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Boston University
Transitional Perspective:

The Institute for the Study of Conflict, Ideology & Policy (ISCIP) has entered its own transitional phase as has our founding director, University Professor Uri Ra’anan, on his way to retirement. We are honored, therefore, to present in this issue of *Perspective*, an agenda-setting article by Professor Ra’anan that cuts through ideological debates over the nature of regimes across the former Soviet Union to identify a critical, common struggle for each state to attain and maintain legitimacy.

The quest for state legitimacy may be the foundational struggle of all transitional regimes, but as careful examination reveals, the states of the former Soviet Union have encountered a series of uniquely accumulated elements in the detritus of the Soviet empire that binds them together in their efforts to obtain this elusive legitimacy.

Susan J. Cavan
Editor

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Elusive Legitimacy: State and Regime in the
Post-Soviet Arena

By Uri Ra’anan

The new “Popular Fronts” that colored the expiring USSR during its terminal stage comprised two denominations: national and proto-democratic, sometimes both, more often the first precluded the other. National aspirations, inevitably in recent history, had to be attained in territorial form – statehood and independence. Ay, there’s the rub….
A) STATE
The Tsarist Empire had been a multinational state ruled by Great Russians, but they constituted merely a plurality, well short of a majority of the population. (1) Lenin’s state started with the pretense of self-government for most nationalities – formally a federation of supposedly autonomous republics. In reality, Lenin’s state, like Stalin’s, was stifled by ultra-centralism, so that these republics were still-born, created by the Red Army’s bayonets.

The history of these republics, however, reemphasizes the warning that tyrannies should beware of creating seemingly lifeless – and therefore supposedly innocuous – entities, in a pretense that political life has not been extinguished (yet another example of hypocrisy as the deference that vice pays to virtue). Thus, Mussolini, it may be recalled, purely for show, created the Fascist Grand Council, a body of politically impotent puppets. Yet one night in 1943, with Italy succumbing to forces Mussolini had provoked into war, the Grand Council convened and, in a single flicker of political life, ended Mussolini’s regime. The USSR’s fifteen “Union Republics,” similarly lifeless for decades, toward the end of Gorbachev’s rule suddenly provided the ingots into which the streams of red-hot molten national fervor could be poured.

These Union Republics, however, were largely artificial entities, meant to simulate, rather than to nurture and protect, the nationality whose respective name each bore. Population statistics demonstrate this aspect. Just before the Soviet Union imploded, 71,300,000 persons (25% of the USSR’s population) lived outside a Union Republic named after their nationality, while 27,850,000 did not even have such a Republic of “their own.” A particularly glaring instance concerned the Tatars, once masters of an empire that included most of Russia. 6,646,000 Tatars (not including 269,000 Crimean Tatars) outnumbered no less than nine of the fifteen titular nationalities of the Union Republics (some with less than a third of the Tatar population). The formal excuse for excluding the Tatars was that, since Union Republics had the (purely hypothetical) right
to secede, they had to be located in the USSR’s outer periphery, whereas Tatars live around the Upper Volga. (More on this topic later.)

Moreover, in one of the Union Republics, the titular nationality constituted a minority. Kazakhs in 1989 were only 39.7% of Kazakhstan’s population (although this has changed since that republic gained independence). In the case of the Russian Republic, no less than 27,194,000 inhabitants, almost 19%, were non-Russians, many concentrated along the frontiers with other Republics (several million in the North Caucasus where Great Russians constitute a small minority). (2) This indicates that delimitation of Russia’s frontiers along genuinely national lines could have diminished considerably the size of the minority subjected to Russian rule. Chechnya, surely, provides a dramatic example of this category. Moreover, 25,264,000 Great Russians, 17.4% of the total, found themselves in other Republics (eastern and southern Ukraine, northern and eastern Kazakhstan, the Baltic Republics, etc.). (3) This Russian diaspora ensured that the majority of the titular nationality in some Republics (Latvia, Estonia, Ukraine) would shrink considerably, with the Great Russian presence constituting a disruptive element, reverberating internationally, as demonstrated in the Baltic Republics.

The dissonance between the boundaries of various Republics and of their respective titular nationalities was no accident. The Soviet regime had not intended to create conditions that could constitute ethnically homogeneous, potentially independent, countries. (4) Yet it was inevitable that the new national Popular Fronts of the late 1980s would attempt to seize territorial power, each in the Republic bearing the name of its nationality – irrespective of the ethnic coherence of that Republic’s population or the delimitation of its frontiers.

This dissonance facilitated the attempts of voracious neighbors to encroach upon newly independent Republics and to question their legitimacy and territorial integrity, as demonstrated by Russia’s de facto seizure of Georgia’s Abkhazia and South Ossetia,
and by Moscow Mayor Yuri Luzhkov’s constant reiteration of the demand to incorporate Ukraine’s Crimea in Russia.

Now it might be objected that, irrespective of the Soviet antecedents of the fifteen post-Soviet Republics or the ethnic incoherence of their territories or their frontiers, they are now full members of the international community, as demonstrated by their admission to the United Nations. One wishes it were so. The UN, in its various capacities, and the “International Community” have followed lamely in Russia’s path, particularly since Putin ascended to power, treating most of the fourteen non-Russian post-Soviet Republics, with respect to their territorial integrity, as less than sovereign. The disappearance of (even a pathetic) international presence from Georgia’s Abkhazia and South Ossetia after Russia’s August 2008 incursion speaks for itself. Nor has anyone been willing to speak out about the Russian military role in keeping Moldova bisected.

What hopes one had for the legitimacy of the post-Soviet republics depended not least upon their mutual recognition and continued behavior congruent with that recognition. The legitimacy of the new Russian Republic itself (as a state that had seceded from the USSR) and its frontiers depended surely upon Russia’s recognition of the independence and territorial integrity of its equally new ex-Soviet neighbors. That was duly extended in the hours after the implosion of the USSR. However, even then, in the first few days of Russia’s new identity, President Boris Yel’tsin qualified this recognition by referring vaguely to the need for changing Russian borders with Ukraine and Kazakhstan. He dropped this claim subsequently, realizing perhaps that such demands did not enhance Russia’s own status.

However, his foreign minister, Andrei Kozyrev, probably the least irredentist of Russian post-1989 spokesmen, soon stated that it would be unacceptable “to pull out completely from the zones of traditional influence, which…were won over the centuries” and that “we should not leave regions that for centuries have been spheres of Russian interests.” He added a new concept to international norms of citizenship, saying, “If a Russian, an ethnic Russian, or a Russian-speaker, someone who feels close to Russia – there are
Uzbeks and Kazakhs and Kyrgyz who consider themselves in essence Russian-speakers...if all of these people, or some of them, wish to have Russian citizenship as well as Kyrgyz, Kazakh, or Uzbek citizenship, of course they will be under the protection of the Russian state....” This approach was realized in action by his far less liberal and democratic successors; they proceeded to extend Russian citizenship unilaterally to persons who, at least nominally, were the citizens of other republics and to claim that the areas in question consequently were under Russian “protection.” (5)

Of course, Kozyrev and Yel'tsin, even if not entirely resistant to the imperial bug, do not compare to Vladimir Putin and the various other persons who have stoked Russia’s increasingly expansionistic policy toward the other post-Soviet states – to mention only Yevgeni Primakov. Needless to say, the victims should not be blamed for the sins of the perpetrators. Nevertheless, the legitimacy of a state cannot rest entirely on formalities: if it is unable to preserve its territorial integrity and its freedom to make political decisions, inevitably one begins to question whether it continues to be a genuinely independent entity. Hosting the Embassies of other countries and participating in the UN General Assembly may not suffice.

That may not seem entirely fair, but it is a fact. Russia’s neighbors have confronted an unenviable choice: to resist and then probably to be occupied (since no major international actors appear prepared to assist victims of aggression) while never ceasing to struggle or to yield slowly but constantly to incursions upon their independence. The former alternative, while perhaps leading at least to temporary obliteration as an international entity, paradoxically may cause less harm to the legitimacy of the victim than its collaboration with those who undermine its integrity step by step. The history of Poland, 1772-1919, is a case in point. The state disappeared from the map of Europe for a century and a half, but the cause of an independent Poland haunted the scene for the whole period, because Poles participated in one uprising after another. Poland’s partition never attained full legitimacy.
Actually, resistance does not have to take the form of armed force. The victorious Germans annexed Alsace-Lorraine from France in 1871. The population, although largely German-speaking, never accepted the new status of the region and refused to participate in elections to the *Reichstag*, Germany’s parliament. Even toward the end of the German occupation, nine of Alsace-Lorraine’s fifteen electoral districts still continued the boycott. The result was that the issue of Alsace-Lorraine was perpetuated on the diplomatic landscape. The fact that defeated France in 1871 signed a document ceding Alsace-Lorraine failed somehow to give its annexation by Germany full legitimacy.

So much for behavior that obstructs conquest from conferring legitimacy upon the victor. However, the vanquished also have to demonstrate by their actions that they continue to contend for legitimacy. Earlier, this paper referred to the Tatars who, once masters over most of Russia, had been subjugated by Moscow, their own former satrapy. Since that event, in the 16th century, only their lesser cousins, the Crimean Tatars, aided by the Ottoman Turks, had seriously troubled Russia from time to time. The elite of the Volga Tatars, on the other hand, had tried to assimilate by intermarriage, some converting to Orthodox Christianity.

Considering that their geopolitical center of gravity was not that far east of Moscow, Russian rulers were not given undue cause for concern, despite occasional Tatar unrest. With Russia’s apparent disintegration, however, early in 1918, a nationalist Tatar revolt was suppressed by a young Bolshevik, himself a Tatar, Mirza Sultan-Galiev (Stalin’s subordinate in the Commissariat of Nationalities). While calling for the supremacy of eastern nationalities over Europeans, Sultan-Galiev did not emphasize special Tatar concerns. The 1918 affair remained essentially an isolated event, although in 1936, the 1950s, and 1977, Tatar spokesmen called for Tatarstan to be promoted to Union Republic status. Subsequently, the USSR’s implosion apparently did not trigger serious Tatar aspirations for independence. (Admittedly, the Tatar population resembles an island in a Russian sea and constitutes only 53.3% of Tatarstan’s inhabitants.) However, situated over considerable natural resources, the current autonomous Tatar Republic, an entity within the Russian Federation, enjoys a reasonable amount of self-
management as a result of a power-sharing “Treaty” with Moscow. Its President, Mintimer Shaimiev, appears content with economic gain and has shown little urge for more than that, perhaps because only 36.3% of Russia’s Tatars live in Tatarstan. In the light of this history, it is understandable that Tatars are not viewed currently as contenders for independence and for the accompanying international legitimation. Of course, by their actions, they themselves could change that status at any time.

Delegitimation, in any case, serves as a formidable weapon of intimidation. Even before the formal dissolution of the USSR, the KGB had threatened the aspirants for the independence of non-Russian Union Republics like Georgia that, if they persisted in efforts to secede, they would be confronted by forces that would “raise the question of the borders of the Republic and the legitimacy of the organ of power elected there.” (6) When Georgia broke away, this threat was implemented by means of Russian military and political support for Abkhaz and South Ossetian secessionists from Georgia (7) and, eventually, by attempts to delegitimize Georgia’s President. However, those that resort to such means of coercion ought to beware. One of the organizers and military supporters of Abkhaz secession from Georgia was an officer with close links to Russian Military Intelligence (GRU). The same person, Shamil Basayev, then showed his ideological consistency by organizing and leading another secessionist movement, by Chechnya against Russia – a bloody struggle the last word of which may not have been spoken yet.

B) REGIME
So much for the issue of territorial legitimacy. (8) The question of a regime’s legitimacy, of course, has been the subject of a major category of literature, and the issue continues to beset most post-Soviet republics. It may be viewed as solved only in the case of the Baltic States and, to a lesser extent, Georgia after the Rose Revolution. Ukraine, since the Orange Revolution, appeared for a time to belong to the same category, but recent developments have raised serious questions.
In countries that constitute the debris of empire, such as most post-Soviet republics, political discontinuity is a given, and by definition, one cannot create time-hallowed institutions. In their absence, political power is bound to lack the most important ingredient, legitimacy.

Legitimation of power requires a transparent, consistently implemented, non-arbitrary transfer of power mechanism. It can develop only – at a minimum – upon the foundation of a Rechtsstaat, a state that (perhaps even with some authoritarian features) obeys its own laws, whether “good” or “bad.” It requires the presence of a civil society, i.e. a sizable segment of the population that, through its spontaneous social, economic, and political interactions and organization, can participate in the life and governance of the state. It rests upon toleration of and respect for pluralism and the institutionalization of group rights. (9)

Paradoxically, Russia itself perhaps came closest to having a truly legitimate regime while the USSR still existed, at least on paper. On June 12, 1991, Russia held the first and, by general assent, perhaps the cleanest of popular elections for the presidency. With the participation of 74.7% of the electorate, Boris Yel'tsin won 57.3% against the serious competition of noteworthy contenders, like the reputable former Soviet Prime Minister Nikolai Ryzhkov, the ultranationalist Vladimir Zhirinovsky (enjoying the not-so-secret support of the departing regime’s security forces), and the former Soviet Interior Minister, Vadim Bakatin. By contrast, the Soviet leader, Mikhail Gorbachev, was not prepared to submit his candidature for Soviet President to a popular vote.

The undeniable legitimacy of the June 1991 election carried Yel'tsin and his new state – the Russian Federation (RF) – over such minefields as the attempted August 1991 coup, the December 1991 implosion of the USSR, and the serious political-economic crises of the fledgling RF. Sixteen months later, in the April 25, 1993 referendum, it still gave Yel'tsin a creditable 58.8% of the reasonably clean vote of personal confidence. However, this degree of support drained as Yel'tsin demonstrated both increasing incompetence and failure to remain in touch with his base. In September 1993, the
president’s aura was clouded by the armed clash with Duma insurgents. The resulting bullet holes on the Duma building perhaps injured Yel'tsin’s legitimacy less than his actions, a few weeks later.

In order to recoup the prestige of the Presidency, in December 1993, with an additional referendum, Yel'tsin undermined his own legitimacy by suddenly changing the established criteria: to pass, the referendum was supposed to be supported by a majority of the electorate. Yel'tsin changed this requirement unilaterally to ask merely for a majority of those actually voting (as long as a majority of the electorate participated in the vote). This clearly lower barrier was all that Yel'tsin was able to pass. (10) Even so, compared with the increasingly authoritarian character of the Putin (charitably Putin-Medvedev) regime, close now to being a single-party state (with the Communist Party a cardboard opposition), Yel'tsin’s 1993 Russian Federation had some positive features. Yel'tsin had to pretend, Putin doesn’t bother. The fact that there is no serious opposition now doesn’t exactly constitute legitimation.

Belarus, of course, never really embarked upon an attempt to overcome the Soviet legacy and remains part of an unfortunate list that includes at least four of the five Central Asian republics.

Islom Karimov, First Secretary of the Uzbek SSR’s Communist Party, proceeded smoothly to become independent Uzbekistan’s first president – now serving his third consecutive term despite the two-term limitation of the Uzbek constitution.

Similarly Nursultan Nazarbayev, First Secretary of the Kazakh SSR’s Communist Party and then that SSR’s President, with an interval of merely two months became newly independent Kazakhstan’s President in an uncontested election, was reelected in another uncontested election (his main opponent being barred from running), was reelected once more and then had the constitution amended so that he could remain President for life.
Again, Saparmurat Niyazov was First Secretary of the Turkmen SSR’s Communist Party and then that SSR’s president, was appointed to the Presidency of newly independent Turkmenistan, and then elected to that post in an uncontested vote. The Turkmen parliament then appointed him President for life, “Turkmenbashi.” After his death in 2006, the constitutional Acting President was removed and Gurbanguly Berdimuhamedov was elected President, with the other candidates publicly endorsing him.

Tajikistan’s role in this Central Asian picture differed only in as far as it was more violent. Rahmon Nabiev, the first President, leader of a hard-line faction of the Communist Party, fell after a year marked by civil war. He was succeeded eventually by Emomali Rahmon (supported by the governments of the Russian Federation and of neighboring Uzbekistan), in a heavily disputed election following the outlawing of four opposition parties. He was reelected, after his term had been extended to seven years, and then again (in an election boycotted by the opposition parties).

Similarly, in Kyrgyzstan, Askar Akayev, a member of the CPSU Central Committee, became President of the Kyrgyz SSR, was elected President of independent Kyrgyzstan, reelected twice and his term extended. However, then the Central Asian picture changed. In 2005, after a widely disputed parliamentary election, Akayev was forced from power by nation-wide demonstrations in what has become known as the “Tulip Revolution” (in imitation of Ukraine’s “Orange Revolution” and Georgia’s “Rose Revolution”). Opposition leader Kurmanbek Bakiyev won popular election and became President in an uneasy tandem with another opposition figure. This arrangement broke down, and Bakiyev held an election in which he scored a very questionable 76.4%.

The picture that emerges is not very pretty, but it is clear, with the possible exception of the Kyrgyz leadership, legitimacy seems fated to remain an outlandish term (for that matter, the Central Asian republics, as such, have questionable identities with artificial boundaries – as can be seen when viewing the interwoven tentacles of Uzbek and Tajik territories).
Separated by the Caspian from its Central Asian kin, the Azerbaijan SSR’s Communist Party First Secretary, Avaz Mutalibov, became the newly independent country’s first President. However, unlike the Central Asians, he encountered a serious war with neighboring Armenia in which Azerbaijan lost a sizable portion of its territory. Consequently, Mutalibov was overthrown in a coup the winner of which himself was replaced within a year, following a further coup. The final victor was another former Azerbaijan CP First Secretary Gaidar Aliyev, who proceeded to win two terms as the country’s President, to be succeeded in the post by his son, Ilham Aliyev, who also secured two terms. Just like his counterparts across the Caspian, Ilham Aliyev then attained a prospective lifetime position by having presidential term limits removed.

The Armenian victors in that war (assisted by Russia), did not enjoy much tranquility either. Their first president, Levon Ter-Petrosian, won a questionable election for a second term and was ousted because of an alleged secret deal with Azerbaijan. His successor, Robert Kocharian, won two terms and was followed by his hand-picked heir, Serzh Sarkisian, who then won a highly questionable election that precipitated domestic confrontations, leading to casualties. The opposition was led by…Ter-Petrosian.

These mirror images of successive Central Asian and Transcaucasian regimes demonstrate why the application of the term “legitimacy” is laughable. However, that brings us to two cases that, we all had hoped, would prove to be durable exceptions to this sad litany: the reference, of course, is to the “Orange” and “Rose” revolutions. The spirit was there, but even in the case of Ukraine and Georgia, the flesh seems to have been less than willing. Both countries witnessed a major regime change that was carried out with laudable absence of violence. And, for a while, there was a remarkably un-post-Soviet atmosphere. Alas, it was not to last. The leaders of Ukraine’s “Orange Revolution,” unable or unwilling to continue cooperating, fell out, bringing disrepute to the legacy of that Revolution. In Georgia’s case, personal rivalries soon disrupted the brief coalition that had created the “Rose Revolution.” This was exacerbated by Georgia’s disorganized military resistance to the Russian invasion.
However, even had there been a happier outcome in both countries, the very term “Revolution” surely indicates the absence of the basic requirement for legitimation of power: “a transparent, consistently implemented, non-arbitrary transfer of power mechanism.” (11) Had that condition applied, no “Revolution” would have been needed. However, at a minimum, one might have settled at least for consistent post-revolutionary systems of governance. It was not to be: Witness the efforts of Ukraine’s revolutionary contenders not only to seek the embrace of elements of the pre-revolution regime, but also to change the very features of the country’s constitution that could sustain the new order. (12)

Unfortunately, therefore, neither the post-Soviet states, nor their regimes, may be viewed as fully “legitimate,” by any of the definitions that have been presented in this article. The story of the three Baltic republics seems to indicate that truly legitimate new states and regimes can develop and function consistently only when they flourish in a secure environment with like-minded countries. Being enveloped by the protective mantle of NATO, the Baltic states have been able to attain this goal. However, another factor played a major role: unlike other post-Soviet republics, the Baltic states had a pre-Soviet history of two decades of independence, during at least part of which they enjoyed a reasonably democratic system.

Pre-Soviet Russia, Ukraine, Armenia, and Georgia underwent such experience for only months, or at most a couple of years, at the end of World War I. Thus, the necessary precedent of genuine independence and a reasonably representative form of government was lacking even in these countries, not to speak of Central Asia.

**Source Notes:**

1) Once Lenin’s state was shorn of the Tsarist Empire’s Polish and Finnish territories, with some 17 million inhabitants, the proportion of Great Russians rose to slightly over one-half of the population and stayed around 50% even after the USSR’s territorial expansion, 1939-1945. (That proportion may have reflected statistical inflation since, by attempting to “pass” as Great Russians, the children of ethnically mixed marriages may
have hoped to improve their chances of obtaining desirable positions and higher education. In both categories, Great Russians benefited notoriously from a disproportionately high “quota.”

2) In 1989, indigenous North Caucasian peoples outnumbered Great Russians 2.7 to 1 (3.5 million to 1.3 million). By 2002, they outnumbered Great Russians 5.9 to 1 (5.3 million to 0.9 million).

3) The statistics cited are based on the last Soviet census, 1989, for the simple reason that all subsequent numbers emanated from separate censuses held by post-Soviet republics at different times, using different criteria, not to mention that some were less than reliable. The 1989 census, by Soviet standards, resulted in fairly creditable statistics. The numbers concerning Tatarstan, however, are derived from Russia’s 2003 census.

4) In fairness, not all of the failure to achieve contiguity between ethnic and Republican frontiers was due to deliberate gerrymandering. The gigantic economic upheavals of the 1920s and 1930s provided major dislocation of population and the shocks of the 1941 German invasion added to this factor. However, to take the example of the Northern Caucasus, the inclusion of more than 5,000,000 non-Great Russians in the Russian Republic was a deliberate political act. Moreover, in the case of Latvia and Estonia, at least, it is clear that the huge increase of the East Slav population was due, in part, to a political decision. These two Republics, while still independent states until 1939/1940, had relatively insignificant Russian populations. (In 1930, only 12% of Latvia’s and 8% of Estonia’s inhabitants were Great Russians.) As a result of massive settlement, particularly of military and military retiree families, the size of the Great Russian, Ukrainian, and Belarusian “minority” tripled to constitute 39.4% of the two Republic’s total population (according to the 1989 census). Whole areas, like the Latvian capital of Riga and the Estonian northeastern quadrant of Narva, became predominantly Russian.


6) Ibid.

7) The Abkhaz and South Ossetian minorities constituted only 1.7% and 3.0% respectively of Georgia’s population. In Abkhazia itself, ethnic Georgians constituted
46.2% of the population, while ethnic Abkhaz were only 17.3%. This was changed when the Abkhaz, aided by Russian military personnel, expelled most ethnic Georgians, numbering more than 242,000 persons.

8) Formal legitimacy might have required conformity with the April 1990 Soviet law on secession, which contained stipulations that were not met during subsequent secessions.


10) To illustrate this change with an hypothetical example: the original requirement meant that, for a referendum to pass, more than 6 million voters, in an electorate of 12 million, would have to approve it. Yel’tsin’s change halved this requirement. Now, one half of one half of the electorate was needed, i.e. only some 3 million out of 6 million votes cast.


12) This section of the paper does not include the Baltic States or Moldova. The former are now sheltered by NATO membership and enjoy reasonably sustained legitimate government (the physical opposition of the East Slav minority becoming ineffectual). On the other hand, Moldova’s very existence is questionable, the Russian Fourth Army bisecting the country along the Dnestr, allowing the left bank de facto to secede. Departing President Vladimir Voronin, based on the (nominally) Communist Party, had faced the growing movement for reunion with Romania. This prospect had been held back by the unappetizing post-Ceausescu regime in Bucharest. That situation, however, is changing.