Chapter - III
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CONFLICT RESOLUTION: EVOLVING A MODEL FOR CHECHNYA

Ethnic conflicts are resistant to any amicable resolution. The uncertainty prevails in the absence of a universal panacea for all the ethnic conflicts. Over the last two hundred years, social science has evolved umpteen mechanisms to grapple with this tacky issue, both theoretically and practically, but none in isolation or in combination with others has created an adequate formula to address all ethnic conflicts. Nonetheless, a considerable progress has been made to understand this issue and a succession of social scientists have suggested various devices to manage this problem. This chapter is geared to discuss and evaluate the existing theories and concepts of social science on the resolution of ethnic conflicts, and then to examine the relevance of these theories to the case of Chechnya.

The highest aspiration of any ethnic conflict is the establishment of a sovereign state. But this will invariably entail the incision of the existing nation-state. This is resisted by the nation-state and is the basis of repression of ethnic demands. This is an anathema for other states since most of
the nation-states today are multiethnic and they fear that similar demands can engulf their territory. At a broader level, ethnic conflicts can be seen as a clash between the triumph of nationalism and the imperfect democracy. While majoritarian democracy itself provides a space for minority aspirations, the real practice makes the situation worse. Today no multi-ethnic democratic state can be considered immune to ethnic conflicts or discontent. In the last two centuries, nationalism has emerged as the most powerful force that structured the global society. In two aspects it was considered a progressive force. First, it resulted in the break up of the old empire and second, it transferred the basis of sovereignty from the king to the people. In the mid 20th century, it came to be identified with the anti-colonial movement. Hence, it assumed sanctity and was widely accredited with legitimacy. The formation of the United Nations also reflected the ultimate respect for the sovereignty of a state. But in the post-colonial situation nationalism lost its former relevance as a liberating force. There are no classical empires and imperialism. Power hierarchy in international politics still exists but nationalism no longer has the pre-requisite resources to work against the amorphous forces that control the international system.
The partial legitimacy of ethnic conflicts comes from the fact that the international community and system still imparts credence to nationalism and champions its cause. But when it comes to endorsing ethnic nationalism the international community is divided and the prevailing international system has no standard guidelines to judge the merit of an ethnic cause. As stated earlier many of the states do not support such conflicts because they are themselves multi-ethnic and fear a backlash and the domino effect. Secondly, even the partition of territory does not solve ethnic problems. The new units are themselves multi-ethnic and ethnic conflicts are simply pushed down to a lower level and multiplied. Thus, the ethnic conflicts are regenerated in microcosm. It has also been found in certain cases that the successor states are less accommodative to ethnic minorities than the parent state. This can be seen in the case of Pakistan (it separated from India in 1947), in certain former Soviet and Yugoslav republics. Hence, the international system and community are very selective in endorsing the cause of ethnic nationalism.

Democracy does not necessarily solve this problem. The rule of majority itself has the potential to aggravate the cause of minority. Though most of the democracies have developed
some mechanism through representation or other protections to address the grievances of the minorities, few multi-ethnic states can vouch the non-eruption of an ethnic conflict. Democratic federalism has been suggested as the best prescription for ethnic conflicts, but the historical experience of the last century suggests, and as we shall see in this chapter, that the capacity of territorial restructuring and the devolution of power to resolve ethnic tensions are limited.

Therefore, in a world where nationalism elicits inordinate loyalty of the people and the democratic federalism remains the best prescription, ethnic conflicts are here to stay. The best that can be done is to evolve a consensus among the international community on methods to judge the merit of any ethnic conflict and contain it, and ways to protect the human rights violations and minimize the casualties of life and property.

**Existing Theories on Resolution of Ethnic Conflict**

Based on the levels of analysis, there are various theories suggesting potential solutions to ethnic conflicts. We can classify them into two broad categories: first which seeks the inside view of ethnicity; and second which deals from the state perspective. Such demarcation is not exclusive and often
encroaches upon the other’s boundary. In the former category we shall incorporate primordialist, instrumentalist and social constructivist theories.

The inordinate emphasis of the primordialists on the ascriptive status of ethnicity makes them pessimistic about the solution.¹ “If people are born with ethnic identities that never change or that are somehow biologically determined, then ethnic conflict is inevitable and simply needs to be controlled. Primordialists cannot explain why an ethnic identity would ever cease to be important”.² Since ethnic identity among that group is very deep rooted and cannot be erased or overcome by any other identity, the methods of conflict resolution, therefore, boils down to autonomy or partition. They would argue that ethno-national sentiments cannot be contained or repressed for long as they may disappear for sometime but are bound to resurface once the right opportunity appears. But the problem with essentialists or primordialists is that if we assume that all ethnic groups would at some point of time mobilize into nationality and demand for a separate statehood, where would the process of nation-state end up. The existing 200 states of today would

² Ibid., p.155.
multiply into thousands of ethnic nations with no guarantee that they would not split up further. Therefore, while primordialism does help us understand the origin of ethnicity, it does not offer any practical remedy for the conflict resolution.

The scholars who consider the ethnicity and nationalism to be a social construction may argue that by some social engineering and addressing the grievances of the disgruntled ethnic community, the issue of ethnic conflict can be resolved. The solution may vary from an ethnic balancing to giving political and economic incentives. A social constructivist would seek to change the socio-political milieu that created the condition for ethnic conflict. The solution provided by the social-constructivist is time consuming but practical. It does not share the pessimism of primordialist. But its overemphasis on construction may oversee the historical and primordial elements of an ethnic conflict. The assumption that ethnic conflicts will be replaced with modernization and the emergence of a class based identity seems to have been based on similar premises. The fact that ethnic identity co-opted with the class identity endorses primordialist assumption. Thus, while social constructivists do help us find a managerial solution, the “construction of solution” may
have inherent flaws within. Secondly, there is no guarantee that once an ethnic conflict has been contained by social engineering, a new type of ethnic identity will not be 'constructed'.

Instrumentalists propose a very sanguine picture for the resolution of an ethnic conflict. Since the basic premise of instrumentalism depends upon the instrumental use of ethnic identity for the political and economic goals of elites, if the interests and goals of these elites can be altered somehow, ethnic conflict would come to an end. This theory also gives importance to the power factor. This power can be social, economic, political, intellectual or a combination of many. The elites may gain power by manipulating ethnic identity without actually having faith in it, and thus, they use ethnicity as an instrument to aggrandize their power. Therefore, the solution provided by an instrumentalist must be either the rearrangement of power or changing the situation so that elites no longer deem ethnic conflict as an instrument for gaining power. The theory of consociationalism talks of elite bargaining as a very successful method of pacifying the elite. But not all instrumentalists subscribe to this solution. Some put faith on competitive politics while others argue for a third party intervention to change the balance of power within the
ethnic communities. This has been discussed exhaustively in this chapter later, but it should be noted here that instrumentalism is a very flexible method and offers a hopeful picture for the resolution of ethnic conflicts. It should also be mentioned here that whenever a negotiation begins between the two groups, often the elites or leaders of the conflicting parties are called upon for the discussion. Therefore, satisfying elites could be the beginning of a long term policy which should finally address the community's grievances. But often identifying the true representatives of ethnic groups may not be as easy task since an array of leaders may claim to represent the community and sometimes divisions within the communities are too wide. During the Indian national movement, the British rule often tried to control the movement by accommodating elites within the colonial power structure and counteracting one group of elite with the other. In Chechnya too, the Russian state is playing a similar politics. While the elites of Chechnya use ethnic identity as an instrument to pursue their power goals, the leaders themselves become an instrument in the hands of the central Russian leadership. But satisfying elites may not provide a lasting solution when a community is highly politicized and

3 Ibid., p.155.
mobilized. It may provide a short-term respite but to find a real solution the grievances of vast masses have to be addressed. In short, an instrumentalist solution has to be followed by a social constructivist solution.

Another theory that has emerged very influential in political science is that of institutionalism. The focus of the institutionalists is on causal relations between ethnic conflict and political institutions. How political institutions in a plural society balance the ethnic aspirations, and thus, contain or aggravate ethnic conflict, is examined by the institutionalist. Whether a multi-ethnic society has a consociational or majoritarian democracy, federal or unitary government, single or multi-member constituencies, proportional representation or a first-past-the-post electoral system, each type has significant bearing on ethnic peace or violence.\textsuperscript{4} Lijphart's consociationalism and Horowitz's grand coalition fall into this category. But institutional theory like others is not exclusive and shares elements from instrumentalism. However, the institutional rearrangement to revolve an ethnic conflict remains the most comprehensive method till date with visible outcomes. Whether it is the federal arrangement, decentralization, devolution of power, consociationalism or

change in electoral pattern, all of them require institutional restructuring.

All the theories discussed above have the levels of analysis at national and international levels. In other words, ethnic conflicts are considered to be the global phenomena, and therefore, a general prescription is given to all the ethnic conflicts which are considered to be identical. This approach has come under criticism in recent times, and some of the scholars stress the local variables that play a key role in creating ethnic conflicts. They argue that each conflict is exclusive and has a specific character, and therefore, requires distinctive resolution method. The role of civil society network apart from other traditional methods has been emphasized by these scholars.

**Managing Ethnic Conflicts: Testing Existing Options**

Having discussed the existing theoretical suggestions for resolving ethnic conflicts, we shall proceed to examine the pros and cons of the model constructs outlined above. We can analyse the various models at three levels: international, national and personal. Depending upon the nature of

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5 Ibid., pp. 30-52.
6 See Varshney, *Ethnic Conflict and Civic Life*.
7 Joireman, *Nationalism and Political Identity*, p.146.
conflict, the approaches to resolution would vary. If the conflict is an intra-ethnic and inter-ethnic, without the demand for sovereignty, it can be dealt with domestically. But if a conflict includes any kin state or a neighbouring state, it requires international intervention. For instance, the Kashmir issue, the Palestine problem, the Kosovo crisis etc., have international dimension since they involve more than one state. Moreover, even if an ethnic conflict is domestic but includes very high level of violence and human rights violation or has the potential to jeopardize the regional security, international action becomes necessary. The problem of the Tamils in Sri Lanka, Chechnya in Russia, East Timor and Aceh in Indonesia, Barque in Spain etc have a similar character. The biggest dilemma before the international community is how to determine which ethnic conflict should be left to domestic management and which should attract an international action. The absence of any objective guideline, not even by the United Nations, leaves the scope for a very subjective judgment by the powerful countries. While a weak state often invites the wrath and intervention, a strong state remains scot free under the garb of sacrosanct and unviolable sovereignty. Devoid of any true international standards on how to manage ethnic conflicts, the liability naturally passes
on to the national actors with conventional recipes. Here, we shall examine the various domestic procedures employed to resolve ethnic conflicts.

1. Consociationalism

Founded by Arend Lijphart, consociationalism is a new school of thought which sought to resolve ethnic conflict through an elite bargaining and a power-sharing at the highest level. Lijphart argued that the model of consociationalism can provide a stable democracy in the multi-ethnic states. Originally used to describe the mechanism developed by the Dutch to incorporate various ethnic segments of that society, the term "consociational democracy" came into vogue in the 1970s when the process of accommodation in Belgium, Austria, Switzerland and Lebanon was depicted as consociational. The essential features of consociationalism as described by Arend Lijphart are: (a) 'government by a grand coalition'; (b) 'the mutual veto or concurrent majority rule'; (c) proportional representation of various groups in the decision making bodies; and (d) 'a high degree of autonomy for each segment' to discharge their

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internal duties. He considered it not be an institutional arrangement but an 'overarching cooperation' at the elite level in a culturally fragmented society. He has shown the instances of Austria, Belgium, the Netherlands and Switzerland where the consociational system has been tested successfully.

But there are several criticisms of this model. It has been attacked for its elite bias and an unrestrained autonomy of political leaders and groups over social forces. One assumption that Lijphart nurtured is that all democracies are elitist by nature. He has argued that a majoritarian democracy in a multi-ethnic society may result in violence and the break down of democracy. He believed that consociational democracy is much more effective than a majoritarian democracy in managing ethnic conflicts. But the democracy has been narrowed down to elite and sectional politics. Paul Brass has argued that consociational model suffers from several common deficiencies: "the mistaken assumption that cultural differences among ethnic groups are 'objective factors', inadequate treatment of the relationships between class and ethnicity and of cross-cutting cleavages;

9 Ibid., p.42.
and an assumption that either democracy does not exist or that all ‘democracies’ are more or less elitist and that, therefore, an elitist solution to ethnic conflict, such as consociationalism, is a viable and desirable democratic, if not competitive, political form". He further argues that “a more appropriate set of assumptions would recognize the variability of ethnic identities, the pervasiveness of interethnic as well as intra-class cleavages in most societies and would recognize also that a fully-developed consociational system is inherently undemocratic and violates both the rights of non-recognized groups and the rights of individuals”. Giving instances of Canada, India and Sri Lanka he contends that “consociational democracy offers no better guarantee of democratic stability in plural societies than the systems of competitive politics” that have prevailed in these countries. In India, the political parties have played significant roles in “creating, shaping and moderating ethnic group’s loyalties and antagonisms”. The parties in India have gone beyond social cleavages and have promoted intercommunal collaboration either before or after elections. If we take the case of the former Soviet Union, the monolithic communist party, though repressive, played a

11 Ibid., pp. 333-334.
12 Ibid., p.334.
13 Ibid., p.344.
crucial role in bridging the social segments. Critics have also pointed out that consociationalism provides only “a superficial solution to ethnic conflict as it continues to stress the dividing differences of ethnic groups and maintains an ‘us/them’ way of perceiving the situation”.¹⁴

Thus, while consociationalism has been taken as an important contribution to political science and praised for providing a model to resolve ethnic conflicts, it has been viled for its elitist bias. It also ignores the role of cross-ethnic political parties and institutions which act beyond any one ethnic group and have unitary impact. The role of the Congress Party in India and the CPSU (Communist Party of Soviet Union) can be attested here. Further, the role of civil society with its multi-ethnic functions should also be examined, which has no place in the consociational model.

2. Territorial Solutions of Ethnic Conflict

In the light of increasing despair and tenacious ethnic demands, the state has many territorial options before it. It entails the division of power between the centre and the regions.

¹⁴ Joireman, Nationalism and Political Identity, p. 148.
All ethnic conflicts have territorial component in them. The control of territory and its resources is often reflected in the demands and grievances of the ethnic groups. If an ethnic group has mobilized and created an exclusive identity, which also means gaining distinctive character from others, the demand for the optimum control of power comes out inevitably. This demand ranges from the shared rule and autonomy to outright independence. It should also be noted that even within the ethnic group, there is no homogeneity of demand. While the moderate groups might be satisfied with some power sharing and decentralization, the extremists may not relent on anything less than a secession. The response of state depends upon the internal politics and the intensity and mass support of the above demands of the ethnic groups. The options available for state has been explained by Duchacek in his 11 point scale with totalitarian centralism at one and
temporary alliances at the other. He has explored all possible types of relations between two units.

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<td>3</td>
<td>⇒ IGOs (UN and Specialized agencies)</td>
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<td>4</td>
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Duchacek's Territorial Organization Scale

The above classification of potential relationship between the two political centre and its territories can be refined to centralism, federalism and disintegration. Before we discuss these categories it is essential to understand the patterns of ethnic settlements. The territorial management of conflict requires spatial segregation. But this may be absent in real cases. John Coakley has shown three types of ethnic distribution:


In the first model there is a balance of the distribution of ethnic communities in the same geographical space and there are no polarization of ethnic groups in pockets. In short, the two or more ethnic communities are evenly spread out. The Northern Ireland and Bosnia illustrated this pattern. As an ethnic conflict turns violent this pattern gives way to the polarization of ethnic communities and the patterns of ghettoization and segregation come into picture. In the stage of ghettoization there is no intermingling at local level. Cyprus before partition illustrated this model. In this phase neither group has a coherent territory. In the next model of separation two groups occupy separate territories. The Tamils and Singhalese in Sri Lanka today come close to this pattern.

It should be noted that the political leadership faces a complex problem in shaping up the ethnic policy. Any
territorial approach can be implemented only if there is a degree of territorial separation. The federalism or partition cannot succeed if there is ethnic intermingling or ethnic ghettoization. But the partition or federalism can be an effective model if there is a territorial separation of the two ethnic communities. The ethnic intermingling stage makes the devolution of power impossible. The partition of India in 1947 reflected this dilemma partially. In the pre-partition phase, there were exclusive separation of the territories in some parts between the Muslims and the Hindus. But when the partition took place with Pakistan claiming to be an Islamic state, Hindus living in Pakistan and Muslims living in India were in a state of confusion and had to suffer due to communal riots and consequent out-migration. The Muslims in India were so out-mingled in different parts that the inclusion of their territory in Pakistan was impossible. Neither it was possible for them to migrate to Pakistan, leaving their property and centuries of history behind in India. The ethnic riots between the Hindus and Muslims continued in the post-partition India and Pakistan. Therefore, we observe that the ethnic partition devoid of pre-existing spatial separation of the two ethnic communities failed to resolve ethnic conflict. Now
we shall examine other options available for the state when the ethnic communities are intermingled.

**Centralism**

Under this there is a powerful centre and the units have to abide by the laws and policies of the centre. The units are only politico-administrative division with no separate control over resources. The power of the centre over units is overriding. The centre might delegate or devolve some powers to the units but there is an absence of decentralization. The ethnic policy of the centre is not based on the recognition of ethnic diversity but on the notion of the assimilation of the minority to the dominant majoritarian culture. This has been characterized as 'melting point' assimilation strategy.\(^{17}\) This is also termed as 'Jacobian solution, according to which ethnic minorities are subordinated to dominant culture.\(^{18}\) This policy was pursued by the colonial powers in their colonies. The policy of centralism may have following features:

i. Imposition of dominant culture over the minorities.

ii. Non-recognition of ethnic diversity in policy-making.

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\(^{17}\) Ibid., p. 296.

\(^{18}\) Ibid., p. 296.
iii. Overarching powers of the centre to make laws for the units. The units to act as the agent of the centre and not as independent entities.

iv. Devolution or delegation of power but no real decentralization. Absence of federal elements.

v. Units represent politico-administrative centers of power and may not be coterminous with ethnic diversity.

vi. Units might have cultural or linguistic autonomy but the centre has the discretionary power to regulate and legislate for the units.

It should be noted that institutions have played crucial role in the integration of various ethnic communities. Often the judiciary, bureaucracy and the political parties play crucial role in uniting ethnic communities. In the case of the Soviet Union and India, we can see that the CPSU and the Indian National Congress played a crucial role in integrating diverse ethnic groups. Both the parties were monolithic, with insignificant opposition. They incorporated regional elites within their folds with only token representation of ethnic groups. The policy of Stalin in the USSR reflected the pinnacle of this centralism.
With the benefit of hindsight, we can safely assume that the policy of centralism proves to be counter-productive. Instead of resolving ethnic conflicts, this only suppresses ethnic conflicts temporarily which can resurface at the opportune moment.

**FEDERALISM**

Federalism has been adopted as a response to the problems of ethnic diversity.\(^\text{19}\) There could be three possible situations and arrangements.\(^\text{20}\) First, in which federal boundaries are not identical with ethnic boundaries. Malaysia is an example of such an arrangement. This type of situation comes into play when two ethnic communities are not geographically segregated. In Malaysia, the Chinese and Indians are widely distributed over the 12 states and in such circumstances federal boundaries can not be formed according to the variation in the settlements of the ethnic communities.

Another type of case comes when the dominant ethnic group is large and the minority group is small and located in separate geographical area. In such cases, giving autonomy to

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the minority group and creating a separate federal unit can be a viable solution. Spain and Canada provide this type of example. Quebec, the French speaking unit in Canada has been given such type of autonomy. It should also be noted here that even the rest of Canada has also been split into various federal units. These units divide the same English speaking group into many republics. But this has been done for the administrative purposes rather than representing ethnic diversity.

There are a few instances when the federal units represent ethnic boundaries. The 15 union republics of the former USSR were divided on such basis. The reorganization of the Indian states in 1956 was also done on the linguistic basis and offered such an example. But in India and the former USSR and the present Russian Federation, federalism has special features which can be characterized as asymmetrical.

Unlike classical federalism in which all the units enjoy the same power, some regions are given special powers in the asymmetrical federalism. An asymmetrical federalism has emerged as an “alternative to the more typical symmetrical model, recognizing the fact that different territories might
relate to the centre in different ways".21 The underlying assumption behind the asymmetrical approach is that while it is possible to distribute equal powers to the units of the ‘core’ territory of the state, peripheral ethnic dissent can be undermined by the concession of some kind of special status to peripheral areas, normally by the introduction there of an extra layer of government.22 In most of the cases where an asymmetrical relationship prevails, the centre grants autonomy to the region. The special position of Kashmir in India is one example of such relationship. The state of Jammu and Kashmir has been conceded more powers by the article 370 of the Indian constitution. This grants special powers to the assembly of Jammu and Kashmir to protect its distinctive culture and also prohibits outsiders to settle in its territory. The former Soviet Union had the most elaborate scheme of asymmetrical federalism. Though “symmetrical federalism at union level, certain union republics devolved power to autonomous republics, autonomous regions and autonomous areas. Thus, there were 16 autonomous republics within the Russian federation, two in Georgia and one each in Azerbaidzhan and Uzbekistan, there were five autonomous

regions in the Russian federation and one each in Georgia, Azerbaidzhan and Tadzhikistan and there were 10 autonomous areas, all in Russia".23

Of the various options available to resolve the ethnic conflicts, federal restructuring appears to be the best one, but its capability to resolve the conflict should not be overemphasized. The capacity of federalism is highly dependent upon the ethnic distribution and geographical segregation of that ethnic community and economic and political demands of ethnic group. If the ethnic group in question does not encompass a separate geographical territory, the federal solutions are simply impossible. Again if the geographical territory of the ethnic group in question is occupied by other ethnic minorities who do not support the cause, the implementation of federalism becomes difficult. In short, if the new unit is polyethnic, which happens in most of the cases the conflict simply trickles down to a lower level and is multiplied. In the case of Chechnya too the society is not completely homogenous. The Russians formed a considerable percentage of the republic before the ethnic cleansing which started in 1991.

23 Ibid., p. 303.
In practice many of the well governed federal states have failed to contain the upsurge of ethnic conflict. The cases of Chechnya in Russia, the Basque in Spain, Kashmir in India, Quebec in Canada offer such example. According to Ronald Hill, some sets of ethnic relations are so complex that they simply cannot be disentangled by any form of territorial restructuring." It should also be noted that federalism is not necessarily a response to ethnic diversity and it has functioned successfully in many of the mono-ethnic states and even if the state is multi-ethnic, the federal units do not represent the ethnic boundaries. The federalism in the United States, Brazil, Mexico, Germany, Argentina, Venezuela and Australia illustrate this.

Despite several constraints, federalism, but for secession, is best equipped to tackle the ethnic problems. But empirical studies show that most of the states facing ethnic problems do not concede autonomy and are reluctant to devolve power. "Of the world's 191 states in 2001, approximately 23 were classed as federal, and a few others recognized distinctive regions with varying degrees of autonomy. But the number of states experiencing ethnic-conflicts or with politicized communal minorities at this time

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was very much greater: depending on the instrument of measurement, this ranged from 41 to 116°.25 The federal restructuring successfully resolved the ethnic conflicts in Belgium, Bosnia-Herzegovina, Cyprus, Ethiopia and Russia (the case of Tatarstan). In India, though the federal boundary cuts across the ethnic boundary in many ways it does cater to the ethnic diversity and aspirations. Therefore, depending upon the distribution of the ethnic community, the option of federalism can be examined to cope up with the ethnic conflict. But there should also be the democratization of important federal institutions, such as, independent judiciary and a free press.

CONFEDERALISM

Confederalism is the middle stage between federalism and independence. There is no true example of confederalism but the example of the commonwealth of independent states, linking most of the former Soviet republics, in its initial years, has been referred to by many scholars as the example of this. The Swiss confederation existed in early 19th century but now it is a federation. Confederation as a response to ethnic

conflict has receded to insignificance in the current discourse in the political science.

**Partition of the State**

The establishment of a sovereign state is the most desirable goal of an ethnic conflict. Ethnicity has a striking capacity to bring about the downfall of even the most powerful states. The break up of the Soviet Union, Yugoslavia, Czechoslovakia, Indonesia, and Ethiopia exemplifies this. Partition appears to be a relatively quick and easy solution to an ethnic conflict but the capacity of partition to resolve the ethnic crisis cannot be overestimated. We have seen earlier that if the ethnic community does not occupy a separate geographical territory, partition is not possible. For instance, if we take the case of Hindu-Muslim conflict in India, partition is impossible due to the intermixture of both the groups throughout. Why the partition of India in 1947, leading to the creation of Pakistan, failed to resolve the ethnic conflict between the Hindus and Muslims, can also be explained by this. While the Muslims living in separate territories were separated from India and became the citizens of Pakistan, the Muslims living in the core territories of India were left clueless. They also had to face to wrath of Hindu
communalism. Therefore, partition cannot resolve ethnic conflicts in all the cases. If the ethnic boundary is not clearly outlined, partition is ruled out as an option. Moreover, even if the ethnic boundary exists, it can further exacerbate the problem if the new units are polyethnic. Since most of the partitioned units are multi-ethnic, partition only shifts the conflict down to a lower level and multiplied. In short, the previous ethnic conflict is regenerated in microcosm. It has also been found empirically that the new successor state formed on the basis of ethnicity happens to be less tolerant to the ethnic minority than the parent state. The cases of certain former Soviet Union republics, Bangladesh, Pakistan, and Kosovo illustrate this.

Further, partition still remains an anathema to the international community. It is generally feared that dissolution of a state due to ethnic conflict can flare up similar demands in other multiethnic states. Since most of the states today are polyethnic this fear prevails in all the states. The disruptive capacity of ethnic tension, therefore, stops the states short of supporting ethnic secessionism. Again there is no limit to the formation of a new state on the basis of ethnicity. There are thousands of ethnic communities in the world today and if ethnic secessionism gets
international support and legitimacy, the two hundred states of today will split up into thousands with no guarantee that it will stop there since the ethnic identity can be constructed further with some pre-existing primordial elements. Therefore, partition has only limited potential to resolve ethnic conflicts. An impartial international guideline to judge the merit of any ethnic conflict demanding independence should be immediately formulated.

To sum up, we have discussed the various models and approaches available to resolve ethnic conflicts. From elite bargaining of consociationalism to the power sharing of federalism and outright division under partition none seems to be perfect. No one model can be apposite for all the cases. One needs to examine the nature of the ethnic conflict and in the light of that the applicability of a particular approach can be tested. By and large federalism has proved to be the most appropriate to cope up with the ethnic conflict but its suitability should not be overestimated. Against this backdrop, we shall examine the adaptability of federalism and other models discussed above for resolving the conflict in Chechnya.
Conflict Resolution in Chechnya

With the preceding analysis of mechanisms to resolve ethnic conflicts in general, we can proceed to explore the possibilities of conflict resolution in Chechnya. Conflict resolution implies that there is a joint participation of the parties in reaching the outcome, which to an extent satisfies most of the parties involved. Resolution then implies at least two elements: the idea that the outcome is jointly determined and achievement of at least some degree of satisfaction to the parties concerned. According to Morton Deutsch, there are two types of conflict resolution: constructive conflict resolution or cooperative social process, and destructive conflict resolution or competitive process. The competitive processes are associated with "zero-sum" thinking and adversarial behaviour while cooperative processes are associated with "positive sum game" and collaborative behaviour. In between these two extremes, there exists the option of the use of deadly force (actual or threatened), litigation/adjudication, arbitration, conciliation, traditional


mediation, facilitated and unfacilitated problem solving. But as John Burton believes these methods can be used to settle rather than resolve conflicts.28

The third party’s role is to assist in moving toward problem solving process and integrative outcomes. It brings about mutual trust and helps bring parties to “break directly into the self-perpetuating conflict spiral”.29 The third party does not have any direct interest or direct stake in the conflict and its outcomes. It will not be affected by the allocation of resources, the exercise of power, the determination of new ruler or the other types of outcomes. What remains at stake is its reputation or professionalism.

In the case of Chechnya there has been no serious attempt of conflict resolution except the “Khasavyurt Agreement” of 1996. The role of third party was always denied here on the ground that Chechnya was a domestic issue of Russia and any attempt by the European Union or the USA was discarded on the ground that it encroached upon the sovereignty of the Russian Federation. The Khasavyurt Agreement of 1996 between Russia and Chechnya postponed

29 Ibid., pp.125-30.
the status of Chechnya till December 2001. This agreement required both parties to:\(^{30}\)

1. renounce forever the use of force and the threat to use force in resolving all disputed issues;
2. construct relations in accordance with general recognized principles and norms of international law;
3. accept this treaty to serve as the basis for the additional treaty and agreements on the entire complex of mutual relations.

As evident from the above provisions, there was no agreement on the status of Chechnya and even the issue of autonomy was not touched upon. This agreement was no more than a face-saving device for Russia in the context of heavy military losses of Russia in war against Chechnya. This ceasefire and agreement was properly timed before the presidential election of Yeltsin, so that he could send a message to the electorate that an end of war in Chechnya was in sight. While the agreement doubtless contributed to Yeltsin's victory in the second round of Russia's presidential election, the negotiation broke down immediately thereafter.

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The next attempt by Russia to solve the problem began through the armed intervention in October 1999. In this war, Russia adopted the scorch earth policy, designed to Completely destroy the bases of the militants and then grant some political and economic concessions. But this strategy failed miserably. The war of attrition continues as secessionists have retreated to mountains and they continue to launch guerrilla attacks on the Russian army and the terrorist attacks on the civilian targets. This balked the prospects for comprehensive and stable settlements.

Unable to suppress the Chechen separatists militarily, the Putin government sought to revive the political process. In order to elicit the opinion of the Chechen populace, the Russian government organized a referendum on March 23, 2003. It was on the issue of whether Chechens wanted to adopt a new constitution and have a new presidential and parliamentary election. According to official reports, more than 90 percent of the voters voted in favour of a new constitution. But the western media reported this referendum to be widely rigged. In the absence of neutral reports it is almost impossible to elicit the veracity of the official claims.

Based on the provisions of this referendum, the election for the president of Chechnya took place in October 2003. In
this election the officially sponsored candidate Akhmad Kadyrov won the election. But unfortunately he was assassinated in 2004. This election was criticized on the ground that most of the rivals of Akhmad Kadyrov were either lured or forced to withdraw, thus, ensuring the victory of Kadyrov. Moreover, various secessionist groups were not taken into confidence. As a result there was no progress on the core issue of secessionism and the status of Chechnya. The government failed to strike negotiation with the militants. As a result, secessionists boycotted this election and the militancy in Chechnya continues unbridled. By the official support to Akhmad Kadyrov, the government failed to gain the legitimacy that this presidential election could have provided.

Kadyrov himself was a militant. Therefore, he lacked the credibility in the eyes of the Russian as well as the Chechens. For many Chechens he was a traitor while for the Russians he is an ex-militant and an opportunist. The issue of the absence of legitimacy of Kadyrov government has been discussed in the next chapter which deals with the public perception of the Chechen crisis. Here, it should be noted that the Russian government failed to evolve a political process which could entail the legitimacy of the public and address the grievances of the ethnic Chechens.
In terms of theory, this attempt of the Russian government could be understood as an instrumentalist approach. It intends to satisfy or alter the goals of elites. By manipulating elites and changing the power equation within the ethnic Chechen community, the Russian government seeks to establish its hold within the republic. But this approach can succeed partially if the elites truly and widely represent the ethnic community. In the case of Chechnya, Moscow has been playing the game of divide and rule. It has supported the faction of Akhmad Kadyrov to co-opt him in the mainstream power structure and isolate the other factions. Since the current Chechen president Akhmad Kadyrov represented only a small faction of the dissidents, its impact on the ongoing Chechen crisis was marginal. Bereft of mass legitimacy, Akhmad Kadyrov could not convince the Chechens of the positive impacts of the settlement of the crisis with Russia. With the benefit of hindsight we can safely assert that this policy of Russia has boomeranged. This policy might have dented the Chechen solidarity, but did little to pacify the Chechens even temporarily. The end of conflict in Chechnya appears remote at this stage.

The suggestions of social constructivist would appear to be more apposite here. If the ongoing socio-economic milieu of
Chechnya is altered to the satisfaction of the Chechens it can have a lasting impact on the resolution of the conflict. If we seek the case of Tartarstan, widespread economic and political concessions to that republic have had a positive impact on the settlement of the dispute. The average Chechens, as the next chapter would show, are tired of the war of attrition, and want to revert to a normal life. The base of militancy among the masses can be successfully uprooted if this policy is adopted. This approach of course has caveats in resolving ethnic conflicts but can provide an amicable atmosphere for the dialogue and negotiations on the core issue of the status of Chechnya.

The institutional rearrangement to resolve the ethnic conflict in Chechnya remains by far the most plausible solution. It can be the federal rearrangement, decentralization, devolution of power, consociationalism or the changes in electoral politics. More often than not scholars have suggested a federal rearrangement in terms of granting more powers or autonomy to Chechnya.

Having the status of a republic, Chechnya already assumes the federal powers which have been granted by the federative part of the constitution of the Russian federation. The republic has its president and parliament and enjoys the
power—to legislate within its won jurisdiction unless it contravenes the constitution of the Russian federation. Therefore, when the argument is put forward by the scholars for a rearrangement of the federal relations between Moscow and Grozny, they refer to the granting of a special status to Chechnya within the confines of the Russian constitution. There are no provisions in the Russian constitution for secession.\footnote{For Critical review of Russian Constitution see \textit{East European Constitutional Review}, vol.6, no.1, (Winter 1997).} Article 4.1 states that the “sovereignty of the Russians Federation shall extend to its entire territory”. Article 4.2 states that “The constitution of the Russian Federation and federal laws shall have priority throughout the territory of the Russian Federation”. Article 4.3 states that “Russian Federation shall ensure the integrity and inviolability of its territory”. Article 80 in turn mandates that the president “take measures to protect the sovereignty, independence and state integrity of the Russian Federation and ensure the co-ordinated and the interaction of the bodies of state authority”. Article 65.1 includes “the Chechen Republic” as an integral part of the Russian Federation. Article 71.1 empowers the president “to protect the sovereignty, independence and integrity” of the Russian
This article also gives the federal government exclusive control over defence and security. Article 65 prohibits secessionism. Therefore, there is no constitutional option for the secession of any republic or the separation of any territory.

However, Article 65, in accordance with Article 138, can provide some space for a special status of Chechnya. Article 66.5 states that the "status of a member of the Russian Federation may be altered by the mutual consent of the Russian Federation and the member of the Russian Federation in accordance with a federal constitutional law". But what this special status would imply is very ambiguous. Often the "Tartarstan Model" is referred to as an ideal prototype between Russia and Chechnya on the economic and political level. Here, it would be pertinent to examine the "Tartarstan Model" in detail.

Relevance of Tartarstan Model for Chechnya

The peaceful settlement of the ethnic conflict between Tartarstan and Russia has aroused immense global interest and in recent years it is being projected as a model for the resolution of other identical conflicts. After long and arduous

32 Ibid.
33 Ibid.
negotiations between 1991 to 1994, the Tartar Republic has gained considerable autonomy from Russia. The treaty on the Delimitation of Areas of Competence and Mutual Delegations of powers between the Russian Federation and Tartarstan was signed on 15 February 1994. The Republic of Tartarstan had declared independence from the Russian Federation and adopted its won constitution in 1992. According to this constitution Tartarstan is a sovereign state, a subject of international law, associated with Russia on the basis of a treaty on mutually delegated powers.34 But according to the Russian constitution of 1993 it is an integral part of Russia. The treaty between Russia and Tartarstan defines the Tartarstan’s status as a state ‘united with Russia’.

Earlier in a referendum on 21 March 1992 conducted by the Tartarstan Supreme Soviet on the status of Tartarstan, 61.4 percent of the participants voted in favour of sovereignty or independence. This in toto accounted for the 50.3 percent of the Tartarstan electorate.35 It should be pointed out here that in Tartarstan 43 percent of the total population is of ethnic Russians.

35 Ibid., p.130.
In the referendum on the Russian constitution and elections to the state Duma held on 12 December 1993, Tartarstan’s turn out was only 13.4 percent (in Russia it was 54.3 percent). The message conveyed to Moscow by Tartars was: no recognition of Tartarstan’s sovereignty- no voting in Moscow organized elections.\textsuperscript{36}

In the treaty with Tartarstan, Russia sidelined the issue of the status of the republic and instead focused on economic and other peripheral questions. From 1992 to 1994, both the partners signed a number of agreements on oil, property, banking, trade, military issues etc. In 1991, more than two third of the industries in Tartarstan was controlled by the central Soviet institutions but by 1993, almost 70 percent of Tartarstan’s enterprises were transferred to the control of the republic.

The agreement of 15 February 1994, stipulated that the republic of Tartarstan was “united with the Russian Federation” on the basis of the constitution of the two states. The inconsistency in the agreement is that the Russian constitution claims Tartarstan Republic as an integral part of Russia while the Tartar constitution still retains its sovereign status. This conflicting claim of sovereignty was deliberately

\textsuperscript{36} Ibid., p. 132.
shelved to avoid confrontation and to be discussed at a suitable time in future. The treaty of 1994 granted immense economic powers to Tartarstan which included:

- the power of formulating republican budget
- taxation within the republic
- the right to pardon the convicted by a Tartar court
- republican citizenship (all Tartar citizens are Russian Federation citizen also)
- the prerogative to establish foreign relations with other countries if it does not contravene federal law and participate in international organizations.

This treaty, as has been starkly put by Vladimir Lysenko, a politician of Russia, "gave Russia’s leadership an opportunity to get rid of a most dangerous hotbed of separatism in the country and to Tartarstan’s leadership an opportunity to save face".  

But if we look beyond the façade, we will find that there were several reasons behind the easy arrival of the agreement between Tartarstan and Russia which may not be available for Chechnya or other cases where Tartarstan model is

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37 Ibid., p. 138.
38 V. Lysenko, 'Tartarstan, Bashkortostan, dalee bezostanovok', in rossiiskaya gazeta, 26 June 1994. Quoted from V. Lysenko, Ot Tatarstana do chechni (Moscow, 1995), pp. 119-120.
projected as an ideal prototype. First, Tartarstan does not border on any independent country. It is an enclave surrounded by the Russian territory. This geographical factor makes the case of Tartar weak while Russia would defend resolutely such type of demand within its core territory. Second, Tartarstan has a balanced bi-ethnic population. Of the total 3.7 million population estimated in 1995, more than 50 percent are ethnic Tartars while 43 percent are ethnic Russians. Also, according to the 1989 census, the Tartars of Tartarstan (1.8 million) constitute only about 30 percent of about 5.5 million Tartars living in other parts of Russia. Third, a tolerant Islam: the Muslim Tartars are very westernized and Islam is not very dominant in normal social life. Moreover, almost 100,000 Tartars in the Republic are Christians. As a result even the nationalist movement that emerged here had a multi-religious character.

All the above factors distinguish Tartarstan from the case of Chechnya. In Chechnya there is an increasing control of Islam over Chechen politics and society. Here, more than 70 percent of the population are Muslims. At the time of 1989 census, Chechnya had the second largest concentration of members of the titular nationality in the total population (70.7 percent), which must have increased now since
Russians left the republic in large numbers. The Chechen Republic had the highest proportion of those who considered the language of their titular nationality their “native” language and medium of everyday communication.39

A western survey of Muslim republics of the Russian Federation carried out in 1993 reported that the highest level of religious belief and practice were found among Chechens.40

Moreover, Tartars do not have a history of hostile relations like Chechens and did not fight two violent wars. More than one lakh Chechens are estimated to have been killed in these wars. There are also a few instances of indiscriminate atrocities committed against the Chechens by the Russians army through the arial bombardment of Grozny and other cities, with or without warning. All these have consolidated Chechen ethno-political identity and instilled an animosity in the psyche of Chechens against the Russians. Hence, the case of Chechnya is more complicated and the relevance of Tartarstan model appears to be limited here.


Conclusion

So what needs to be done for Chechnya? The partition of the Russian territory and the creation of a new Chechen state is one solution being projected by a number of western writers. But we refrain from suggesting the creation of a state on the basis of ethnicity. Since, Chechnya is also a multi-ethnic republic with 30 percent of the population till 1991 being non-Chechens, there is a good possibility that the partition may regenerate similar ethnic conflicts in microcosm. Moreover, as we have argued earlier, a new successor state formed on the basis of ethnicity is less tolerant to the ethnic minority than the parent state. The span from 1994 to 1999, when Chechnya was de facto independent, the Chechen leaders exhibited no proficiency in governance and the period was marked by the absence of the rule of law. Narrow factionalism, landlordism and intra-ethnic conflicts characterized the politics of Chechnya during that period. The society and politics geared towards orthodoxy and religion, leaving little space for the growth of a civil society network.

One of the biggest obstacles in the creation of a sovereign Chechen state, however, is the non-recognition of its demand of sovereignty by the west and other important
countries. They fear that this might lead to the further splintering of the Russian Federation and similar conflicts can flare up in the neighbouring countries. The west also fears that the partition of Russia can weaken Putin and strengthen communists or nationalists which can jeopardize the democratization and economic marketization of Russia. In short, the present ambience is not conducive for the independence of Chechnya.

This grounds us to the single option of autonomy or granting a special status to Chechnya. This needs to be given a chance as this is plausible and can save the face of both the parties. Both the parties are exhausted of the war of attrition, and especially, the people of Chechnya, as our survey in the next chapter will show; desperately want to revert to a normal life. Granting a special status can entail an economic autonomy of Tartarstan type, and on the political front, Chechnya can have an “associated status” with only defence, currency and foreign policy remaining with Russia.