: The Illusory Aftermath of September 11, 2001

In the immediate aftermath of September 11, the last vestiges of Russia’s — and the former Soviet Union’s — colonial ambitions in Central Asia seemed finally to have been abandoned. President Putin’s response to the tragic events in New York was swift. On 11 September itself he pledged full support to the people of the United States. On 22–23 September, American C-130 aircraft arrived in Tashkent, the capital of former Soviet Uzbekistan, without any protest from Putin. They were on their way to the former Soviet air base at Khanabad near the Afghan border. By October 2001 the United States and Uzbekistan reached an agreement granting the United States the use of a number of Uzbek airfields in return for promises to protect Uzbek security. In mid-December 2001, the United States and Kyrgyzstan signed an agreement to

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2 La Guardia and Avis (2001).

3 Duskin (2002).
build a 37 acre base at Manas near Bishkek, the capital of Kyrgyzstan, for some 3000 troops and a large number of aircraft. Again, Russia did not protest. To many observers, this seemed to be a complete and final capitulation by Russia in the face of US power.

Yet the impression that Russia had finally abandoned its role in Central Asia has proved to be an illusion. In early December 2002, Russian military planes began landing at Kant airfield, 20 kilometres from Bishkek. The base is being established in accordance with the Collective Security Treaty (CST) in which Russia, Kyrgyzstan, Belarus, Kazakhstan, Tajikistan and Armenia participate, in order to provide air cover for their Collective Rapid Deployment Force. It is permanent, will be expanded — and is only 25 kilometres from Manas. In mid-September 2003, in a decisive further step, the Russian Foreign Minister Sergei Ivanov and his Kyrgyz counterpart met in the Kremlin to sign a formal legal agreement on the creation of a Russian air force base at Kant, and an agreement on the status of Russian service personnel in Kyrgyzstan. The base would be officially opened in late October 2003. The news Agency RIA Novosti commented: ‘One way or another, the Russian air force base at Kant clearly shows that Moscow has come back to Central Asia to stay. And its friends and partners will have to take this fact into account.’ Russia has shown no sign of disengaging from the Caucasus region either.

President Putin has said that Russia’s role ‘is predetermined by the geopolitical position of Russia as one of the largest Eurasian powers … [with] a responsibility for maintaining security in the world on both the global and regional level’. There is a special significance in the use of the word ‘Eurasian’ to which I will return.

Did 9/11 therefore mark the definitive end of Russian/Soviet colonialism in the southern borderlands of the former Soviet Union? What are the legal and constitutional foundations for and consequences of these developments? An answer to these questions poses issues of considerable complexity, to which Russia has responded with what looks to some observers like schizophrenia.

The starting point, however, poses no difficulty: the identification of the territories under consideration. These are, first, the five states described together — erroneously, since they display great differences one from another — as Central Asia, or worse, the ‘stans’: Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan. Second, the three Caucasus states: Armenia,

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4 On Russia’s response to the ‘War on Terrorism’, see Kipp (2002).
5 The Collective Security Treaty was enacted on 20 April 1994 and registered at the UN Secretariat on 1 November 1995.
6 The Rapid Deployment Force was created by the Heads of States of the CST at their summit in Yerevan, Armenia, on 25 May 2001 — see www.eurasianet.org/departments/insight/articles/eav053001.shtml
7 Eshanova (2002).
8 ‘Why Russia Needs the Kant Base’ (2003).
9 ‘Putin’s Foreign Policy Concept’ (2000).
10 See especially Piontkovsky (2003).
Azerbaijan and Georgia. Third, I include Chechnya, which 'enjoyed' a brief period of independence from 1997 to 1999, and which is still embroiled in conflict.

Complexity starts with the first steps in definition. First, what is the present constitutional space of Russia? The Russian Federation is composed at the time of writing of 89 subjects, including 21 ethnic republics and other ethnic entities, in which the 'titular' people are in control — Tatars, Bashkirs, Chuvash, Mari, and so on. Even though Russians remain the largest ethnic group, with at least 82 per cent of the population, the Russian Federation contains at least 120 ‘nations’. Does this mean that Russia remains a colonial state?

Second, what was the juridical nature of the Russian Empire, and then of the Soviet Union? This article explores a number of respects in which both the Empire and the Soviet Union were significantly different from the Western European empires. The human geographer Alastair Bonnett perspicuously argues that:

For, whereas modernity in the ‘capitalist West’ tended to be simultaneously depoliticising and racialising (typically, if not exclusively, around the idea that white European heritage people were the natural bearers of modernity),\(^{11}\) in the USSR it was simultaneously politicising and ethnicising (typically, although again not exclusively, around the idea that ‘Russian’ urban workers were the natural bearers of communism).\(^{12}\)

Does this mean that in some way Russian/Soviet colonialism was qualitatively different from Western European colonialism?

Third, what then are the manifestations of the postcolonial, both in Russia and in the borderlands, and in their juridical interrelations? This is, I will argue, a thoroughly dynamic — indeed, dialectical — process. The variables include Russia’s image of itself — the constant discussions in the Russian academy and media as to the ‘Russian idea’ — and the conceptions the newly independent states (NIS) have of themselves and their own destinies.

Fourth, a vitally important role in all of this is played by the relationship of Russia and of all the territories named above with international legal institutions and mechanisms, impacting both on self-definition and to relations between themselves.

Khatuna Giorgadze cites Aron\(^{13}\) as distinguishing ‘postcolonial’ and ‘post-imperial tendencies’ in the policies of former empires. Postcolonial means that Moscow would be expected to attempt to implement its strategic, economic and military interests in the former colonies, but will recognise their right to free action, not consider it worthwhile to restore the empire. Post-imperial, on the other hand, considers the sovereignty of NIS illegitimate. In

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\(^{11}\) See Bonnett (2000).


\(^{13}\) Aron (1998), p 37.
Giorgadze’s view, Russia has both: ‘Russia clearly values stability around its borders — provided it is itself the main guarantor of peace and stability in the region’; and further: ‘Although it denied traditionalism, the Soviet civilisation was based on some genuine peculiarities of Russian culture.’

Some Questions of Method: The Dialectic and Internal Complexity of Russian and non-Russian Identities

It should be noted that the phrase ‘Rossiskaya Federatsiya’ (Russian Federation) cannot be accurately translated into English. The Russian language has two words which are translated into English as ‘Russian’. The first is ‘russkiii’, which means ‘ethnic Russian’, while the second is ‘rossiiskii’, which means ‘civic Russian’. The Federation is the ‘Rossiiskaya’ Federation, not the ‘Russkaya’ Federation — it is the country not of civic, not of ethnic Russians — that is, it is the Federation of bearers of citizenship under the Constitution. Professor Valeriy Tishkov has proposed, as a ‘linguistic neologism of major significance, a more correct spelling of the title of the state Russia as Rossia.”

As he points out, ‘in reality, two distinct words exist in the Russian language: one is Rossia as the name of a state, the other is russkiii (Russian) as the name of the people, their language and culture’. This is particularly significant for the many ethnicities who inhabit Russia, and who are often described, incorrectly, as Russians. As Tishkov notes, ‘however, they do not identify themselves as such, but rather as Rossians (in Russian rossiyane)’. When the president makes his New Year’s speech, he addresses not Russkiii but Rossiyane.

This is of the greatest importance, since the Federation embodies a striking paradox. As Khazanov points out, the Federation is ethnically more homogenous than, say, Britain or France. The most numerous national minorities are the Tatars (3.8 per cent), Ukrainians (2.3 per cent), Chuvash (1.2 per cent), Bashkir (0.9 per cent), Belorussians (0.7 per cent) and Mordovians (0.6 per cent). There are almost 200 ethnic groups in Russia today, but most exist in relatively and absolutely tiny numbers. Duncan puts this in a slightly different perspective: ‘The Russian Federation … maintained a geographical (rossiiskaiia) rather than ethnic (rosskaia) Russian identity; it was not the homeland of the Russian people, but rather the residual of Soviet territory after the non-Russian union republics were subtracted.’

If the Russian Federation itself is a melting pot, how does it perceive its immediate surroundings? Here there is another dialectic at work. On the one hand, President Putin has a clear orientation towards Europe which has direct legal consequences. He has supported Russia’s membership, since 1996, of the

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15 Director of the Institute of Anthropology and Ethnology of the Russian Academy of Science, and former Minister of Nationalities of the Russian Federation.
Council of Europe, and fostering improved relations with the EU — after all, 40 per cent or more of Russia’s trade is with the new Europe — and NATO. At the same time, Putin is temperamentally cautious. The foreign policy analyst Bobo Lo says: ‘As a career intelligence officer, Putin combines conservative and statist political instincts with a superior understanding of the deficiencies and corruptions of the Soviet/post-Soviet system.’²⁰ It has also been argued by the Russian legal sociologist Andrei Medushevskii that Putin tends to balance between reformist and conservative forces as his preferred mode of governance: his is a classical Bonapartist regime.²¹

More importantly for this paper, he has increasingly tended towards what Duncan has described, in the post-soviet context, as ‘Eurasianism’. Duncan uses the term:

to refer to policies which give priority towards promoting the co-operation and unity of the post-Soviet states. In general, eurasianists tend towards co-operation with China and certain Middle Eastern states such as Iran, rather than with the West, and to give low priority to human rights questions in international affairs.²²

I return to the subject of ‘Eurasianism’ at the end of this paper.

The Pre-colonial Pasts of the Borderlands

In each of the borderland territories under consideration, the primordial or other origins of their titular peoples is a matter of intense debate. In each case, there is controversy as to whether a nation in any sense existed prior to the nationalities policies of the Soviet Union. But there are significant differences between the Caucasus and Central Asia.

M Crawford Young has aptly summarised the history of the Caucasus as follows:

To the south ... especially in the Caucasus, Russian expansion in the eighteenth and nineteenth centuries had a very different dynamic. Here the point of alternative reference was the Islamic world, in particular the Ottoman and Persian states. The embattled Christian ethnopolities of Georgia and Armenia, each with its own national church, were mobilised cultural communities, with an historical consciousness forged in centuries of struggle for survival against militarily powerful Islamic states, to whom they were often forced to render obeisance. Russian expansion therefore offered a preferable form of subordination, cemented by the integration opportunities the Tsarist state provided for the aristocratic strata.²³

²⁰ Lo (2002), p 175.
One consequence of these processes is that traditional, customary law was long ago overlaid first by Christian and Muslim law, then by Russian law (especially the Westernising reforms of Tsar Aleksandr II in 1864, introducing an independent judiciary, trial by jury, and other innovations), and then by Soviet law.

The North Caucasus: The Intransigence of the Chechens

The Chechens have been the subject of the fiercest military repression, and there is no doubt as to their nationhood. They are the largest ethnic group in the North Caucasus (more than a million people), and have a history dating back to at least the fourth century AD of resisting a series of invaders, including the Tatar-Mongols, and consolidating themselves into a self-conscious mountain people, in some respects resembling the Kurds. They were the most intransigent opponents of Russian expansion in the eighteenth century. The Chechens fought bitterly during their unsuccessful 1850s rebellion against the Russian Empire, led by their hero, Imam Shamyl.

The territory was contested during the Civil War: the Bolsheviks seized the region in 1918 but were dislodged in 1919 by White forces under General AI Denikin. After Soviet rule was re-established, the area was included in 1921 in the so-called Mountain People’s Republic. The Chechen Autonomous Region was created in 1922, and in 1934 it became part of the Chechen–Ingush Region, made a republic in 1936. After Chechen and Ingush units collaborated with the invading Germans during World War II, most Chechens were deported in 1944 to Central Asia, mainly to Kazakstan. As with the Crimean Tatars, deported at the same time to Uzbekistan, some 40 per cent of the population died — a real genocide, and the source of continuing bitterness. The deportees were only repatriated in 1956, and the Chechen Republic was re-established as part of the Russian Socialist Federation of Soviet Republics (RSFSR) within the Soviet Union in 1957.26 The First Chechen War of 1994–97, and the Second Chechen War of 1999 to the present day have been the occasion for the utmost brutality and violation of human rights by the Russian armed forces and law enforcement agencies, and by the Chechen resistance forces.

The Trans-Caucus Mosaic

The territories south of the Caucasus mountains have none of the disastrous certainties of Chechnya. Viktor Shnirelman has noted, in the context of the competing claims of Georgians, Abkhazians and South Ossetians, that:

In the multiethnic mosaic of Transcaucasia it is practically impossible to construct an ethnocentric version of ethnogenesis without encroaching upon the cultural legacy of neighbouring peoples and, by

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25 See www.chchynyafree.ru/index.php?lng=eng&section=historyeng&row=1
Russian influence in the region began between 1700 and 1720, as Peter I (the Great) brought the Caspian coast under his control. With the final breakup of the Safavid dynasty in the middle of the eighteenth century, the remains of their empire in the Caucasus fell to a number of independent khanates, among them the khanates of Baku, Garabagh, Guba and Nakhchivan. These khanates were mainly Islamic and Turkic, and frequently at war with each other for control of the area. The Russian Empress Catherine II (the Great), sought to extend the Russian Empire’s hegemony against Iran, which was consolidating its hold on the territories of southern Azerbaijan formerly ruled by the Safavids. As a result, two Russo-Iranian wars were fought, from 1804–13 and from 1826–28. The first war ended with the Treaty of Gulistan, which ceded the majority of the northern khanates to Russian authority. The Treaty of Turkmanchay, ending the second war, gave Russia further control over the khanates of Yerevan and Nakhchivan. The effect of these two treaties was to divide Azerbaijan in two, with northern Azerbaijan subjugated to Russian colonial rule. This established Azerbaijan within its present territory.

Azerbaijan can thus be said, more than Georgia or Armenia, to have been the creation of Russian expansion or colonialism. It has the largest population of the three states in the region, nearly 8 million, and is 90 per cent ethnic Azeri, with small Dagestani and Russian minorities. The Azeri language is a mix of Turkic and Persian, the history of the territory is highly complex, and more Azeri speakers live in Iran than in Azerbaijan itself.

Georgia and Armenia, in contrast, were drawn to Russia by their fiercely Christian cultures. Georgia is highly fragmented: Vivien Law points out that over a dozen languages are spoken in Georgia, and although Georgian itself is the first language of over half the population, it is estimated that about one million are speakers of the closely related Mingrelian language. She notes that, ‘apart from a brief Golden Age in the twelfth century [the Georgians’] ethnohistory does not provide a satisfactory self-image, whether one focuses on the past — subjugation by Arabs, Mongols, Turks, Persians, Russians — or on the present — civil and inter-ethnic conflict’. Armenia has a smaller population, just over three million, and is one of the very few ethnically — almost — homogenous states in the world, where Armenian is spoken by 96 per cent of the population.

28 www.baku.com/#1
29 www.cia.gov/cia/publications/factbook/geos/aj.html#People
30 See www-scf.usc.edu/~baguirov/azeri/azerbaijan4.htm
32 See the Georgian official figures at the Parliament website www.parliament.ge/GENERAL/popl/pp2.htm
34 www.cia.gov/cia/publications/factbook/geos/am.html#People
The Specificities of Central Asia

M Crawford Young characterises Central Asia as follows:

Central Asia was a purely colonial model of expansionism. The pastoral Turkic population on the southern fringe of the Russian string of Siberian outposts were readily perceived as a security threat. The imperative of security produced from the eighteenth century onward a slow southward push to expand the limes … the final Russian surge, from the 1860s to the 1880s, coincided with the global paroxysm of imperial annexations, as all parts of Africa and Asia not yet under European yoke were viewed … as a vast melon ripe for carving. 35

Each of the five Central Asian states is a ‘nationalising state’ in the sense explored by Roger Brubaker, 36 in which the ‘titular’ people or ‘nation’ is increasingly given priority. But there are great differences, starting with their relative populations. In each case, the titular nation has a majority — sometimes, as in the case of Kazakhstan or Kyrgyzstan, a narrow majority. But these are substantial minorities which demonstrate the arbitrariness of Soviet territorial autonomy.

The Demographic Dynamics of Central Asia

Kazakhstan has the largest Russian population, shares a long border with Russia, has reason to be nervous of China, and is closest to Russia in policy terms. It is five times the size of France, but with a population of nearly 17 million, similar to The Netherlands. Many Russians have left since independence, though they remain 30 per cent of the population. There are small Uzbek and Uyghur minorities — most of the latter people live in the neighbouring Xinjiang Uyghur Autonomous Region of China. Russian remains the language spoken by most of the population. This means that in Almaty, and even in Astana, the new capital, the Kazak language is rarely heard. Despite their small numerical size, the Uzbek and Uyghur minorities live compactly in the south of the country, and pose a greater security threat than the Russians living mainly in the north.

Kyrgyzstan, by contrast, has a population of only about five million. Like Kazakhstan, it is multi-ethnic, but with a much larger Uzbek minority, 10 per cent of the population. Russians comprise 18 per cent. Tajikistan has a slightly larger population (about seven million), but an Uzbek minority comprising a quarter of the population. There are few Russians, although a considerable force of Russian troops is stationed at the border with Afghanistan. Turkmenistan is similar in size to Kyrgyzstan, and is 77 per cent Turkmen, with an Uzbek minority of nearly 10 per cent.

Uzbekistan has by far the largest population in the region, 25.5 million, comprising 80 per cent Uzbeks, with only 5 per cent Russians. Thus it is not only nearly twice the size, in terms of population, of its nearest rival,

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Kazakhstan, it has very substantial minorities in each of the other four Central Asian states — minorities who live compactly in contested areas, especially the Ferghana Valley, the most fertile region of Central Asia. There are in fact over three million Uzbeks living in the other four Central Asian states. Furthermore, 8 per cent of Afghanistan’s population are Uzbeks, providing the basis for General Rashid Dostum’s power. Although he is a deputy defence minister in the postwar government, he has his own private Uzbek army which still controls a large swathe of northern Afghanistan.

The Political Undead: Communist Survivors
The Central Asian states also have in common the fact that four of their presidents presiding over their nationalising processes are former senior officials of the Soviet period: Nazerbaev in Kazakhstan (First Secretary of the Kazak Communist Party from 1989), Akaev in Kyrgyzstan (President of the Academy of Sciences since 1988), Niyazov in Turkmenistan (First Secretary of the Central Committee of the Turkmen Communist Party from 1985) and Karimov in Uzbekistan (from 1989 First Secretary of the Central Committee of the Uzbek Republic). Rahmonov rose rapidly from director of a state farm to Chairman of the Supreme Soviet in 1992, and then President of Tajikistan. Indeed, of the eight states of the southern borderlands, five (Azerbaijan, Georgia, Kazakhstan, Turkmenistan and Uzbekistan) are ruled by former Communist First Secretaries.

Myths and Symbols of Central Asia
It should come as no surprise that there have been strenuous attempts to create surprising paradoxes — new historical identities. President Karimov of Uzbekistan has been particularly assiduous in constructing a new official Uzbek history. He has chosen the medieval ruler Temur (Tamerlaine, in fact a Chinggisid Mongol — not an Uzbek at all) as Uzbekistan’s primary political icon. As Annette Bohr points out: ‘The deliberate linking of the Temurid period with present-day Uzbekistan seeks to prove false all assertions that the Uzbek nation is an artificial construct of the Leninist-Stalinist period.’

President Rahmonov of Tajikistan on the other hand has sought to legitimate his regime by linking it to the Samanid era, culminating in the
grand celebrations in September 1999 of the 1100 year anniversary of the founding of the Samanid state, including the construction of a grandiose monument to Ismael Samani — bearing a striking resemblance to himself — in the centre of Dushanbe. Ironically, Ismael’s centre of power was not Dushanbe — or indeed Tajikistan at all — but Bukhara, located in the centre of Uzbekistan.

The Kyrgyz have their own symbol, the image of Manas, the legendary warrior and hero of the Kyrgyz epic poem. Their territory, however, was historically the home of a wide variety of Turkic and other tribal groupings, while the Kyrgyz probably originated on the banks of the Upper Yenisey River in Siberia, migrating in the tenth century AD. The story of Manas was elevated into a national epic by Soviet scholars, who produced a written text for the first time, and by Kyrgyz nationalists of the Soviet period. It was only under the Soviet Union that a specifically Kyrgyz consciousness arose.

The Turkmen, too, claim ancient descent, from the Oguz tribes who migrated into the territory in the seventh and eighth centuries, were serially oppressed by a series of empires, and eventually made an accommodation with the Russian Empire by 1885.

Perhaps the most controversial set of origin myths is to be found in Kazakhstan. Sally Cummings points out that ‘the contemporary borders of the Kazakhstani state have existed only since 1924. Prior to that Soviet demarcation, the borders of the Kazakh steppe were fluid, subject to encroachments by the Russian and Chinese empires.’ The development of Kazak national consciousness came late, coinciding with the expansion of the Russian Empire into the territory. Almaty, the largest city of Kazakhstan (1.5 million inhabitants), and former capital, was a nomad settlement until 1854 when the Russian colonialists established a fortress first named Zailiyskoe, and then renamed Verniy (‘faithful’). Only in 1867 was the fortress given the status of a town, and only in the Soviet period was its Kazak name returned to it.

**Imperial Russia and Its Expansion from the Sixteenth Century**

From the preceding section, it might appear that the Russian Empire simply expanded into Muslim territories in the eighteenth and nineteenth centuries. But Islam and Russia have been inseparably linked for much longer. The earliest expansion of Muscovy was made possible by Ivan the Terrible’s victories over the Moslem Khanates of Kazan in 1552, and Astrakhan in 1554–56.
The impression is sometimes given, in discussions of the conflict in Chechnya, that Russia is a homogenously Slav, Orthodox Christian nation facing a Muslim opponent, engaged in a geo-political showdown. In reality, Russia is — and has been since its early statehood — a Muslim as well as an Orthodox Christian state, with 20 million Muslims in its population. Islam is one of the four ‘traditional’ religions of Russia — the others are Orthodox Christianity, Buddhism and Judaism. This is one of the formulations of the controversial Federal Law of 26 September 1997 ‘On Freedom of Conscience and on Religious Associations’.53

As Khenkin notes,54 the fundamental task of Russia was not cultural or regional assimilation, but the security of the Russian state. Even before Ivan, the Finno-Ugric tribes who populated the Oka basin and the upper Volga (whose descendants are the ‘titular’ nations of the republics of Marii El and Mordoviya) served the first Moscow princes.55 On entering the Russian Empire, the Turkic Moslems of the Volga region and the North Caucasus, and the Buddhists of South Siberia and the Kalmyk steppe, retained their way of life, language and religion. Tsimbaev asserts that ‘the heart of Russia’s policy with respect to the peoples it annexed was not national but social assimilation’.56 That meant that the local ruling elites were not annihilated, driven out or assimilated, but were incorporated as a whole into Russia’s own elite, retaining their own language, religion, and rights and privileges. In return, they were to give devoted service to the Russian Tsar.

It has been stated that the only religious practice persecuted was defection from Orthodoxy:

Catholics and orthodox Moslems were an organic part of the ruling class as long as they belonged to their faith by birth and upbringing, but any Russian noble who became a schismatic would lose all estate privileges.57

It followed that the ‘fundamental principle of the Russian Empire was social and class division rather than nationality or religious division’. Pershits and Smirnova note58 that, prior to October 1917, three legal systems coexisted in the North Caucasus — Adaty, Sharia (for Moslems in the region) and Russian laws. This distinctive policy was only substantially disrupted by Tsar Nicholas I, and meant the abandonment of any attempt to create a rossiiskii (civic Russian) state, and a decisive shift to a russkii (ethnic Russian) path.

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53 Russian text at www.hro.org/docs/rllex/cons.htm
58 Pershits and Smirnova (1997), p 792.
The Soviet Union and Its Paradoxes of Constitutionalism, Subordination, Ethnicised Discourse and Practice

I have already suggested some intriguing differences between Western European and Russian colonialism (imperialism). The Soviet Union presented itself as the sworn enemy of imperialism, and the ‘right of nations to self-determination’ was the centrepiece of Lenin’s and Stalin’s policy. Bonnett has correctly criticised ‘a desire to portray the USSR as a continuation of or, at some point, as reverting to Tsarist imperialism and, by extension, to offer the Soviet empire’s ‘survival’ in the mid- and late 20th century as a colonial anachronism threads its way through a great deal of western and post-Soviet commentary’. He adds that: ‘The USSR provides an example of the way that national, regional, religious, cultural and political identities have been systematically reified, yet have rarely been amenable to racial explanation.’

Thus the Soviet Union applied an ethnic, rather than civic, criterion, with surprising and paradoxical results. As Khazanov shows, the Union was a ‘pseudofederation of ethnonterritorial republics’ in which most of the nationalities were allowed various degrees of autonomy. In this way, state-controlled ethnic identity became decisive, through the connecting of nationality with specific territories, often arbitrarily mapped, linking the political and cultural-linguistic positions of nationalities with a degree of autonomy, through a hierarchy of union republics (Kazakhstan, Kyrgyzstan, Georgia, etc), autonomous regions and autonomous districts.

It is noteworthy that, even during the Soviet period, and despite the often-repressive effect of central Party rule, the goal of leaders of the ‘titular’ nationality in each particular territory was to preserve as much as possible of its ethnic character and territorial integrity in order to gain advantageous positions as against other nationalities. The Chairmen of the Supreme Soviets of Tatarstan and Bashkortostan, both of which aspired to the status of ‘union republics’, were always members of the Presidium of the Supreme Soviet of the Soviet Union, along with those of the Union Republics — the only two ‘autonomous republics’ so represented. By the end of the 1970s, more than half of the professional cadre in half of the Union Republics and 11 of the 21 autonomous republics in the RSFSR was composed of the titular ethnic group. As the Soviet Union weakened and finally collapsed, in December 1991, it is hardly surprising that the same leaders sought to turn symbolic authority into real power, and had a strong base for doing so.

Bonnett has noted:

Unlike Siberia and ‘Russian East Asia’, which were considered to be assimilated parts of Russia, Soviet Central Asia was deemed to need to

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be propelled along a track of ‘state-sponsored evolutionism’. Its destination was a de-ethnicised, denationalised, ‘internationalist’ communist identity. However, in order to get this far and in order to keep its ‘backward’ population engaged, it was considered a strategic necessity to have a period of ethnonational identification … These new ‘national’ units were considered a necessary stage of political development, a stepping stone towards a modern westernised political consciousness.

In the southern borderlands which are the subject of this paper, each person had a dual, contradictory, juridical personhood, expressed in the internal passport which each was required to bear. This passport defined the bearer in law as a citizen of the Soviet Union, but the notorious ‘Point Five’ defined the bearer’s ‘nationality’ — Tatar, Jewish or whatever — inherited strictly from their parents. Fierman puts it this way:

Along with other possible forms of self-identification, during the late Soviet era most inhabitants of the USSR were acutely conscious of their officially prescribed affiliation with at least two communities. One, formally cultivated throughout the educational system, was ‘the Soviet people’, which was embodied in USSR citizenship. The other category, based on ‘nationality’ or ‘ethnicity’ [natsionalnost], was historically rooted in such criteria as a common territory, language, history and economic community … for individual citizens ethnic identification was formalised through official documents they held throughout their adult lives. ‘Nationality’ was often considered in quotas for education and jobs.

The Role of International Affiliations and International Standards in State Legitimisation

I have already highlighted the inward-looking dialectic of Russian Eurasianism and the complex origins of the southern borderlands. There is another aspect altogether to the changes which have taken place since the collapse of the Soviet Union in 1991. This takes the form of greatly increased engagement with international organisations and mechanisms. The eight newly independent states which are the focus of this article all seek to define and legitimate their sovereignty in relation to the international community of states, and international good standing is an important factor in achieving recognition. This has a double-edged effect. On the one hand, ratification of international instruments is relatively cheap and easy. But the consequences can be threefold. The first — intended — result will no doubt be international recognition and approbation. The second — entirely predictable — will be the possibility of interference and censure by international bodies. The third —
unintended — will be powerful legitimation for internal critics of the regime in question.

Before coming to the present day, however, it should be remembered that the region in fact has a longer involvement in international institutions and mechanisms than might at first appear to be the case. Tsar Nikolai II, advised by the great Dutch diplomat FF Martens, played a leading role in the early development of international humanitarian law — the laws of war. Martens organised and conducted the First World Peace Conference at The Hague in 1899, and facilitated the Second World Peace Conference which met in The Hague on 15 June 1907 with 44 countries participating.

**The Soviet Union and the United Nations**

The Soviet Union was not only a founder member of the United Nations, but was a prompt ratifier of the various UN human rights treaties. One of the final acts of the Soviet Union before its dissolution on 8 December 1991 was to ratify, on 1 October 1991, the First Optional Protocol (CCPROPI) to the ICCPR, giving all people within its jurisdiction the right to complain to the Human Rights Committee.

The Human Rights Committee of the UN has ‘consistently taken the view that successor States automatically succeed to their predecessors’ obligations under the ICCPR and the Optional Protocols’. This view has also been supported by the UN Commission on Human Rights, the UN Secretary General and, most importantly, the practice of most successor states — for example, China, as successor to the United Kingdom, has continued to submit reports to the Human Rights Committee on behalf of Hong Kong, even though it has not itself ratified the ICCPR. However, the borderland states about

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68 See also Bowring (1999b), and other works cited.
71 See Maksymiuk (2001).
72 The Soviet Union was in this respect far in advance of the United States, which has still to ratify the ICESCR, the First Optional Protocol to the ICCPR, or the CRC.
76 See Kamminga (1996).
which I am writing are exceptions — they have not considered themselves to be successors to the Soviet Union.

**The Caucasus and the United Nations**

I will take the Caucasus first. Armenia ratified or acceded to the ‘big six’ UN treaties in 1993, Azerbaijan from 1992 to 1996 and Georgia in 1994. In each case, they ratified the First Optional Protocol. Their prompt ratification and accession clearly had a great deal to do with their desire to join the Council of Europe, of which more is discussed below.

**Central Asia and the United Nations**

The Central Asian states display a much more varied, and indeed paradoxical, relation to international commitments. On the one hand, independent accession to UN treaty obligations plays an important symbolic role in demonstrating the break from the Soviet past; yet on the other hand each state appears, despite the new commitments, to be replicating contemporary Russian practice. This is characterised by a stubborn resistance to change, and persistence of Soviet methods and habits.78

Furthermore, Uzbekistan illustrates all three results sketched above. It has sought recognition by ratifying all of the big six UN treaties, together with the First Optional Protocol to the ICCPR. It has taken steps to amend its legislation in line with the requirements of the treaties.

But it has attracted international censure. Its practice, especially in the criminal justice field, is a long way removed from the demands of the United Nations.79 The UN’s Special Rapporteur on Torture, Theo van Boven, has recently published a damning report80 following his visit to Uzbekistan in November and December 2002. He concluded that ‘torture or similar ill-treatment is systematic as defined by the Committee against Torture’, and that ‘the pervasive and persistent nature of torture throughout the investigative process cannot be denied’. And a number of complaints against it, brought by individuals with the help of newly active domestic non-governmental organisations, are now pending before the UN’s Human Rights Committee.

All five Central Asian states ratified the CRC, the least controversial human rights treaty for them, by 1994. However, the record thereafter is patchy. Kyrgyzstan, for some time known as the most liberal of the ‘stans’,81 ratified all of the big six and First Optional Protocol by 1997. Even Turkmenistan, known to the outside world mainly through the extraordinary personality cult associated with President Niyazov, the ‘Turkmenbashi’,82

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79 See Korff (2003).
81 This distinction has now, following a wave of repression, been lost.
82 An extraordinary website full of Turkmenbashi phenomena can be found at www.yurope.com/people/danko/niyazov.html
finally completed the ‘big six’ by ratifying the Convention Against Torture in 1999. Tajikistan, riven by civil war from 1992 until 1997, ratified the two Covenants, the ICCPR and CCPROP1, and the ICESCR in April 1999, and thus completed the ‘big six’ treaties.

Kazakhstan, in many ways the most liberal of the Central Asian states, has paradoxically been the most dilatory in ratifying the main UN treaties. Only in September 1998 did it manage to ratify the CERD, CEDAW and CAT. Kazakhstan’s first State Report under the CAT was examined by the UN Committee Against Torture at a public hearing in Geneva in April and May 2001. This was attended not only by the Minister of Justice of Kazakhstan, but also leading NGO representatives, who prepared a hard-hitting parallel report, focusing on human rights violations in the penitentiary system and at the hands of the police. The hearing, and the Committee’s critical conclusions and recommendations, were followed by public discussion in Kazakhstan. Yet, alone of the Central Asian states, it has at the time of writing still not ratified the two UN Covenants, the ICCPR and ICESCR.

Kazakhstan’s large neighbour, the Russian Federation, has of course been a member of the Council of Europe since 1996, and Kazakhstan has been seeking official observer status at the Council, with a view to its own future accession. After all, if the three Caucasus states, with all their problems, have joined, why should Kazakhstan not follow them? But in March 2003 the Council of Europe made it clear that no further progress could be made until Kazakhstan abolishes the death penalty, revises its constitution in line with the recommendations of the Council’s Venice Commission and guarantees freedom of media and press and free action for the democratic opposition.

The Caucasus States and the Council of Europe

A comparison of Kazakhstan’s continuing problems with the Council of Europe and the relative ease with which the Caucasus states have joined raises a question of double standards.

Georgia ratified the Statute of the Council of Europe on 27 April 1999, followed by Armenia and Azerbaijan, both on 25 January 2001. Each of the three has ratified an impressive list of Council of Europe treaties. All three have ratified the European Convention on Human Rights (ECHR) and European Convention for the Prevention of Torture (ECPT), which gives its
Committee unprecedented powers to visit all places of detention.\textsuperscript{88} Georgia has not yet ratified the Framework Convention for the Protection of National Minorities, but Armenia and Azerbaijan have done so.\textsuperscript{89} Only Armenia has ratified the European Charter for Regional or Minority Languages, on 25 January 2002.

However, all this ratification activity seems somewhat empty when it is considered that this is a region still in turmoil. Georgia has no effective control over two large parts of its territory, the ‘Republic of Abkhazia’\textsuperscript{90} and South Ossetia.\textsuperscript{91} Armenia and Azerbaijan are still locked in conflict over the disputed territory of Nogorno (‘mountainous’) Karabakh.\textsuperscript{92} Azerbaijan considers the RNK to be a zone of Armenian occupation. Neither Abzhazia nor the RNK (other than by Armenia) has been recognised by any state in the world.

The Council of Europe is worried. The Report of the Committee on theHonouring of Obligations and Commitments by Member States of the Council of Europe of 13 September 2002 on Armenia\textsuperscript{93} had cause to ‘regret that a number of fundamental commitments have not been honoured within the time limits previously agreed to, most particularly ratification of Protocol No 6 (abolition of the death penalty) and adoption of a new Criminal Code’. The similar report for Azerbaijan, dated 18 September 2002,\textsuperscript{94} also regretted ‘the slowness in the expected progress to improve the situation of human rights and fundamental freedoms in Azerbaijan’, and called on the authorities ‘to take speedily the necessary steps to promote the development of a truly pluralist and democratic society’. A similar Resolution on Georgia\textsuperscript{95} was alarmed that ‘little progress has been made as regards respect for human rights’.

It is hard to understand why the Council of Europe agreed that these three states should join, given the level of conflict and gross violation of human rights. Nevertheless, it may be seen that, far from achieving greater legitimacy through membership of the organisation, the three states have instead exposed themselves to a far greater level of interference and public scrutiny. It is also the case for each of them that their newly active non-governmental sector has received powerful legitimation.

I have already suggested that the newly independent states of the southern borderlands have embraced membership of UN and Council of Europe human rights treaties partly so as to emphasise their break from the juridical culture of


\textsuperscript{90} This now calls itself the ‘Republic of Nagorno Karabakh’ — see its impressive website at www.apsny.org

\textsuperscript{91} See www.geocities.com/Vienna/Strasse/5262

\textsuperscript{92} See the impressive website of its Ministry of Foreign Affairs at www.nkr.am/eng

\textsuperscript{93} Doc 9542, at http://assembly.coe.int/documents/workingdocs/doc02/edoc9542.htm

\textsuperscript{94} Doc 9545, at http://assembly.coe.int/documents/workingdocs/doc02/edoc9545.htm

\textsuperscript{95} Resolution 1257 (2001), http://assembly.coe.int/documents/adoptedtext/ta01/eres1257.htm
the Soviet Union. What, then, is the ideological basis for Russia’s renewed activity in the region? How does it differ from the Soviet ideology outlined above?

**The Significance of ‘Eurasianism’ for Russia’s Return to Its Borderlands**

President Putin has many times shown his interest in the concept of ‘Eurasia’, a clear signal of interest in a set of ideas which has its roots in Slavophile traditions which take their place on the political right. Bonnett has described them in this way:

> To a degree unique among ‘other major European’ nations, the assumption that ‘European civilisation’ was inherently superior to all others, or even a meaningful category, was actively contested. Russia’s defeat by Britain, France and Turkey during the Crimean War (1853–5), combined with a persistent unease at the prospect of Russia ever really being accepted as fully European, encouraged those voices that condemned Westernisation as the spirit of alienation, materialism and superficiality. Throughout the mid and late 19th century, Slavophile and pan-Slavic critics poured scorn on the empty and instrumental world of the Occident.96

This was the fertile ground upon which the notion of ‘Eurasianism’ emerged in the post-1917 context of the White emigration.

The philologist and ethnographer Count Nikolai Trubetskoi (1890–1938) wrote his key work ‘Yevropa i chelovechestvo (Europe and humanity)’97 in 1920 (it was published in Sofia), and inspired a group of authors to publish ‘Iskhod k Vostoku (Exodus to the East)’ in 1921.98 He argued that no European state could be compared with Russia, since Russia is not a nation in the ordinary sense of the word, but a whole continent — Eurasia. ‘Turkic blood mingles in Russian veins with that of the Ugro-Finns and the Slavs,’ he wrote, and he referred to Russia’s ‘non-European, half-Asiatic face’. As Mark Bassin points out, he insisted that Russia’s ‘existence as an empire was a thing of the past; Russians now represented just another of the constituent “ethnographic” groups which collectively comprised Eurasia’s multi-cultural complexion.’99

‘Eurasia’ is not only an anti-Western discourse; it also provides the space for an accommodation between Russian Orthodox and Muslim traditions. Agadjanian notes that “Still another cultural framework is Eurasia, a notion of the old continental cultural space of tradition opposed to the ‘Atlantic civilisation’ of modernity. Also, Eurasia is the place of Christianity’s encounter with Islam. While the usual stereotyped attitude towards Islam is unfavourable, in the public discourse Christianity and Islam are sometimes

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drawn together. Russia is a unique combined Eurasian civilisation of Orthodox Slavs and Muslim Turks and, therefore, the ‘Western democratic standards cannot be fully transferred into Russian reality’. Thus Polosin, a former Orthodox priest converted to Islam, has defended the idea of a ‘social alliance’ of the two religions to create a Eurasian identity.100

Ilan Berman identifies a change of course by President Putin, in the direction of Eurasianism. He argues that: ‘Indeed, by all indications, the growing emphasis on geopolitics from all corners of the Russian political spectrum is rapidly elevating Eurasianism to the level of a mainstream ideology.’ 101 Berman catalogues the growing influence of the doctrine and its controversial guru, Aleksandr Dugin, 102 on Russian officials and policymakers, and points out that on 13 November 2000, Putin himself affirmed that ‘Russia has always seen itself as a Euro-Asian nation’. 103 Putin’s creation of the Collective Rapid Deployment Force (see above) as a regional ‘rapid reaction force’ in May 2001, and of the Eurasian Economic Community on 1 June 2001 can be seen as a concretisation of Eurasianist concepts.

On 21 June 2002, Dugin’s Eurasian Party was registered.104 The co-founders were significant: the Supreme Mufti of Russia, and the Chairman of the Central Muslim Religious Board, Talgat Tadjuddin. The ideology of the new party was encapsulated by Aleksandr Panarin’s ‘History’s Revenge’ which, in Gordon Hahn’s words, ‘incorporates strains of Russia’s political culture: anti-Westernism, messianism, Prometheanism, and anti-rationalism’.105 Thus, in the view of its founders:

> It is uniquely poised to organise an alternative to the technoeconomic globalisation threatening global ecology. Since Russia’s Orthodox civilisation is the only one with affinity to the Buddhist, Confucian and Islamic civilisations, only it can gather them together to counter the expansion of environmental and cultural pollution and poverty to countries left behind in globalisation.

To the surprise of most Western commentators, President Putin took the new orientation to its logical conclusion when he visited Malaysia on 5–6 August 2003. In an interview with the Malaysian New Straits Times on 3 July, before he left, he noted that Malaysia would soon chair the Organisation of the Islamic Conference. He added:

100 Agadjanian (2001), p 360.
101 Berman (2001a).
102 Dugin is a former member of the radical anti-Semitic Pamyat movement, and later of the racist Conservative Revolution, and has close links with the ‘national-Bolshevik’ Eduard Limonov. See also Kullberg (2001). For the influence of Carl Schmitt’s thought on Dugin, see Muller (2003) and Ingram (2001).
103 Putin (2000).
104 See www.eurasia.com.ru/english.html
105 Hahn (2002).
Christians are in the majority in Russia, but we have about 20 million Muslims and these are not emigrants who have come from other states. They are Russians, people who view Russia as their homeland. And in this sense, without stretching the point or exaggerating, one can say that Russia is a part of the Islamic world.\footnote{Interview in English, on the official website of the President of the Russian Federation, http://president.kremlin.ru/eng/text/speeches/2003/07/031938_48454.shtml}

While in Malaysia he noted that Russia has more Muslims then Malaysia, and expressed keen interest in Russia’s membership of the OIC, either as a member or an observer. At a meeting on 14 August with Russia’s ambassador to the 57-member OIC, Putin said that: ‘Russian Muslims have every right to feel they are part of the Islamic world.’\footnote{Russian Ministry of Foreign Affairs Daily News Bulletin, 15 August 2003.} Putin was one of four special invitees to the 10th OIC summit on 16–18 October 2003, at which the Russian Federation was to be an observer.\footnote{See www.oicsummit2003.org.my/thesummit.php}

Conclusion

Thus post-imperial, post-Soviet Russia and its enigmatic president are showing signs of an ideological turn which could provide the basis for a complex set of new juridical and constitutional relations with its southern borderlands.\footnote{Although Kim Holmes (2001) considers that ‘Putin’s main motivation is less ideological and more economic and geopolitical. In short, he is looking for cash and for ways to maximise his international leverage’.}

Giorgadze emphasises the importance of Putin’s Foreign Policy Concept, which states:

> There is a growing trend towards the establishment of a unipolar structure of the world with the economic and power domination of the United States. In solving principal questions of international security, the stakes are being placed on western institutions and forums of limited composition, and on weakening the role of the UN Security Council. The strategy of unilateral actions can destabilize the international situation, provoke tensions and the arms race, aggravate interstate contradictions, national and religious strife. The use of power methods bypassing existing international legal mechanisms cannot remove the deep socio-economic, inter-ethnic and other contradictions that underlie conflicts, and can only undermine the foundations of law and order.

This leads to a rather opaque formulation, but one which can readily be decoded on the basis of the preceding section of this paper: ‘A distinguishing feature of Russia’s foreign policy is that it is a balanced one. This has been predetermined by the geopolitical position of Russia as one of the largest Eurasian powers, requiring an optimal combination of efforts along all
vectors.' As Ariel Cohen points out, this concept, together with the Defence Doctrine, National Security Concept, and Information Security Concept, all issued in 2000, ‘decry the emergence of a unipolar world dominated by the United States. They lay claim to a sphere of influence that encompasses most of the eastern hemisphere.’

This paper has sought to bring to light and analyse some of the complexities of the relations between the Russian Federation and its southern borderlands, former acquisitions of the Russian Empire, and former members of the Soviet Union. Russia may have lost legal sovereignty, but its political and ideological influence remain strong. The ideas of Eurasianism appear to be responsible for a new dynamic, a Russian turn to the Islamic world and especially to its neighbours in the face of US hegemony, which could yet have surprising results.

References


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