

GEOPOLITIKA MANIPULIRA Z NAČELOM SAMOODLOČBE

GEOPOLITICS MANIPULATING SELF-DETERMINATION

Short scientific article

V politiki je organizirana manjšina politična večina.

J. Jackson

In politics, an organized minority is a political majority.

J. Jackson

Povzetek Avtorica obravnava medsebojni vpliv geostrategije ter načel samoodločbe in suverenosti. V tem članku prikazuje načelo samoodločbe kot instrument, s katerim vplivne države v težnji po moči opravičujejo spodbujanje separatizma. Čeprav razlikuje med separatizmom, ki ga podpirajo demokratične sile, in separatizmom, ki ga spodbujajo bolj represivne sile, pa opozori na skupno značilnost, ki jo predstavlja odnos med državami in transnacionalnim organiziranim kriminalom v zvezi s tem vprašanjem. Avtorica se sprašuje, ali igra separatizem v postsovjetskih državah črnomske regije ključno vlogo pri preprečevanju širjenja demokracije.

Ključne besede *Separatizem, geopolitika, samoodločba, organiziran kriminal, obveščevalna dejavnost, Kosovo, črnomska regija, Rusija, strategija.*

Abstract This article examines the interplay between geostrategy, self-determination and sovereignty. The author presents the principle of self-determination as an instrument used to justify the promotion of separatism in the pursuit of power by powerful states. Although a distinction is made between separatism that is backed by democratic forces and that which is backed by more repressive ones the relationship between states and transnational organized crime in this regard is presented as a commonality. The author asks if separatism in the Post-Soviet states in the Black Sea Region has played an instrumental role in preventing the spread of democracy.

Key words *Separatism, geopolitics, self-determination, organized crime, intelligence, Kosovo, Black Sea Region, Russia, strategy.*

Introduction There appears to be a hushed trend in which the ancient strategy of *divide et impera* continues to provide strong states with more geopolitical power at the expense of sovereignty and peace. The balance between sovereignty, geopolitics and self-determination is delicate and can be manipulated by the foreign policies of powerful states. Unfortunately, self-determination is the noble principle, which has reared its head as the driving force of such separatist strategies. The geopolitical tactics associated with this principle appears to be less than above-board. Could it be that the strategic use of informal tactics to financially support separatists enables intervening states to extend their authority into foreign territories? Some tactics used to create new “states” appear to be illegal, and transnational organized crime also plays a role; albeit in the promotion democratic power (i.e. Kosovo) of the projection of repressive power (i.e. Post-Soviet states). In the Black Sea Region separatism and frozen conflicts are not unique phenomena. Furthermore, it appears to have stunted the democratic development of the sovereign Post-Soviet states. It is therefore worthy to consider the interplay between sovereignty, geopolitics and self-determination in this regard and the role played by organized crime.

The violation of state sovereignty occurs often without repercussion – enter international anarchy (Buzan et al. 1997:150). This anarchic reality born of the lacuna that exists between international politics and international law allows states - via individual actors - to act on both sides of the moral spectrum. The exercise of hard and soft power by players trapped in a globalizing but state-centric matrix tends to revert to the pursuit of geopolitical power. Does this mean that soft power tactics such as corruption and other forms of transnational organized crime play a role in state making and geopolitics?

To achieve state-based, civilized globalization, it is important to ask if organized crimes committed in one state have their origins in the intrusive foreign policy of another. In the field of international relations, separate levels of analysis facilitate the study of international security by demarcating the actors whose behavior within the anarchic structure will be analyzed (Buzan et al. 1997:5). They also facilitate distinguishing between the way international security threats are perceived when they are posed by states on the one hand, and terrorists or transnationally organized criminals on the other. Although distinct, the levels are not mutually exclusive; rather, they are coexistent and interdependent.

In this study, we shall endeavor to discover a place in international anarchy where, in their geopolitical pursuits, states cooperate with transnational organized crime. To assume such a place does not exist is to deny that injustice and iniquity are the fundamentals of human society - as are their counterparts, justice and righteousness.

1 SELF-DETERMINATION, SOVEREIGNTY AND GEOPOLITICS

In the 19th century, renowned military theorist and strategist Carl von Clausewitz identified an approach for states to obtain control over foreign territory using the

military, but *without* resorting to combat (Howard M. & Peter P. (eds.) 1976: 93). He asserted that by combining its presence with soft power tactics that increase the enemy's expenditure effort or simply cause damage, the military could serve as an anchor to win a war without defeating the enemy's forces (Howard M. & Peter P. (eds.) 1976: 93). Could Carl von Clausewitz also have had organized crime and corruption in mind?

It is foreseeable that economic, historic and ethnic strife within one state's territory can be used to deteriorate its power potential by combining albeit "peaceful" foreign military presence with organized criminal activity. The combination of a foreign military presence and organized crime could severely harm a state's power potential, particularly if the military power is situated in territories that are simultaneously the host state's 'weak spots' and of strategic importance to the intervening state. It thereby gives effect to the strategic principle of bringing superior force to bear on a point where, due to historic, economic or ethnic strife the enemy is both weaker and liable to crippling damage (Shy & Jomini, 1986: 168).

In 1945, the international community of states entered self-endangering and paradoxical obligations through the ratification of the Charter of the United Nations. The sovereign states declared their pursuit of universal peace and respect for the principle of self-determination (UN Charter 1945, Art. 2). This declaration reveals the dichotomous nature of globalization in which the more universal interests become; the more localized or 'tribal' the focus¹. Within this "global paradox", universalism is balanced by 'tribalism' and vice versa (Naisbitt 1994:18-19). However, by balancing "universalism" with 'tribalism', it is foreseeable that great powers will continue to use 'tribal' tactics to divide and conquer weaker states in their pursuit of international power.

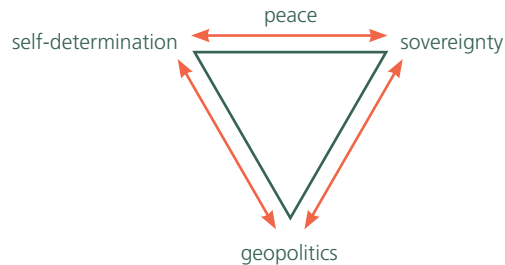
The intricacies of this universal-tribal paradox are perhaps best depicted by the relationship between self-determination, sovereignty, and geopolitics. Sovereignty and self-determination are both based on territorial claims and the right to rule over a people. Both lay claims to power and, both are the founding principles of international law and relations. However, whereas sovereignty is an established institution (with about 200 sovereign states in the global arena); self-determination is not.

State sovereignty is a ruling principle and fundament of the material structure of international relations and law. It designates a specified territory and the exclusive right to govern over its population to a sovereign. Importantly, state sovereignty is legitimized by the immaterial will of the people. The principle of self-determination encapsulates the will of the people. It recognizes the right of "peoples" to determine their political status including their economic, social and cultural development (*Article 1 (2) United Nations Charter; Article 1 (1) International Covenant of Civil and Political Rights 1966 and Article 1 (1) International Covenant on Economic, Social and Cultural Rights 1976*). The precariousness surrounding the

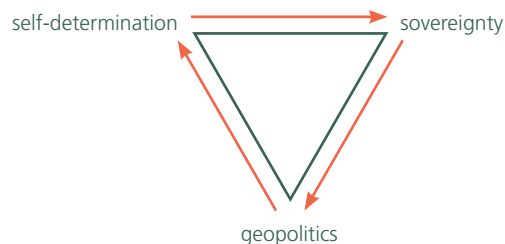
¹ The term tribalism refers to a lower level of analysis, which would fall between the unit and subunit level as established by Buzan Weaver and De Wilde .

right to self-determination notwithstanding, it is also codified, moral obligation of sovereign states to uphold it (*Article 1 (2) The Charter of the United Nations 1945, Article 1 (1) International Covenant of Civil and Political Rights 1966, Article 1 (1) International Covenant on Economic, Social and Cultural Rights 1976*).

However, the relationship between self-determination, sovereignty and geopolitics is an interactive one. Normally, intervention violates state sovereignty and, without due cause and procedure, is prohibited by international law. However, if a minority or nation has a legitimate claim and is unduly oppressed and/or suppressed by the sovereign state in which it is found, external state powers may choose to intervene (Supreme Court of Canada 20 August, 1998). Ideally, self-determination, sovereignty and geopolitics should balance each other to uphold peace.



However, moral principles and ideals do not seem to balance themselves perfectly in this world. Rather, they often come into play only when it is convenient or necessary. This is reflected by the reality that great powers do not advocate moral principles of international law uniformly. Differences in historical, cultural, political and religious perceptions open avenues for foreign states to intervene. Therefore, based on their own geopolitical interests, great power states may *choose* to participate in regional dynamics to which they are not geographically bound. (Buzan & Wæver: 2007). This ability to transform self-determination into an instrument of foreign policy shows how the relationship between state sovereignty, self-determination, and geopolitics can be pernicious.



Geopolitical self-interest appears to have the ability to transform self-determination (and separatism, its ‘evil’ offspring) into an instrument of expansionist foreign policy. Conflicts may be ‘frozen’ because “neighboring states, kin-states, and/or patrons abroad have a political or economic interest in starting or stoking ‘ethnic’ conflicts” (Kemp 2004: 49).

By orchestrating separatism abroad, great powers violate the sovereignty of states to satisfy their own geopolitical interests. The notion of “sovereignty” has been used to suppress claims to self-determination. The relationship between Turkey and the Kurds, and, Spain and the Basque separatists exemplify the struggle sovereign states face in maintaining their territorial integrity. On the international level, a good example of this is found in the United States policy toward Ukrainian and Azerbaijani freedom movements. During the Cold War, the United States, aware of the people’s violent suppression and oppression, recognized Russia’s hegemony and *de facto* sovereignty over the Union of Soviet Socialist Republics. Fearing that Russian retribution would outweigh the potential benefit, the United States Department of State (1953) opted to overlook communist atrocities suffered there and not support the right to self-determination of these nations. Conversely, whereas the notion of sovereignty has justified the containment of self-determination, self-determination can break state sovereignty down through secession.

The (failed) attempts of the Quebecois to secede from Canada are indicative that the democratic maturity of the state in question plays a pivotal role. Ruling against Quebecois secession in 1998, the Canadian Supreme Court clarified international law regarding self-determination. The court asserted, the right to secession under the principle of self-determination of people arises only where ‘a people’ is governed as part of a colonial empire; is subject to alien subjugation, domination or exploitation; and possibly is denied any meaningful exercise of its right to self-determination within the state of which it forms a part. International law entitles states to maintain territorial integrity and to have other states recognize it when: a) the government in question represents the whole of the people or “peoples” resident within its territory; b) the said representation is based on equality, without discrimination and; it respects the principles of self-determination in its internal arrangements. Canada meets these criteria and therefore, under considerations of international law, is entitled to territorial integrity and its recognition by foreign states.

However, what would have happened to Canada’s sovereignty had it not met these conditions? Kosovo and Serbia provide a case and point of how the violation of these conditions can lead to international intervention, the violation of state sovereignty and secession. The policies of Serbian leader Milosevic were aimed at reestablishing the Serbian position in Kosovo. Notwithstanding the *de jure* Serbian authority over Kosovo and historical causes for the Serbian minority status there, his repressive policies violated internationally recognized human rights and principles. His policies spurred the self-determination of the Kosovo-Albanians and the Western powers took the opportunity to intervene.

Self-determination and secession movements require both internal and external support. The West’s geopolitical interests of expanding its sphere of influence through the spread of democracy coincided with the self-determination of Kosovo-Albanians. It has been reported that the British Special Armed Services, the German Secret Service (BND), the US Central Intelligence Agency and, at later stages NATO, cooperated to

train and equip the Kosovo Liberation Army (KLA) (Kuentzel 2000, Bisset 2001). However, the reasons for (and level of), Western involvement remain moot.

Testifying at the International Criminal Tribunal for the Former Yugoslavia, former Canadian Ambassador to Yugoslavia, Bisset, testified: “The U.S. led attack on Yugoslavia was designed to improve President Clinton’s public image and restore credibility to NATO, whose existence since the end of the cold war was in jeopardy.” The legality of these actions is unclear. What is clear, however, is that because the KLA was armed and trained, it was able to partake in a war that led to Kosovo’s declaration of independence on 17 February 2008. To date, 65 states including the majority EU and NATO states have recognized Kosovo as an independent state.

In selecting areas of strategic value, the intervening powers and/or states are able to increase their geopolitical power by weakening the host state. In such a case, state organized/supported self-determination becomes *strategic separatism*.

2 IDEOLOGICAL FERVOR AND ORGANIZED CRIME

Self-determining “peoples” usually rely on networks that include politicians and senior military, police, and intelligence officials, executives as well as the supply networks of neighboring states, Diaspora, as well as criminal elements for external support to operate *against* the state (Kemp 2004: 51). However, the role played by organized crime and corruption in the state making and state breaking processes must not be ignored. Armed groupings and/or criminals who are able to profit from such self-determination seek cooperation with willing hosts or allies, which also need support (including force) to realize their aims (Kemp 2004: 45). In fact, ideological fervor is increasingly evident in ethnic conflicts where “would-be commandos feel completely justified” in participating in organized crime in their “profitable quest to realize their territorial ambitions” (Kemp 2004:18).

Unfortunately, because the profit potential of instability attracts the criminal element to the state-building process, eradicating it is a more complicated matter (Kemp 2004:45). In 2008, the United Nations estimated that between 15-20% of Kosovo’s economy was derived from organized crime (Rosenthal 2008). Crime and corruption is endemic in Kosovo and it holds a dominant position in the European drug trade and human trafficking. German media have accused former Prime Minister Ramush Haradinj, former KLA commander, of being a key figure in the nexus between politics and organized crime. Disappointingly, the U.N. administration in Kosovo has also been accused of complacency toward, if not outright collusion with the criminal networks (Rrahmani & Zogiani 2007, Rosenthal 2008).

Democratic powers and institutions play an important role in state making and institution building. Having dangerous, corrupt neighbors is after all, a security threat. Ironically, even if so-called state making contains elements of brute force, organized crime and corruption the long-term perspective of the territories concerned is

promoted as positive when it is done in the name of democracy by democratic forces. It cannot be denied that ‘new democracies’ are expected to integrate, give effect to the rule of law and eventually absorb the living standards of the “democratic West” and the spread of democracy through Euro-Atlantic integration and European Union enlargement continues to be perceived by many in the West and East as a privilege.

However, if it is true that “Democracy greatly magnifies and multiplies the assertiveness of tribes and repression does the reverse”, what does it mean when *repressive* states support self-determination and separatism beyond their legitimate borders? (Naisbitt 1994: 18-19). Could they be countering the proliferation of democracy into their perceived spheres of influence or simply playing quid pro quo?

3 THE BLACK SEA REGION

The use of the principle of self-determination to promote separatism appears part of Russia’s foreign policy of countering the spread of democracy and western influence in states it continues to perceive as belonging to its exclusive sphere of influence. In fact, on 30 January 2006, in reaction to developments in Kosovo, the President of Russia, Vladimir Putin forewarned a positive decision on the legality of Kosovo’s independence would set a precedent for the rest of the post-Soviet territory (Bisset). Curiously, the Russian Federation, while relying on sovereignty to suppress self-determination within its own borders (Chechnya, Dagestan, Ingushetia, and Tatarstan, North Ossetia, Kabardino-Balkaria), vehemently promotes “self-determination” in the Post-Soviet States in the Black Sea Region.

Democracy has encroached on the Black Sea Region in an unprecedented manner. Former Warsaw Pact states Romania and Bulgaria are now NATO and EU members. Turkey is a longstanding and valuable NATO member and takes pride in being a democratic secular state. Following suit, the Post-Soviet states in the Black Sea Region (Azerbaijan, Georgia, Moldova and Ukraine, henceforth, NISBSR) have expressed their intentions to democratize and develop ever-closer ties with the West and its institutions. This combined with the Russian Federation’s anti-democratic sentiment places these states in a precarious position. Their proximity to the “democratic West” and the “undemocratic East” makes the interplay between geopolitics, self-determination, sovereignty and organized crime particularly pertinent in the Black Sea Region.

Has Russia participated in master-minding the self-determination and separatism in states of its former empire to counter the spread of democracy in states it perceives belonging to its sphere of influence? Nagorno-Karabakh in Azerbaijan, Transdnistria in Moldova, South Ossetia and Abkhazia in Georgia and Crimea in Ukraine are all territories with “self-determining peoples” supported by the Russian Federation. Whereas the legitimacy of the self-determination of these groups is questionable, it is clear that the support they receive from the Russian Federation threatens the territorial sovereignty of the Post-Soviet states and security of the entire Black Sea Region.

To varying degrees, the aforementioned breakaway territories exercise internal sovereignty *without external legitimation*.² Lacking external legitimation, “it stands to reason that their form of government will be considered illegitimate and their sources of revenue illegal”. All are notorious for their links to organized crime, some of which are referred to as “black holes of organized crime”. However, there, ‘the territorial separatists of the early 1990s have become the state builders of the early 2000s, creating *de facto* countries whose ability to field armed forces, control their own territory, educate their children, and maintain local economies is about as well developed as that of the recognized states of which they are still notionally a part’ (Kemp 2004:46).

All of the disputed territories are strategically important to the Russian Federation and, for economic, historic and ethnic reasons they are the host states’ ‘weak spots’. Importantly, they have all been, in one way or another, converted into Russian protectorates hosting Russian military power albeit rented bases, air bases, naval bases, ‘peacekeeping’ or training missions. This gives Russia access to the Black Sea and territories in which it lost the legitimacy of its presence with the end of the Cold War. It also limits the role and presence of democratic powers.

Conclusion Self-determination and sovereignty are the foundations of international relations and international law. However, in their geopolitical relations, both are debased by states pursuing power through the promotion of separatism. The facilitating role played by “peaceful” military presences, intelligence agencies and organized crime in this regard deserves attention from academia and security analysts. In the Black Sea Region, this interface appears to promote separatism in order to prevent the democratization of Post-Soviet states.

Criminal law is an ancient corner stone of human civilization and predates biblical times. National criminal law regulates the public. However, in our globalized times, the regulation of criminal state behavior and the rule of international public law are in natal phases. Therefore, “To confront those who resort to criminal activity and violence, one needs to identify and expose their illegal sources of income and interdict their support networks.”³ In so doing, targeted sanctioning and/or the cutting off sources of external finance would be facilitated and the victimized states and humans protected. The manner in which the international community addresses separatism there will inevitably impact not only the millions of people living in the region, but the safety and security of states far beyond.

² *On the one end of the spectrum lies South Ossetia on the other Crimea – through Sevastopol.*

³ *Kemp. W. A., The Business of Ethnic Conflict, Organization for Security and Co-operation in Europe, Vienna, Austria Security Dialogue vol. 35, no. 1, March 2004. p 55.*

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