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Limited Sovereignty and Soft Borders in Southeastern Europe and the Former Soviet States: The Challenges and Political Consequences of Future Changes in Legal Status

Session I: Warlords, Sovereignty and the State in Eurasia

On February 15, 2007 scholars and policymakers gathered at Columbia University for the first in a series of seminars organized by the Harriman Institute entitled, "Limited Sovereignty and Soft Borders in Southeastern Europe and the Former Soviet States: The Challenges and Political Consequences of Future Changes in Legal Status." The main presenter for the session was Professor Charles King, the Ion Ratiu Chair of Romanian Studies at Georgetown University, who spoke on the topic of "Warlords, Sovereignty and the State in Eurasia." The discussant for Professor King's paper was Vladimir Socor, Senior Fellow at the Jamestown Foundation and a regular writer for *The Eurasia Daily Monitor*.

Dr. King began his talk by noting that the nomenclature of "frozen conflicts" used in discussing the disputed issues of territorial sovereignty in places such as Transnistria, Abkhazia, South Ossetia, and Nagorno-Karabakh is wrong, as this phrase suggests that things remain locked in the status quo that emerged over a decade ago when fighting stopped, peacekeepers were deployed, and negotiations commenced.

While there have been no large-scale hostilities in these areas for over a decade, King stated that much has nevertheless changed over the ensuing years. Russia today is not the same country it was in the late 1980s when these conflicts erupted, and the attitude of the international community has also evolved to reflect changing times. Furthermore, the situation of the internally displaced persons who were a product of the wars has been transformed in recent years, as nearly a generation has passed since the cessation of hostilities and new allegiances and identities have formed, particularly among young people either unborn or unconscious during the conflicts.

King laid out four conceptual frameworks with which to understand and explain the conflicts. First, they can be viewed as attempts at ethnic secession. Second, they can be understood as consequences of state failure, with countries such as Georgia and Moldova unable to extend their sovereignty over their entire territory following the Soviet Union's collapse. Third, the conflicts can be viewed as cases of irredentism, primarily aimed at addressing historical grievances. Fourth, they can be seen as problems of contested sovereignty

within post-federal borders and the problems that arise in determining whether to recognize or de-recognize fractured federal states.

Each of these conceptual frameworks has implications for how to break the deadlock in these former conflict zones. If they are viewed as examples of secessionist struggles based on ethnicity, a possible answer to resolving the disagreements may lie in ethnic federalism. If, rather, one views the problems as a result of state-failure, then a solution would be to devote resources and energy to shore up the capacity of failed or failing states through institution-building. If irredentism is believed to be the source of the conflicts, the international community could apply pressure on the aggressors to increase their difficulty in holding their territorial gains. Finally, if the conflicts have their genesis in an uncertain post-federal environment, the difficult questions could be resolved through constitutional-engineering schemes.

King, however, believes that these conceptual frameworks are of limited value, and are not very helpful in furthering our understanding of what actually occurred. Instead, King suggested the problems in these regions have more to do with the phenomenon of what he called warlords and warlordism, and the means by which they operate as arbitrageurs across defined borders.

King used the term “warlord” in a non-normative way to describe a powerful actor residing somewhere on the spectrum between a roving bandit and an established state. Over the last two decades, the expression has become increasingly part of political discourse describing actors in Somalia, Afghanistan, Chechnya and beyond.

King’s analysis of the warlord phenomenon challenges three commonly held explanations of its sources: that warlords are the result of weak states; that warlords offer an alternative social structure, providing services such as local security and contract enforcement; and that warlords are “violent entrepreneurs” who seek to control resource extraction in a given territory. Were these assumptions true, they would predict a significantly higher incidence of warlords and

warlordism across a variety of different environments. Viewing the issue through this lens thus begs the fundamental question – why do warlords arise in some areas, and yet not others?

King’s answer to this question focuses on the mechanisms of arbitrage, the means by which warlords operate in the post-Soviet space. The concept of warlords as arbitrageurs derives from their ability to function at the intersection of unique economic, political, and social environments, typically at territorial frontiers. As King notes, they behave as arbitrageurs in several senses. Beyond profit-making activities enabled by market imperfections, warlords more generally engage in arbitrage by taking advantage of differential prices across markets. For this dynamic to operate, though, certain elements need to be present.

King outlines four essential characteristics of the “warlords as arbitrageurs” phenomenon. The first is a degree of demand for the “good” the warlord provides, whether it is physical resources, security, or services such as contract enforcement and social support. The second key component of the arbitrage model is a clear sense of the market gradient involved. Contrary to popular belief, warlords do not eschew established borders – they just simply prefer these boundaries to be porous in order to operate. The very existence

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of a border delineates the space over which a warlord can “buy” at one price in one market and “sell” at another. The third characteristic King describes centers on the parasitic nature of the relationship between warlords and the state. Warlords act in concert with state institutions when doing so is perceived to be in their self-interest, and have designs on state-building apparatuses only in places where engaging in this activity strengthens their own security umbrella and patronage networks. Finally, the fourth characteristic of warlords as arbitrageurs is their ability to operate in various social and cultural environments. King underscores the influential role played by factors such as languages, local knowledge and people skills, as warlords utilize

this multi-competence to wield social, political, military and economic influence to their advantage.

The arbitrage model can be applied to the unrecognized states in the former Soviet Union in order to better understand the dynamics of the local contexts in which warlords operate. Although primordial enmity between ethnic groups is a popularly shared belief among many – particularly among Karabakh Armenians and Azeris – the origins of the conflicts in the post-Soviet space, according to King, lie not in ancient grievances, but in the warlord elites themselves. Those who benefited the most from the wars of separation, as King indicates, were all individuals closely associated with the Soviet administrative structure

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were able to utilize these linkages to maximize the benefits gained from operating within an uncertain setting. Because warlords by nature trade in different markets, King posits that relationships with Moscow opened a two-way traffic that offered local warlords the means to provide security to their population in exchange for financial opportunities for the Russian elite. All sides have benefited from this complex web of relationships, with state institutions such as the military, police, and customs unions profiting handsomely from the trade.

The unresolved conflicts in Eurasia provide an example of secessionist elements functioning as state parasites. Owing their success in part to the very existence of borders, warlords benefit from the states with which they are engaged in conflict. While often couched in the language of legitimacy, sovereignty, and national self-determination, as King observes, these notions are “often simply ways of protecting a warlord’s ability to determine the terms of arbitrage.” Although the system of arbitrage focuses primarily on interactions between warlords and the state, the trade continues to cascade down to the local level.

Individuals are able to partake in the arbitrage market, and remittances from abroad only further support the trade that has become a fixture in local economies. For many living within the unrecognized states of Eurasia, the arbitrage system has become the *sine qua non* for survival.

While the proximate causes of the conflicts all involve a complicated mix of territorial disputes, struggles to create legitimacy, and ethnic grievances, King notes that these elements obscure the critical dilemma to solve in moving toward a durable resolution. None of the actors involved with the capacity to make decisions “are sufficiently hurt by the status quo that it has an incentive to push forward with a real settlement.” To be sure, the gradients that serve as a source of arbitrage provide a powerful disincentive for warlords to seek a stable, long-term solution that would potentially proscribe their markets. For King, one striking aspect is how the disputes have remained unsettled nearly a generation after the fighting has ceased. Stasis persists because all sides continue to benefit from the arbitrage trade in the absence of a resolution. Ironically, as King observes, often the international community is more concerned about reaching a settlement than the principle actors in the conflicts.

The dynamics of the unsettled conflicts in Eurasia remain broadly similar as in the recent past: negotiations flounder and bear no fruit, tensions along the borders occasionally flare up, and quasi-state apparatuses continue to be built. On numerous levels, however, the political landscape in the region has changed. Russia has taken a more active foreign policy stance along its borders. Likewise, there is a growing sense of frustration on the part of the recognized governments in regard to the international community’s position on these conflicts, resulting in periodic brinkmanship, particularly in Georgia, and elevating the issues to the forefront of political discourse in Eurasia. Adding to the potentially volatile mix is the Kosovo precedent, the effects of which King believes the international community has underestimated.

Thus, according to King, warlords have done more to define the terms and frame the sovereignty debate in Eurasia than state-level

actors. King concludes that the conflicts remain unresolved because all of the players involved remain unwilling to accept the outcomes of the military confrontations of the 1990s. The current debate centers more on what specific type of sovereignty the international community will sanction, though the issues surrounding self-government do not address the root causes of the present stagnation in the region. For King, borders and boundaries remain salient and fully consonant with the warlord paradigm. The critical factor in moving toward a real settlement will be promoting an acceptance of the institutions the international community cares about among the warlords themselves.

The discussant for the session, Vladimir Socor of the Jamestown Foundation, argued that it would perhaps be more accurate to describe the individuals King called “warlords” as “carpetbaggers” from Russia, insofar as many of them take their orders and get their financing from Moscow, and in reality have very little in the way of independent foreign or domestic policies. Socor also argued that despite claims from Russian officials that a decision granting Kosovo independence will set a precedent for other similar situations, in reality, according to Socor, it was not in Moscow’s interests to see entities such as South Ossetia, Abkhazia, and Transnistria gain independence, or to formally annex them to the Russian Federation. Socor instead argued that Russia would much prefer to continuing exerting influence over these entities as de facto protectorates, and use this influence as leverage in its relations with Georgia, Armenia, Azerbaijan and Moldova.

The “Limited Sovereignty and Soft Borders in Southeastern Europe and the Former Soviet States” seminar series has been organized and convened by Alexander Cooley, Assistant Professor of Political Science at Barnard College, and Gordon N. Bardos, Assistant Director of the Harriman Institute. The seminars are intended to bring scholars and policymakers together to discuss theoretically original and innovative ways of dealing with conflicts over sovereignty in the Balkans, the Caucasus, and Eastern Europe. Funding for the series is provided by the Harriman Institute.

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