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9.

The Institution of Sovereignty in Central Asia

Filippo Costa Buranelli

Abstract

This chapter illustrates how the Central Asian republics have adopted and interpreted the institution of sovereignty after becoming independent in 1991. By relying on an English School framework of analysis combined with subaltern realism, on material gathered during multi-year fieldwork in the region and on elite interviews with Central Asian diplomats, the analysis shows how a strictly legal and territorial understanding of sovereignty is the one prevalent in Central Asia, supported by an authoritarian form of governance intertwined with postcolonial discourses and processes of state- and nation-building. Through the case-study of Central Asia, the chapter also upholds the idea that to study sovereignty in a time where processes of globalisation, regionalisation and re-ordering of world politics are becoming increasingly complex, a thorough understanding of local histories, practices and meanings is crucial.

Introduction

The current political, historical and cultural *Zeitgeist* is centred on a reconsideration of the role of sovereignty in international relations. As former US President Donald Trump has recently argued (2019), and with him several other politicians in the west as well as in the east and the Global South, 'the future belongs to patriots, and not to globalists', and it is easy to see what the role of sovereignty is in this renewed defence and praise for the *patria*.[1]

Until recently, and more specifically until the late 1990s, sovereignty was understood by many scholars and pundits as an institutional relic of an old international political architecture. Increased technological and infrastructural interconnectivity between peoples, states and private firms, stronger penetration of international organisations advocating market economy principles into domestic economies worldwide, surges in foreign humanitarian operations, and the creation of ad hoc international tribunals in different parts of the world all led several scholars to speak of the 'end' of sovereignty and of the emergence of a new, more complex principle of political organisation, sometimes described as 'neo-medievalist' (for an overview, see Camilleri & Falk 1992; Christiansen & Centre 1994; Calabrese 1999; Ward 2002; Eaton 2006; Jacobsen 2016).

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[1] D. Trump, 'Remarks by President Trump to the 74th Session of the United Nations General Assembly', 25 September 2019, accessed 30 September 2019, https://trumpwhitehouse.archives.gov/briefings-statements/remarks-president-trump-74th-session-united-nations-general-assembly/.

Yet contemporary nationalist movements across the whole world have recently reaffirmed the *sacrosanctitas* of sovereignty, often linking it to religion, indigenous culture and ethnicity. This all has been happening at a time when Mario Draghi, former Head of the European Central Bank and now prime minister of Italy, argued that a country is authentically sovereign only when sovereign prerogatives are pooled and shared with others in a spirit of cooperation and solidarity. In his words,

<EXT>True sovereignty is reflected not in the power of making laws – as a legal definition would have it – but in the ability to control outcomes and respond to the fundamental needs of the people: what John Locke defines as their 'peace, safety, and public good'. The ability to make independent decisions does not guarantee countries such control. In other words, independence does not guarantee sovereignty. Countries that are completely shut off from the global economy, to take an extreme but instructive example, are independent but not sovereign in any meaningful sense – often relying on external food aid to feed their people. (Draghi 2019)</EXT>

In theoretical and conceptual terms, sovereignty has often been thought of as a universal attribute of states, especially after the 'expansion of international society' that occurred in the second half of the past millennium. In the course of that period, European states and empires exported, often through coercion, colonisation and violent imposition, the basic rules of European international law to achieve three goals. First, to entrench their economic and military primacy; second, to ensure predictability in the growing web of international trade that was being set up; and third, to narrow the perceived gap present in the mind of European chanceries and ideologues between an inside international society, constituted by civilised, sovereign nations, and an outside, the realm of 'savagery', 'barbarity', 'backwardness' and 'inequality' (Bull & Watson 1984; Gong 1984; Dunne & Reus-Smit 2017; Costa Buranelli 2020a).

Although the 'export' of sovereignty meant the imposition of a European principle of territorial political organisation and the suppression of local alternatives, after the decolonisation processes and the numerous struggles for independence that marked the second half of the 20th century, the legacy and path-dependent nature of that normative imposition is still visible in that sovereignty has now risen to the status of 'minimal benchmark' to be admitted to the society of nations. Those polities and would-be states that want to participate, so to say, in the game of international politics must define themselves as 'sovereign' and, equally if not more importantly, *be recognised as such* by other sovereign states in the international system.

Even if poorly working, or not working at all, in terms of provision of internal governance and ability to engage in external relations with other peers, states can still be part of international society if they manage to get full recognition as 'sovereign' by other governments – Robert Jackson (2000) called these polities 'quasi-states'. This would imply that sovereignty, despite having a European origin, is a concept that is now believed to have a universal meaning, equally applicable to all states in the world, that 'being sovereign' means the same thing at all latitudes and longitudes – to be *superiorem non recognoscens*.

However, the concept of sovereignty, once relatively uncontested, especially in the field of International Relations (IR) theory,[2] has recently become a major topic for reflection and further theorisation. Rather than presupposing that the concept of sovereignty has a timeless

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[2] Following the common convention in the field, I refer to 'International Relations' (capitalized) to describe the discipline that seeks to study international politics, and to 'international relations' (lower case) as a synonym for 'international politics', i.e., the subject of the discipline.

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or universal meaning, more recent scholarship has focused on the changing meanings thereof across a variety of historical and political contexts (Bartelson 2006; Sørensen 1999; Costa Buranelli 2015).

This recent retheorisation and problematisation of sovereignty in IR theory has been prompted by several trends in international politics, all revolving around discourses and practices of sovereignty – a backlash against the so-called 'Responsibility to Protect' and its problems with 'preventive humanitarian interventions' (Paris 2014); alleged interference and selective bias of some supranational institutions, such as the International Criminal Court (Imoedemhe 2015); and the fact that different regions are reconfiguring their own discourses and practices of sovereignty more in line with historical experiences, pre-existing normative contexts, and local needs and understandings, thus creating a proliferation of subtle, yet meaningful, different interpretations (Acharya 2014; Costa Buranelli 2019). Thus, we require an analysis of how sovereignty gets localised in different socio-cultural contexts, especially outside the European domain where pre- and postcolonial traditions and practices of political power may intertwine with sovereignty.

For example, recent events in Eurasia, especially pertaining to the annexation of Crimea by the Russian Federation and its encroachment in several frozen conflicts in the region, have led scholars to pay attention to the increasingly contested nature of sovereignty in the region (Navari 2014; Deyermond 2016; Allison 2017). Especially in the last decade, Russia's actions and discourses in Eurasia have put the Central Asian republics on a heightened guard, with the intention to tackle discursively, pragmatically and normatively the former patron's revisionism (Tskhay & Costa Buranelli 2020). In June 2020, Russian President Vladimir Putin argued that the sovereignty and territory of several successor states to the USSR

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benefitted from 'gifts' from Moscow, allegedly referring to Ukraine and other states and hinting at the threat of revanchism in the future.[3]

The Central Asian states, which in this chapter are understood as the republics of Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan, entered international society in 1991, when they became independent from the USSR, and had immediately to learn the language and the practice of sovereignty in a post-unitary regional complex surrounded by nuclear great powers. More precisely, they entered a western-shaped international system in a condition of postcoloniality and, perhaps more accurately, post-imperialism. Furthermore, they rapidly, if not immediately, all established authoritarian traits of government and governance. This means that the alleged universal meaning and practices of sovereignty had to be learnt and localised in a postcolonial, increasingly authoritarian context.

In the light of the considerations offered above, this chapter discusses the nature of sovereignty in Central Asia, as well as its interpretation and practice. In doing so, two main questions will be considered. First, to what extent is sovereignty in Central Asia interpreted and practiced along the lines of western legal traditions, rather than presenting indigenous traits? Second, how does the postcolonial condition of the region, and its general authoritarian governance, impact on the interpretation and the practice of sovereignty?

From a methodological perspective, in order to carry out this study, the chapter adopts a qualitative methodology utilising discourse analysis of primary sources such as speeches,

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[3] RFE/RL's Russian Service, 'Kremlin Denies Eyeing Territorial Claims after Putin's Comments in Documentary', *Radio Free Europe / Radio Liberty* (22 June 2020), accessed 24 June 2020, www.rferl.org/a/kremlin-denies-eyeing-territorial-claims-after-putin-s-comments-in-documentary/30684797.html.

declarations, press conferences and documents found on the internet, in the archives in Central Asia during the period 2013–18 and on specific databases such as LexisNexis. Furthermore, the paper's argument benefits from elite interviews that underpin the narrative, serving as background knowledge. These interviews were conducted in the region with diplomats, officials, experts and policymakers in the period 2013–19, so as to shed an even brighter light on the conceptualisation of sovereignty in the region.

The chapter proceeds as follows. The next section briefly discusses sovereignty from a conceptual standpoint and clarifies as well as justifies the theoretical position taken in this paper to make sense of sovereignty. The following section discusses Central Asia's entry into international society, while the subsequent one reflects on the relationship between sovereignty, authoritarianism and postcolonialism in the region. The final section sums up the argument and indicates some possible avenues for further research.

The concept of sovereignty in IR

Talking about sovereignty in IR is like playing with fire, as this concept is indeed one of the most polysemic in the discipline (for an overview, see Krasner 1999). For most realists and liberalists, especially in their neo-structural form, sovereignty is a legal attribute of a state, it is legal condition to enter into agreements with other states, it is monopoly of power over a given territory and people and within certain boundaries. For constructivists, sovereignty is a set of recurrent and durable practices, and therefore something performed and enacted over time. In this way, as the name of the theory suggests, sovereignty is something 'constructed', and therefore its meaning and therefore practice changes over time. For English School thinkers, sovereignty is not just a 'constructed' practice, but a practice imbued with normative content. That is to say, sovereignty is an *institution*, if not *the institution*, of international society. It is a practice that must be recognised as valid and conforming to the

social context in which actors operate and live (here the system of states) in order to be accepted. Thus, its adoption defines the legitimate actors in the international system and regulates their interactions.

Whatever one's theoretical preference, two aspects are worth noting with respect to sovereignty. First, in order to understand sovereignty, we need history. While it is true that sovereignty is mostly associated to states (Thomson 1995, 220), for the very concept of sovereignty becomes an organisational principle only in a world of states (Ruggie 1983; 1993; Ashley 1984), it is crucial to remember that the story of sovereignty is not the story of states, but is the story of an idea. Second, the institution of sovereignty is, at least conceptually, inseparable from international law, as the two are the product of a relationship of co-constitution – a state is sovereign following an act of international law, and international law applies to sovereign states only.

So, what exactly does sovereignty *mean*? Conscious that this question may very well open a Pandora's box, I prefer to introduce this concept by adhering to a minimal definition of it which originated in western political and philosophical thought thanks to Bodin and Hobbes, that of being *superiorem non recognoscens* or, in the words of Charles Manning (1962; see also James 1993), 'constitutionally insular'. This means that a state, when sovereign, is not dictated both internal and foreign policy options by any other states. This is the basic condition for speaking of an anarchic system of states, one in which all states are at least legally equal and enjoy the same legal rights and obligations.

At the same time, Cynthia Weber reminds us that sovereignty is not something which should be thought of as having an ontological content. Rather, it has a function. In international relations, 'sovereignty's function is to demarcate the inside from the outside, the domestic from the international, so that they appear to be self-evident, not discursively constructed

through complex interworkings of power and knowledge' (Weber 1997: 228; see also Walker 1993).

Yet, as discussed in the Introduction, this function does not come out of nowhere but is the specific understanding of the western conception of sovereignty as it evolved over centuries in Europe before being exported throughout the world, until it was challenged by the rising solidarism of international society in the early 1990s, when not just constitutional insularity, but also, and especially, human rights and human development began to be the defining criteria of responsible sovereignty. As it has been aptly put, 'traditional things [associated to sovereignty] like respecting borders have been joined by democracy, free markets, and human rights' (Thomson 1995: 228).

Some theorists push this argument even further, arguing that the very *attributes* of sovereignty (coinage, weaponry, monopoly of violence, flags and so forth) have over the past 20 years been replaced by discourses and practices of good-governance, benchmarking, and conditionality over the *content* of sovereignty itself. In the words of Jens Bartelson, sovereignty is no longer a constitutive attribute of states, or an inalienable right whose ultimate source is to be found within the state. 'Sovereignty is … rather a grant contingent upon its responsible exercise in accordance with the principles of international law under the supervision of a host of global governance institutions and non-governmental actors' (quoted in Holm & Sending 2018: 841).

This means that, as will be discussed in the next section, the Central Asian states became such in a world where concepts are being reframed and renegotiated. This is the main complexity of the theme under consideration – that sovereignty cannot be studied as detached from the historical context in which it is formulated and practiced. And by doing so, the implication is that by studying how sovereignty is used in a particular context, we contribute to perpetuating its framing and its legitimacy. In the words of Bartelson (2006: 464),

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<EXT>the very moment that scholars decided that the meaning of sovereignty lies very much in what we make of it through our linguistic conventions and rhetorical practices, they also opened up a new field of inquiry within which this concept could survive and thrive, albeit now as an object of inquiry rather than as its uncontested foundation.</EXT>

As pre-empted in the Introduction, this chapter addresses two questions. First , to what extent is 'sovereignty' in Central Asia interpreted and practiced along the lines of western legal traditions, rather than presenting indigenous traits? Second, how do the postcolonial condition of the region and its general authoritarian governance impact on the interpretation and the practice of sovereignty? In order to answer these questions, or at least to provide some preliminary insights on them, this chapter makes use of the conceptual apparatus and jargon of the English School of International Relations (hereafter ES), according to which the international system is not a mechanic action–reaction realm where states interact blindly and simply following power dynamics, but is better conceived as an international society in which norms and rules of coexistence are established, observed and acknowledged when broken or contested. Most famously theorised by Hedley Bull (1977: 13),

'A society of states (or international society) exists when a group of states, conscious of certain common interests and common values, form a society in the sense that they conceive themselves to be bound by a common set of rules in their relation with one another, and share in the working of common institutions'.

In this theoretical framework, sovereignty is looked at not as an attribute, or as something 'possessed' or 'owned', but rather as a practice, as an array of discourses, norms and principles, in other words, as discussed above, as an *institution*, meant as a set of durable (but not eternal) practices and discourses that guide and direct the actions of members of a given

social context, and define its identity (Buzan 2004; Holsti 2004) by an act of socialisation, understood as the process by which states internalise norms originating elsewhere in the international system (Alderson 2001: 417).

Moreover, for the purpose of this paper, this ES approach to sovereignty is then complemented by what the scholar Mohammed Ayoob has called 'subaltern realism', which takes into account the condition of postcolonial states at the moment of entrance into the international system. In other words, socialisation and admission into the society of states

<EXT>must be combined with a judicious interpretation of the current domestic and external, normative and practical predicaments facing the postcolonial states. The latter task is essential because it is these problems, many of them related to early state making and late entry into the states system, that generate most conflicts in the international system, as well as determine the external and domestic behavior of most states. (Ayoob 2002: 39)**</EXT>**

Specifically, Ayoob (2002: 44) warns us that, as shall be evident later in the chapter, 'the geopolitical contours of states [in the Global South] were established largely by outside forces. Postcolonial state elites were left with the task of mobilizing human and material resources to effectively administer territories encompassed by colonially crafted boundaries'.[4]

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[4] Crucially, there are aspects of 'subaltern realism theory' that are less convincing, such as lumping all postcolonial experiences in a monolithic 'Third World' category, or the rather tenuous and problematic distinction between state repression for consolidating state authority and the purely predatory activities of self-seeking rulers. For a more detailed critique, see Michael Barnett's (2002) rejoinder.

Having reviewed, if rather briefly, the main theoretical and conceptual contours of sovereignty as understood in this chapter, and the theoretical basis for the present work, the next section moves on to see how the Central Asian states have incorporated and adapted the institution of sovereignty within their boundaries. Two caveats must be stated, though. First, the analysis will attempt to trace broad, general similarities among Central Asian states' understandings of sovereignty, and will seek to identify a 'family resemblance' among the potentially different interpretations of sovereignty that each Central Asian state may have. In other words, I am very aware that every country in the region has its own specific understanding and practice(s) of sovereignty, and this should not surprise anyone – yet, if sovereignty is an institution that socialises different actors around its content and legitimacy, it means that shared understandings and common traits are present, too. This is what has been recently called, quite aptly, theorisation 'from high altitudes' (Holsti 2018). Second, I acknowledge that my analysis will be prevalently state-centric and elite-focused. Due to space constraints, an analysis of how intellectuals, scholars, activists and other political subjects in Central Asia conceptualise sovereignty cannot be offered, and I am conscious of the limitations and trade-offs that my statist, ontological commitment forces me into. Yet, as argued in the Conclusions, I strongly invite further research exactly on these potential alternative understandings of sovereignty, which are crucial if we are to identify glimpses of future changes of the institution in the region.

Legal sovereignty in Central Asia

In 1991, the five Central Asian republics became formally independent. Kazakhstan declared itself independent on 16 December 1991; Kyrgyzstan on 31 August 1991; Tajikistan on 9 September 1991; Turkmenistan on 27 October 1991; and Uzbekistan on 1 September 1991. The era in which they were part of the larger whole that was the Soviet Union was finally

over. Administrative borders suddenly became borders to be defined by international law, and the capacity to interact with other states in international society through diplomacy and foreign policy as subjects of international law became available.

Following the theorisation of 'subaltern realism' (Ayoob 2002), according to which newly independent states interpret international law in the strictest way possible to balance potential great powers' revisionism and to gain international legitimacy and validation for playing 'according to the rules' (which, it is worth remembering, they did *not* contribute to developing), the Central Asian states immediately adopted the principles of *uti possidetis* (Latin for 'as you possess'), non-interference, non-intervention, and sovereign equality in all their legal (constitutional) documents pertaining to internal and external acts of the states.

Even a cursory glance at the constitutions of all five Central Asian states reveals that the institution of sovereignty in its meaning as absolute control over a defined territory, the protection of its integrity, inviolability, and inalienability, and its legitimacy deriving from the population insisting on it has been fully legitimised: in Kazakhstan this is visible in the Preamble, as well as in articles 2 and 10-1; in Kyrgyzstan in the Preamble and in articles 1, 2 and 88; in Tajikistan we can find references to sovereignty in the Preamble and in articles 1, 6, 7 and 11; in Turkmenistan's constitution sovereignty is mentioned in the Preamble as well as in articles 1, 2, 3, 20 and 22; and in Uzbekistan, sovereignty is featured even more prominently – not only is it mentioned in the Preamble and in several articles (1, 17, 57, 93

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and 125), but the Uzbek constitution even features a whole chapter (Chapter 1) titled 'State Sovereignty'.[5]

Other than this, the fact that sovereignty has been internalised is visible in the fact that the Central Asian elites have, over the years, become more confident and more aware of the content and the implications of the norms informing the institution. As the Central Asian republics were new to an already established system of norms underpinning international society, full familiarisation with sovereignty was a learning process.[6]

This is visible, for example, during the first decade of independence in the numerous incidents and skirmishes in areas where Central Asian states, such as Uzbekistan and Kyrgyzstan, share a border, as well as in the exceptionality of the civil war in Tajikistan (1993–7), in the course of which Russian and Uzbek troops as well as United Nations forces were deployed to support the government of Emomali Rahmon and the conclusion of a peace agreement between the belligerent factions, and in the episode of Batken (Kyrgyzstan, 1999), when Uzbek troops entered Kyrgyz territory through Tajikistan to quell a terrorist group who kidnapped a group of tourists. All these instances, which pertain to what one may call 'territorial international law', were marked by diplomatic reactions and counter-initiatives to reaffirm the inviolability of sovereignty, thus signalling the existence of a norm and its

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[5] In the Uzbek constitution there is also Article 70 that mentions sovereignty, referring to the Republic of Karakalpakstan, the sovereignty of which 'shall be protected by the Republic of Uzbekistan'.

[6] The ideas of 'familiarisation' and 'learning' were present in several interviews with experts, officials and diplomats I conducted in Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan between 2013 and 2019.

importance. For example, in November 1998 President Emomali Rahmon accused neighbouring Uzbekistan of training Tajik rebels and aiding in anti-government raids, claiming that 'it is an aggression on the part of a neighbouring state. … Uzbekistan has been interfering in our internal affairs for six years now. We have enough facts and proof to appeal to international organizations.' Uzbek authorities denied the allegations (Nardiev 1998).

With respect to the aforementioned episode of Batken, Tajik Foreign Minister Talbak Nazarov handed over a diplomatic note to the Uzbek ambassador to Tajikistan, Bakhtiyor Erjafhev, in Dushanbe on Monday 16 August 1999 in connection with the Uzbek air force raid. The head of the Tajik Foreign Ministry's Information Department, Igor Sattarov, speaking of 'bewilderment' for an 'unprecedented fact', said that during the conversation, which had taken place behind closed doors, the Tajik side expressed its surprise at 'this action by the Uzbek air force which cannot be justified by anything' and demanded that 'Tashkent take urgent steps to prevent such things from taking place in the future since they were at variance with principles [sic] and nature of relations that have developed between the two countries and in the region'.[7] The incident was then solved diplomatically, and the language used evidently showed a growing internalisation of the prescription of the norms informing the institution of sovereignty.

Over the years, such instances have been decreasing, and the complete inviolability of sovereignty, associated to non-interference and non-intervention, was codified in the charter of the Central Asian Cooperation Organisation (2002–5), and has been included in the founding document of the Shanghai Cooperation Organisation (SCO) (founded in the period

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[7] 'Tajikistan Accuses Uzbekistan of Carrying Out Air Raids', *BBC* (19 August 1999), accessed through LexisNexis on 20 March 2019.

2001–5), and has been reaffirmed at the three recent, informal, consultative meetings of the Central Asian Heads of States in Astana (now Nur-Sultan) ,Tashkent, and Avaza (March 2018,November 2019, and August 2021 respectively). In territorial terms, a clear and unconditional understanding of *uti possidetis*, paired with a strong conceptualisation of sovereignty, has contributed to preventing territorial disputes and claims, such as those in Western Kazakhstan and the Ferghana Valley in the late 1980s, those on the Uzbek–Turkmen border in the early 2000s, as well as those pertaining to Bukhara and Samarkand, cities that historically have been inhabited by Tajiks but that after 1991 ended up being part of sovereign Uzbekistan (Allworth 1994: 574–6), from materialising into conflict and open war.. This is in line with the theoretical framework outlined in the previous section, for 'the twentieth-century state system showed much more acute sensitivity than earlier Central Asian ages to the recognition and precision of certain state borders' (Allworth 1994: 598) in a period, that of the 1990s, that observed the rise of new nationalisms and irredentism in the region.

The legal interpretation of sovereignty in Central Asia, based on the idea of 'constitutional insularity' and on the 'inside/outside' dichotomy (Walker 1993), is interpreted rigidly and instrumentally also to enhance and entrench the insulation of the executive power from civil society and opposition forces as well as from encroaching great powers, [8] something that will be analysed more in depth in the next section. A case from Kyrgyzstan, for example, is quite famous. In 2016, President Almazbek Atambaev said parts of Kyrgyzstan's constitution were 'undermining Kyrgyzstan's sovereignty' and had to be amended. His remarks came after his aide, Busurmankul Taabaldiev, had harshly criticised a call by the United Nations

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[8] Interview with Central Asian international lawyer, February 2019.

Commission on Human Rights (UNCHR) to revise a ruling by Kyrgyzstan's Supreme Court against jailed human rights activist Azimjan Askarov. Taabaldiev said the UNCHR's call interfered in Kyrgyzstan's internal affairs while forgetting that Kyrgyzstan's constitution allows its citizens to call upon international courts to protect their rights, and it requires that Kyrgyz authorities comply with decisions made by such institutions.[9] Recently, the new president of Kazakhstan, Kassym-Jomart Tokayev, has made similar arguments, stating that citizens financed by some international human rights organisations are destabilising society, 'when what is needed is in fact a prosperous and sovereign Kazakhstan'.[10]

A similar logic is followed by Kazakhstan with respect to processes of Eurasia integration between Russia, Belarus, Kyrgyzstan and Armenia. Adopting a very strict view of sovereignty as 'constitutional insularity' and as a legal bulwark against potential great power encroachment, former President Nursultan Nazarbayev argued that as soon as economic integration based on intergovernmentalism would evolve into political integration based on the creation of decision-making *supranational* institutions, Kazakhstan would exercise its right to withdraw from the Eurasian Economic Union (EAEU).[11] The current president,

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[9] 'President Wants to Amend Laws Undermining Kyrgyzstan's Sovereignty', *States News Service* (5 May 2016), accessed through LexisNexis on 19 March 2019.

[10] 'Касым-Жомарт Токаев: Судьба казахского народа находится на весах истории' ('The Fate of the Kazakh People Is on the Scales of History'), interview by Zhanarbek Ashimzhan,*Kazinform*, 25 June 2020, accessed 1 July 2020, www.inform.kz/ru/kasym-zhomart-tokaev-sud-ba-kazahskogo-naroda-nahoditsya-na-vesah-istorii_a3665771.

[11] 'Kazakhstan to Give Up on Eurasian Economic Union if it Threatens Sovereignty – Nazarbayev', *AKI Press* (25 August 2014),

Tokayev, has recently reiterated these concerns, arguing in a viral interview to the popular Kazakh newspaper *Ana Tili* that in an era of turbulent geopolitical confrontation between great powers and potential revisionism at the regional level, 'Kazakhstan is obliged to take care of its national interests', emphasising at the EAEU summit on 19 May 2020 that 'integration will be supported … until it does not harm the sovereignty of Kazakhstan'.[12] Analogous remarks were offered a few months earlier by the Tajik government, too. A Tajik government official, in an interview with the media on condition of anonymity, maintained that the experience of Kyrgyzstan and Armenia shows that, 'if integrated, Tajikistan will lose some of its political and economic sovereignty'.[13]

This, again, signals that in Central Asia sovereignty as interpreted today is something that is not divisible, is not subject to compromise, and cannot infringe on the political decision-making of regional states. By using the metaphor of sovereignty as a 'fortress' (Luong & Weinthal 2002), the late Uzbek President Islam Karimov was even more categorical, rhetorically asking whether it was possible to have political sovereignty without economic

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https://akipress.com/news:546355:Kazakhstan_to_give_up_on_Eurasian_Economic_Union_if_it_threatens_sovereignty_-_Nazarbayev/, accessed 1 July 2020.

[12] 'Tokayev: The Development and Prosperity of Kazakhstan is in Our Hands', *EurActiv.com* (29 June 2020), https://www.euractiv.com/section/europe-s-east/interview/tokayev-the-development-and-prosperity-of-kazakhstan-is-in-our-hands/, accessed 2 July 2020.

[13] 'Dushanbe Does not Hurry to Join the Eurasian Union', *Defense and Security* (7 February 2020), accessed through LexisNexis on 1 July 2020

sovereignty in an implicit criticism of Kazakhstan opening its market to Russia, although this seems to be changing under the new rule of Shavkat Mirziyoyev.

To recap – in Central Asia, sovereignty is an inalienable, indisputable right to constitutional insularity that independent states possess by virtue of an act of international law; it is not divisible; it is about power, control and authority; and it is very much linked to the territorial nature of the state (*uti possidetis*, non-interference, non-intervention). Cosmopolitan calls to relax notions of sovereignty in favour of market economy principles, human rights, human security and responsible governance are rejected as impositions and unilateral understandings of the bedrock institution of international society. This, again, is in line with a subaltern realist reading of the ES, for 'the road map for weak states is not to transcend the Westphalian state and adopt post-Westphalian characteristics (whatever that may mean for polities struggling to establish themselves), but to create political structures that approximate to a much greater degree than at present the Westphalian ideal type' (Ayoob 2002: 40) and set this Westphalian ideal as 'the norm' and 'the standard' to then receive from it legitimacy and equality.

Yet, to fully understand how this legal understanding of sovereignty has become so entrenched in Central Asia, we have to turn to the postcolonial nature of Central Asian statehood and the authoritarian character of regional governance. As a matter of fact, despite emphasis on territorial and juridical sovereignty, economic and geopolitical pressures deriving from regional and global trends as well as from old core–periphery patterns with Russia have characterised the specific nuances of the politics of Central Asian states, evidencing in some respects 'neither their full sovereignty nor the complete independence of their domains from foreign interference' (Allworth 1994: 605).

Sovereignty, authoritarianism and postcolonialism

As Cummings and Hinnebusch (2011) have recently argued, it is impossible to understand how the Central Asian states have entered the society of states, and their norms and institutions, without an understanding of their previous experiences of rule and the imperial legacies associated with them – in other words, its postcolonial and post-imperial nature. In this respect, as this section will show, postcoloniality and authoritarianism are inextricably linked, as the former often serves as an *instrumental* precondition for the justification of the latter when performing sovereignty and the political control of 'the life' inside states.

The rigid interpretation of sovereignty in Central Asia is, on the one hand, linked to the specific authoritarian traits of the region which, rooted in the Soviet practice of personalistic cadre politics, reinforces a patrimonial, territorial understanding of sovereignty – sovereignty from the sovereign, through the sovereign, for the sovereign, despite sovereignty being described as belonging to 'the people' in the regional states' constitutions. On the other hand, the link between the authoritarian and the territorial understandings of sovereignty is provided by a specific postcolonial interpretation of sovereignty, what Sørensen (2016) calls 'the post-colonial sovereign game', which is about the consolidation of statehood and the control of violence within the territory of the state and the resistance to excessive intrusion from the great powers, using narratives of sovereignty in a modified version of the balance of power, similar to Ayoob's (2002) 'subaltern realism'. Indeed, one may argue that this postcolonial sovereign game played by the elites 'takes into account the impact of the international normative framework on state making and nation building in the Third World, as well as the Third World states' insistence on maintaining the essential norms of the Westphalian system to protect themselves from unwanted external intervention' (Ayoob 2002: 48) and, one may add, internal opposition.

As David Lewis (2011) argues, the nature of sovereignty that emerged in the post-Soviet period in Central Asia owes much to the attitudes of Soviet-era national elites towards the borders of the Soviet republics in the region, which emerged partly as a result of deep involvement in the bureaucratic politics of resources in the Soviet period. This, in turn, contributed to the emergence of a type of authoritarian regime that reflected this particular understanding of sovereignty. Moreover, the nature of authoritarianism in Central Asia – its neo-patrimonialism in particular – stems in part from the informal structures of social organisations and resource distribution that developed in Soviet Central Asia in the 1970s and 1980s. At the same time, despite calls for a united Central Asia under the name of Turkestan in the early 1990s (that is how the region was called during Tsarist domination in the 19th century), such federalist or supranational projects were very much resisted by state leaders coming from old Soviet nomenklatura, arguing that a system of sovereign states was the only one able to guarantee the newly independent states prosperity, development and security (Allworth 1994; Costa Buranelli 2018).

Thus, the result of this form of colonial elite-creation is a very particular understanding of sovereignty, which emerges primarily from the workings of party and state bureaucracy within republican boundaries over many years. As a result, post-Soviet Central Asian concepts of sovereignty did not emerge from an intellectual project, or as a result of a popular, nationalist struggle rooted in an ethnic version of history. Such projects were indeed in evidence in the late 1980s and early 1990s, when many Central Asian intellectuals were motivated by alternative visions of sovereignty informed by language issues, ethnic nationalism and irredentism, but these were suppressed by state elites (Lewis 2011: 183; see also Allworth 1994: 584, 598).

This is perhaps the greatest difference between the western conceptualisation of sovereignty, mostly linked to popular will and nationalism, and the discourse/practice of sovereignty in

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Central Asia. Western-inspired nationalism failed to mobilise mass support to compete with informal networks of power and their leaders. Instead, such nationalist visions – almost all of which were based on rather mythical views of ethnicity and history – were swiftly defeated and in fact appropriated by Soviet-era elites in the early 1990s in Uzbekistan, Kazakhstan and Turkmenistan, and eventually in Tajikistan later in the decade. To make things more complicated, as mentioned in the Introduction, the understanding of sovereignty in part of the west is now evolving through greater stress on the pooling of resources and accountability towards people, while in other parts of the world and in Central Asia in particular the understanding of the concept is still very much linked to principles of non-interference and absolute control.

Because of the stability of leadership, and the need for continuity with the past to ensure order in the process of transition to independence, post-Soviet sovereignty had no need for a democratic mandate; it did not rely on the populist impulses of ethnic nationalism from below and was wary of appealing too strongly to mass nationalist sentiment. Instead, it has been reliant on an authoritarian style of government, partially to counter the alternative concepts of sovereignty, linked to ethnicity or pan-Islamic ideals, advanced by its political opponents (Lewis 2011). As Diana Kudaibergenova (2016: 917) has maintained, in Central Asia the 'intersection of current discourses of nationalism and postcolonial rhetoric was appropriated by the ruling elites and, in the absence of major intellectual debates, theirs had become the dominant understanding of postcoloniality'.

In a full logic of norm localisation (Acharya 2004), it may then be argued that the institution of sovereignty, extended by international society to Central Asia, very much favoured local imperatives, goals and strategies, however authoritarian. An international set of norms was therefore successfully and aptly localised to fulfil local imperatives and political goals – those of achieving a peaceful transition to independence – and to maintain political power over

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territory and resources in a condition of fragile statehood and reconfiguration of regional order in the phase immediately after independence. The process of localisation of the institution of sovereignty has then been fed back into international society through the reiteration of the importance of sovereignty and its inviolability at the international stage through a process of norm subsidiarity at the international level (Acharya 2011). The crucial importance of sovereignty, linked to political stability and regime resilience, has been used, for example, as part of a discursive 'Shanghai spirit' under the umbrella of the SCO to legitimise strong rule and to push back any sort of democratic norm that may penetrate the region (Ambrosio 2008; Aris 2011).

At the same time, the legitimacy that authoritarianism finds in the region is very much linked to its alleged ability to protect and shield sovereignty from *all* excessive external interference, be it the western democratic one or the Russian one at the regional level. From 1991 onward, sovereignty has been one of the most frequent norms and institutions advocated by the Central Asian representatives at the United Nations General Assembly, showing high degrees of voting-convergence every time a resolution pertaining to sovereignty is voted on (Costa Buranelli 2014), precisely to resist, at least discursively and normatively, the tensions and hierarchy present in the region due to postcolonial historical legacies.

Especially after the de facto annexation of Crimea by Russia, the Central Asian republics have become more vocal, locally and internationally, about their insistence on the principle of sovereignty. It is not by chance that, a few days after violence erupted in Crimea, the Minister of Foreign Affairs of Kazakhstan flew to the UN headquarters in New York to submit an official declaration reiterating the inviolability of Kazakhstan's sovereignty and territory And in 2015 the Ukrainian President Poroshenko and Nursultan Nazarbayev produced a joint

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statement reaffirming the inviolability of sovereignty and territorial integrity as foundational principles of international order.[14]

This problematic aspect of Russo-Kazakh bilateral relations was revamped recently, when Tokayev stated that

<EXT>confrontation between big states is growing, and regional conflicts are escalating. This is a negative trend for Kazakhstan as a regional state. [Because of this,] the inviolability of our state border is the most important [principle]. Formalisation and delimitation of Kazakhstan's border with Russia, China, and Central Asian states has a truly historic significance. We can see the horrid, irreparable consequences of the lack of border agreements.[15]</EXT>

A similar underpinning worry was recently seen in how both the Tajik and Kyrgyz governments rejected, with a diplomatic note, Moscow's offer to provide mediation and good offices to resolve border disputes between the two Central Asian states (AKI Press 2020).[16]

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[14] 'Joint Statement by President of Ukraine Petro Poroshenko and President of Kazakhstan Nursultan Nazarbayev', *Ukrainian Government News* (9 October 2015), accessed through LexisNexis on 12 July 2020.

[15] 'Kazakhstan to Support Integration as Long as its Sovereignty Is Unharmed – President', *Russia & CIS General Newswire* (25 June 2020) accessed through LexisNexis on 12 July 2020.

[16] 'Tajikistan Sends Note to Russian Foreign Ministry on Lavrov's Statement about Tajik-Kyrgyz Border', *AKI Press* (1 June 2020), https://akipress.com/news:642621:Tajikistan_sends_note_to_Russian_Foreign_Ministry_on_

Another area in which the tension between sovereignty and postcolonial relations with the former patron are visible is that of state language and related issues pertaining to alphabets and Latinisation of Cyrillic script (du Boulay & du Boulay 2021). Since 1991, the Central Asian states have tried strike the balance between ensuring the development and predominance of local native language over Russian, seen as a necessary step to ensure the consolidation and full achievement of sovereignty, while at the same time maintain good political and diplomatic relations with the former patron. Focusing on the Kazakh case, Kudaibergenova (2016: 923) has also noted that 'political postcoloniality is defined precisely by the elites' inability to openly react against the former colonising regime, even in the setting of political agendas and of clear, "concrete" projects that aim to develop the state Kazakh language', which has potentially profound implications for the sovereignty of the country. This is evident in the most recent comments of Tokayev, who stated that

<EXT>the language issues have a great political significance and, if handled carelessly, *can have implications on sovereignty and security*. We have seen how it unfolded in Ukraine. Attempting a frontal attack to raise the status of the state language and force the expansion of its use is counterproductive and can trigger interethnic tensions. Besides, we should take into account the geopolitical background, *including the world's longest land border with Russia*' (Kazakhstan General Newswire 2020, emphasis added).[17]</EXT>

Lavrov%E2%80%99s_statement_about_Tajik-Kyrgyz_border/ accessed 10 June 2020, https://akipress.com/news:642621:Tajikistan_sends_note_to_Russian_Foreign_Ministry_on_ Lavrov%E2%80%99s_statement_about_Tajik-Kyrgyz_border/.

[17] 'Forceful Approach to Raising Status of State Language Counterproductive – Tokayev', *Kazakhstan General Newswire* (25 June 2020) accessed through LexisNexis on 1 July 2020.

This well encapsulates the delicate and Janus-faced relations between Russia and Central Asian states, which oscillate between 'strategic partnerships' and 'historical friendship' and feelings of oppression and subjugation. In the words of Sergei Abashin (2014: 87), 'criticism of the USSR is an important and inescapable element of modern national narratives in the region. The idea that the nation has taken the place of the previous unjust system, liberating people from it and overcoming its inadequacies, lies at the heart of political apparatus of the new states.'

Nazarbayev once referred to 'our grandfathers fighting for Kazakhstan's independence and sovereignty, the "most precious asset"' (Strokan 2014). In Kyrgyzstan, the postcolonial lexicon of struggle and conquest is also also visible, almost in mythical terms. 'Today is the day of rejoice for your people who realized their cherished dream and achieved sovereignty', President Sooronbai Jeenbekov said in his address at the celebrations of the Independence Day of Kyrgyzstan at Ala-Too central square in Bishkek in 2018. 'On this day we raised the flag of our independence and told the whole world that a new independent country appeared … Freedom can't be gifted, it should be earned in a continuous struggle. Many our sons [sic] and daughters of our people sacrificed their lives for this goal', the President said. Jeenbekov also recalled that 'the epic of Manas [the national epic of Kyrgyzstan] says that even in the most tragic minutes of historical fate the ability of revival was always peculiar to our people. The tougher the strokes of misfortune were, the stronger the will to live'.[18]

These narratives, again imbued with postcolonial understandings of sovereignty, have often contributed to escalating interethnic tensions and to threating the coexistence of different

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[18] 'People of Kyrgyzstan Made their Cherished Dream Come True and Achieved Sovereignty – Jeenbekov', *Central Asian News Service* (31 August 2018) accessed on 13 July 2020.

groups within Central Asian states, as the comments of Tokayev on the state language showed. For example, in Kyrgyzstan, during the clashes between Kyrgyz and Uzbeks in the south of the country, some politicians such as parliamentary deputy Adakhan Madumarov went as far as to say that the Kyrgyz, being the majority or 'titular' ethnic group of the country, 'are the masters of the house, the others [nations and peoples] only renters (quoted in Laruelle 2021: 88). Building on Lev Gumilev's concept of titular nations, the first Kyrgyz president, Askar Akaev, 'adopted these ideas to claim that Kyrgyz ancestors had strived and fought for statehood and how it was maintained, even when the Kyrgyz were under the Russian Empire and Soviet Union' (Gullette & Heathershaw 2015: 131). These ideas then echoed in the discourses and actions of Osh's mayor, Melis Myrzakamatov,

<EXT>who traced his genealogy to the land and declared that his ancestors have always been prominent in the Fergana Valley. Thus, he presented himself as protecting the 'sovereignty' of the Kyrgyz people against intervention by separatists from minority ethnic groups. Shortly after the events, speaking to a correspondent from a Russian daily paper, Myrzakmatov echoed these sentiments, stating that 'Uzbeks had encroached on Kyrgyzstan's sovereignty. But, we repulsed them.' (quoted in Gullette & Heathershaw 2015: 127)</EXT>

Once again, it is visible here how the postcolonial condition of regional politics, especially as far as territories, borders, enclaves and exclaves are concerned, leads to what has been aptly called the 'affective' nature of sovereignty in Central Asia, with an emphasis on 'how the emotional, the physical, and the psychological shape inter-ethnic relations, the elite politics of nationalism, and debates about international intervention' (Gullette & Heathershaw 2015: 135). And exactly because of the 'affection' of sovereignty, the autocrat, the leader, the president becomes the embodiment of the sovereign nature of the state, not so dissimilarly

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from the Leviathan, and presents himself as a guide that has led the people to the obtainment of the most precious gift – sovereignty.[19]

In what seems to be an excellent example of socialisation in Aldersonian terms, as discussed in the Introduction, Tajik President Rahmon is on the path of an even more increasing personalisation of power, for example by becoming 'Leader of the Nation' in late 2015, following the example of 'Elbasi' in Kazakhstan and 'Turkmenbashi' and 'Arkadag' ('Protector') in Turkmenistan, and getting lifelong immunity. This, importantly, has happened in the aftermath of talks with his regional peers over 'stability' and 'security' in the region in general and in Tajikistan in particular, with particular emphasis on the preservation of sovereignty, stressing the elements of struggle, liberation and fight (Costa Buranelli 2020b).[20]

Conclusions

In this chapter, I offered some reflections on how the institution of sovereignty has been localised and interpreted in Central Asia since 1991. Far from providing a fine-grained analysis of how each state in the region interprets sovereignty, the narrative has focused more on the main general shared aspects of this institution, taking into account two main questions – whether the understanding of sovereignty in Central Asia follows Westphalian, western

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[19] References to Hobbes' Leviathan were actually discussed in the course of several interviews with Kazakh, Kyrgyz and Uzbek experts.

[20] RFE/RL's Tajik Service, 'Teflon Rahmon: Tajik President Getting "Leader" Title, Lifelong Immunity', *Radio Free Europe / Radio Liberty* (10 December 2015), accessed 2 July 2020, www.rferl.org/a/tajikistan-rahmon-lifelong-immunity/27419474.html.

lines, and what role authoritarianism and postcolonial narratives play in substantiating such an understanding. The argument advanced is that a strictly legal and territorial understanding of sovereignty is the one prevalent in Central Asia, supported by an authoritarian form of governance intertwined with postcolonial discourses and processes of state- and nation-building. This, as discussed throughout the chapter, does nonetheless mean that such shared understanding prevents occasional conflict from arising. Recent violence on the Kyrgyz-Tajik border, in which dozens of people lost their life and thousands were displaced, shows that contestations over disputed sovereignty are still happening in Central Asia. Yet, it is crucial to note that sovereignty and the norms associated to it still constitute the only acceptable framework for resolution of disagreements between the regional states (Costa Buranelli 2021).

By means of a conclusion, I would like to offer three suggestions for further research. First, it would be interesting to explore alternative conceptions of sovereignty in Central Asia, relying on alternative interpretations of current global norms or insisting on pre-colonial understandings of political power. As admitted in the course of the narrative, this piece of research focused predominantly on state elites and adopted a statist ontology, and so more is needed to go beyond state-centrism. Second, further research should consider the evolution of political regimes in Central Asia. The attitudes of the Uzbek government towards sovereignty, for example, are changing if compared to five years ago, and a more relaxed and permissive understanding of sovereignty, especially from an economic and trade viewpoint, seems to be materialising. At the same time, with time passing and older generations coming to the fore, nationalism may also increase or decrease How and whether this will change in other parts of Central Asia, and whether changes inside regional states will define a new regional understanding of the institution, is yet to be seen. Third, more research is needed in future on the impact of (de)globalisation and increasing systemic pressure coming from

neighbouring great powers on the region. In particular, research is needed on the continuation of old, and the potential creation of new, imperial practices that may lead to a progressive hierarchisation of the regional environment and a constant erosion of territorial and economic sovereignty in the form of land concessions, remittances, financial and military dependence, and delocalisation of productivity (Schlichte 2017).

The ways in which the Central Asian states have localised and interpreted this institution shows that, far from being outdated and superseded, sovereignty has proved to be durable and persistent, although not fixed. How this will evolve in the future depends on a complex interaction of global, regional, state and human dynamics, and most crucially on what discourses, narratives and practices will be legitimised – by whom, and for whom.

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