

## Southern Azerbaijan Questions Within the Scope of the Principle of Self-Determination

ELSHAN MAMMADLI

Center for Economic Studies of the Turkic World  
Azerbaijan State University of Economics (UNEC)  
Baku, Istiqlaliyyat str.6, AZ1001, AZERBAIJAN

*Abstract:* In the study, the demands and behaviors of the Southern Azerbaijani Turks in Iran were examined within the framework of the right to self-determination, which is considered one of the basic principles of international law. Moreover, the historical development process and current social structure of Iran, as well as the distribution of the Southern Azerbaijani Turks in Iranian geography and their populations were discussed. If we summarize the results of the study, in the event that the authoritarian regime in Iran will not change its policies of Persianism and ethnic discrimination in the country, that it will not immediately carry out the reforms related to the recognition of cultural rights and local government autonomy for different ethnic communities, and that real steps will not be taken towards the democratization of the existing administrative structure, the freedom of minorities living in the country to exercise their right to self-determination afforded to them by international law seems to be an indispensable condition.

*Key-Words:* Southern Azerbaijan, Iran, Nationalism, Ethnic Communities in Iran, Turkish Nationalism Movements in Iran, Iranian Islamic Revolution, Self-Determination, Right to Self-Determination.

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### 1 Introduction

Due to its geopolitical location, Iran functions as a bridge between Central Asia, the Middle East, and the European continent. In this respect, Turks who migrated from Central Asia to Anatolia in certain periods of history used Iranian geography, and some of them did not go to Anatolia and settled in Iran. When we look at the historical sources, it has been proved that there were peoples of Turkish origin among the peoples living in the territory of Iran. The ethnic communities that still exist in Iran, which has a multi-ethnic structure, are primarily Turks and Persians; moreover, there are Arabs, Kurds, Balochs, Gilaks, and Mazenderanis. If evaluated in terms of historical periods, Iran had been under Persian rule from its ancient history until the 7th century, Arab rule from the 7th century until the 10th century, and Turkish rule for about a thousand years from the 10th century until 1925. Within the scope of this process, Iran, which was the meeting point of different cultures, experienced a break in its religious identity with the beginning of the rule of the Safavid Dynasty in the 16th century, found itself in the center of Shiite belief, and started to build an identity under the influence of this sect.

With the wind of nationalism beginning to appear in Iran, every community that speaks different languages and has different cultures and traditions has started to build their identities on their own ethnic communities. With social injustices, bribery in the bureaucracy, and economic problems in the Turkish Qajar Dynasty, which was the last period of the thousand-year Turkish domination in Iran, and the fact that Iran turned into a playground for global powers, this situation created a desire for constitutionalism. The Turks, who continued their existence in Southern Azerbaijan, played an important role in the Constitutional Movement. This activity caused the Qajar Dynasty, which was of Turkish origin, to put pressure on people belonging to the same nation. At the beginning of the 20th century, the idea of nationalism emerged as the only idea to hold on to for the Southern Azerbaijani Turks, who were under the pressure of the Qajars and were raising their own intellectuals. Under the influence of these ideas, Sattar Khan's rebellion took place in Southern Azerbaijan at the beginning of the 20th century, and Khiabani's uprising - in the later periods.

During the rule of the Pahlavi Dynasty, which came to power with the overthrow of the Turkish-origin

Qajar Dynasty in Iran in 1925, an Iranian (Persian) ideology was tried to be formed on the basis of Persian language and Persian history. This situation has turned into attempts to ignore and assimilate the Turkish nation, which constitutes more than forty percent of the population of Iran, as well as a policy of cultural, social, and economic pressure for Southern Azerbaijan. The Iranian ideology of the Pahlavi era aimed to gather all the ethnic communities living in this country under a single nation within the scope of a new integrating 'Iranian nation'. This thought, which ignored the thousand-year Turkish domination and saw the Persian ethnic community dominant, caused a reaction when combined with the economic and social conditions of the period, and the project of creating an Iranian nation faced the desire of the Southern Azerbaijani Turks to determine their own destiny. After the Iranian Islamic Revolution that took place in 1979, the dominant segment, which wanted a Persian-based Iranian identity, this time began to demand an Iranian identity based on the Shiite interpretation of Islam. The oppression and assimilation against the Southern Azerbaijani Turks continued in the same way, only the implementers changed.

The geopolitical and geostrategic location of the Southern Azerbaijan region, where the Southern Azerbaijani Turks live, the assimilation and pressure policies of the Iranian administration to the Turks in this region, as well as the discrimination movements against the Turks in the political, economic, legal, cultural, and social fields, the reaction of the Iranian administration against the demands of the Turks living in Southern Azerbaijan within the scope of the right to self-determination, the illegal methods chosen to eliminate these demands, and the oppressive attitude underlie the problems of the Southern Azerbaijani Turks in Iran.

The problems of the Southern Azerbaijani Turks, examined in the study, in Iran are extremely important in terms of better understanding the reasons, development, and possible consequences of the pursuit of national identity in Southern Azerbaijan today. Another dimension of this study is the handling of the problems of the Southern Azerbaijani Turks within the scope of international law, especially within the framework of the right to self-determination. The principle of self-determination, which played an active role in the formation or dissolution of many states within the framework of the historical process, continues to be of vital importance for peoples who have been subjected to all kinds of discrimination and oppression today. The principle of self-determination is also a driving force for peoples in

the field of international law in terms of gaining independence and recognition. International law grants the right to external self-determination directly to peoples under colonial rule and peoples under foreign occupation, and conditionally to peoples under the racist rule. This is the reason why the concept is still up-to-date despite the end of the process of liquidation of the colonies: Ethnic groups, which cannot get an answer to their secessionist demands, are making every endeavor to have the right to external self-determination by making use of the UN General Assembly Resolution 2625 (XXV) by tagging the states they are a part of as racist and discriminatory. In this respect, our study examines the legitimacy of the demands made by the Southern Azerbaijani Turks against the oppressive regime in Iran within the scope of the principle of self-determination.

## 2 Southern Azerbaijan Questions

Iranian Azerbaijan or Southern Azerbaijan is a region in the northwest of Iran with a dense Turkish population. In the informal political literature, the northwestern part of Iran is called Southern Azerbaijan. Minorities of different ethnic origins and sectarian groups live on the territory of Southern Azerbaijan; however, Azerbaijani Turks make up about 85% of the population of Southern Azerbaijan. Especially in West Azerbaijan, East Azerbaijan, Ardabil, and Zanjan provinces located in the northwest of Iran, the Turkish population constitutes the majority. *"In this context, according to the Population and Culture Survey conducted by the General Cultural Council of Iran in 2012 under the name of the Country's General Cultural Indices Research and Analysis Project, 76.2% of the population of West Azerbaijan is Turkish, 21.07% - Kurdish, 0.8% - Iranian, and 1.08% - Armenian, Syriac, and other ethnic origins."* [44].

There is Aras River in the north of Southern Azerbaijan, Eastern Anatolia in the west, Iranian Kurdistan and Hamse in the south, Talysh and Mugan mountains in the east. This area is a region of high strategic importance on the roads of India, Anatolia, Caucasus, and Iran. The area in question is on a high plateau, far from the sea in terms of its geographical features. While the highest altitude of this region is Sahand and Sabalan mountains, the lowest altitude is Lake Urmia, where many

rivers flow. Aras in the north and Qizil Üzan in the south are important rivers into which the streams that irrigate the northern Iranian highlands flow and which bring these streams to the Caspian Sea. The important cities of the Azerbaijan Province, where few Kurds and Armenians live besides Turks, are as follows; Tabriz, Urmia, Khoy, Ardabil, Maku, and Savojbolagh (Mahabad) [28]. The city of Tabriz has a population of about four million [45] according to the 2016 census. It is the largest commercial center of Iran and the city with the highest Turkish population. The city of Urmia is located approximately 50 km from the border with Turkey. The population of Urmia is over seven hundred thousand. The city of Khoy is also close to the border with Turkey and the majority of its population is Turks. According to the 2016 census, the population of Maragheh is over two hundred and sixty thousand. Maragheh is in a favorable location for selling goods abroad and for foreign investments due to its land, air, and rail transportation connections. According to the 2016 census, the population of Ardabil is over one million. In Ardabil, the majority of the population is Azerbaijani Turks and the minority is Talysh. The majority of the province speaks Azerbaijani Turkish. Ardabil, which has a border of 382 km with the Republic of Azerbaijan, is seen as Iran's gateway to the Caucasus region. Maku is located at the important crossroads leading to the Russian-Turkish border.

Southern Azerbaijani Turks are the community with the highest population in Iran, together with the Persians, with a population of around thirty million (there are studies claiming the number is thirty-five million). When Tsarist Russia occupied some lands of the Safavids, the Ottoman Empire wanted to stop this invading policy of Russia. The lands belonging to the parties were determined with the Treaty of Constantinople signed between the Ottomans and Russia on July 12, 1724. According to this treaty, the western strip of the Caspian Sea, from Derbent to the bed of the Kura River, was given to Russia, and the rest of the South Caucasus was given the Ottoman Empire [30]. At the end of the Russo-Persian War dated 1804-1813, Fath Ali Shah signed the Treaty of

Gulistan with Russia in 1813. The negotiations, which started in September 1813 in the village of Gulistan in Karabakh, resulted in a treaty on October 12. The Iranian side was represented by Mirza Abolhassan Shirazi and the Russian side was represented by Commander-in-Chief Nikolay Rtishchev [30]. This agreement resulted in the division of Azerbaijan, and the Russian domination was accepted in the northern part of Azerbaijan geography [8]. With the Treaty of Gulistan, the lands of the khanates of Baku, Karabakh, Ganja, Quba, Shaki, Shirvan, and Lankaran were left to Russia, and Russia gained the right to have a navy in the Caspian Sea for the first time. However, Iran, dissatisfied with this situation, once again went to war with Russia. When the next Russo-Persian War ended in 1828, the Treaty of Turkmenchay was signed between Iran and Russian Empire. The division of Azerbaijan geography into two as it is today was realized with the Treaty of Turkmenchay dated 1828, which was signed as a result of the wars between Iran and Tsarist Russia [17]. With the treaties between Iran and Russia, Russia gained dominance over the khanates of Iravan, Nakhchivan, and Ordubad [30]. The ethnic characteristics of the community living in this region were not taken into account in the borders demarked by the Treaty of Turkmenchay. This is an aspect of the treaty that creates problems for the region in the long run. As a result of the Treaty of Turkmenchay, a picture emerged that made the Armenians uneasy as well as the Turks in the region. Armenians living in Iran asked permission to immigrate to Russia. With the Treaty of Turkmenchay dated 1828, the region was divided into two, north and south, in terms of administrative geography, based on the Aras River; however, this is a permanent treaty and it has divided the people of Azerbaijan as well as its lands.

When we examine the struggle for the existence of the Southern Azerbaijani Turks after the occupation from a historical perspective, it is useful to dwell on a few important historical events. Southern Azerbaijani Turks participated in the revolution under the leadership of Sattar Khan (Sardār-e Melli) in the Constitutional

Revolution dated 1905-1911. This process increased the enlightenment and libertarian tendencies of the Azerbaijani Turks. They obtained some rights related to themselves in the 1907 Constitution. The fact that Mohammad Ali Shah Mirza destroyed the Iranian Parliament with Russian cannons in 1908 caused great harm to the supporters of constitutionalism in Iran. Even in this period, the Turks organized in Tabriz under the leadership of Sattar Khan continued their resistance. During this period, red flags were laid on the houses as a sign of resistance in Tabriz. When the Shah could not break the resistance in Tabriz, he tried to solve the problem through diplomatic means. In order to break this resistance, the Shah suggested, "*If you don't trust us, be safe under the flag of one of the neighboring states*". Sattar Khan's responded to this suggestion, "*The flag we unfurled here is the flag of freedom. The whole world should unite under this flag.*"[16]. When these developments began to worry Russia, the Russian authorities made an offer of help to the Shah to solve this issue because the Russians saw the problem in Tabriz as an obstacle in the occupation of Iran. Although Tabriz sought protection from the Ottoman Empire in this situation, the Ottoman Empire could not provide sufficient support due to the conditions it was in. As a result, at the end of Russian pressure, Sattar Khan's resistance lost and Russia's influence on Iran increased. Russia officially occupied Iranian Azerbaijan in 1915. Then, the effort to establish an Armenian state between Urmia and Salmas caused the death of ninety thousand Azerbaijani Turks. This situation ignited the flame of a new resistance under the leadership of Shaikh Khiabani [16]. Khiabani started the popular uprising on April 7, 1920. He declared the establishment of the *Republic of Azadistan* in Iran on April 9, 1920; however, this revolt was suppressed by the Iranian government in a short time. After completing the necessary preparatory work against the democratic rule in Tabriz, the central government forces took the offensive on September 11, 1920, and re-established Tehran's dominance in Tabriz within three days [30]. The leader of the uprising, Mohammad

Khiabani, died during the clashes, and most of the rebels were executed.

The dynastic rule of Turkish origin, which had been ruling in Iran for centuries, ended in the first quarter of the 20th century, and the period of Pahlavis, who were of Persian origin, began. This change marks an important breaking point for Southern Azerbaijani Turks. Turks have been exposed to various limitations in terms of expressing themselves on cultural grounds, especially participating in the political process of the country [35]. In 1925, the Pahlavi Dynasty period started in Iran with Reza Pahlavi. Reza Khan wanted to eliminate the cultural difference in Iran. For this purpose, he founded the "*Thought Development Institution*" in 1927. The task of this institution is to develop the Persian identity and the understanding of the nation-state in Iran. Reza Khan's efforts to develop Persian nationalism also aimed to Persianize the Iranian Turks. During this period, education in Turkish, preaching in Turkish in mosques, and broadcasting in Turkish were prohibited in Iran. Turkish was banned everywhere. Even lamenting in Turkish in mourning ceremonies was considered a crime. In addition to all these, the names of places, regions, and people in Turkish were changed, and it was forbidden to put Turkish names. In 1934, Persian was adopted as the official language in Iran. Reza Khan's policy of Persianizing the Iranian people was continued by his son, Mohammad Reza Shah, after he was deposed during World War II. During his reign, Mir Ja'far Pishevari came to the fore in the struggle of the Southern Azerbaijani Turks. In the period before World War II, Southern Azerbaijan had an important place in the struggle of the Soviet Union to establish dominance in the north of Iran. For this reason, the Soviet Union wanted to increase its influence on the Southern Azerbaijani Turks by publishing newspapers and books and supporting the opening of libraries and cultural centers. In this period, it was important to influence the Turks in the region in the competition between Britain and the Soviet Union. For this purpose, the Soviet Union supported Pishevari in the first stage. Pishevari became a candidate to be a deputy of the 14th

convocation from Tabriz and was elected as a deputy from the Iranian Democratic Party [19]. However, Mohammad Reza Pahlavi did not allow Pishevari and his friends to enter the parliament and their mandates were rejected in the Iranian Parliament (Sarisaman). On September 3, 1945, the Azerbaijan Democratic Party (ADP) was established in Tabriz [30]. The party adopted the name of Khiabani's political movement to indicate historical continuity. On September 12, 1945, the Azerbaijan Tudeh Party (a communist party supported by the Soviet Union, which had influence in the north of Tudeh-Iran) decided to join the ADP. On September 13, 1945, the first meeting of the ADP was held in Tabriz. At the meeting, a Founders' Committee consisting of eleven people was formed and Pishevari was appointed as the chairman of this committee. On October 2, 1945, the ADP convened its first congress. At the end of the congress, a twelve-article declaration called the "*Muracaatname*" ("Proclamation") was announced to the public. With this declaration, providing respect to the integrity and independence of Iran, the granting of cultural autonomy for the Azerbaijani people, the re-establishment of the provincial councils, and the recognition of autonomy to Azerbaijan were requested. The proclamation also included education in Azerbaijani Turkish and economic demands such as land reform, prevention of unemployment, ensuring industrialization, spending the taxes collected in Azerbaijan to Azerbaijan [4]. Since the first day of its establishment, ADP has made statements about the acceptance of Turkish as an official language in Azerbaijan [46].

In October 1945, a bloodless rebellion was launched to take control of Southern Azerbaijan. In the Great People Congress convened on 20-21 November 1945, it was emphasized that Azerbaijan has its own language, nationality, and tradition, and it was stated that it should have the right to self-determination. In this congress, the Southern Azerbaijanis stated that their aim was not to secede from Iran but they wanted Azerbaijani Turks to be accepted as a separate nation [4].

"*Azerbaijan People's Government*" was established on December 12, 1945 (according to

the Solar Hijri calendar, on Azar 21, 1324) [30]. After this government appointed the Council of Ministers, it opened a university in Tabriz and made Turkish the official language. There were no foreign, defense, and foreign trade ministries in the government where Pishevari was appointed Prime Minister. This situation shows that the Azerbaijan People's Government expected autonomy at this stage, not independence. The Azerbaijan People's Government, approved on December 13, 1945, made many reforms. The most important of these reforms were education in Azerbaijani Turkish, distribution of lands to peasants, the establishment of Tabriz Bank, the establishment of Tabriz Radio, nationalization of underground resources, the opening of a state university in Tabriz, opening of a state theater, opening of a state philharmonic, establishment of a national library, removing the monument of Reza Shah Pahlavi in Tabriz and building the monuments of Azerbaijan's national heroes Sattar Khan and Bagher Khan, etc. On the other hand, considering the 1946 budget, it is seen that the budget allocated by the Azerbaijani Government for national education was higher than the budget allocated by the Iranian State for the entire country's education [42]. The Azerbaijan People's Government declared the Azerbaijani language as the official language with a ten-article declaration in order to enable the people to have closer relations with the state institutions, to have the needs of the people determined more easily, and to ensure the development of the language and national culture [30].

In accordance with the agreement between Germany and the allied forces in 1945, Iran had to be cleared of the occupation forces within six months. But the USSR did not want to withdraw from Iranian territory. Thereupon, the Shah made a secret agreement with the USSR through Prime Minister Qavam. Thus, the right to extract the Southern Azerbaijan oil was given to the USSR. Then, the USSR declared that the Southern Azerbaijan Questions are an internal issue of Iran. Thus, the way was opened for the Shah to abolish the Azerbaijan People's Government [19].

As a result of the agreement of Iran and the Soviet Union, as of March 1, 1946, the Soviet army began to withdraw from Iranian territory. On June 14, 1946, the Milli Majlis of Azerbaijan ended its activities and started to work as the Azerbaijani Council on June 16 [33].

Shortly after the establishment of the Azerbaijan Democratic Party (ADP), the leader of the “21 Azer” Movement, Sayyed Ja'far Pischevari, wrote about the main aim of the movement – the autonomy of Azerbaijan within the integrity of Iran: “We want the Azerbaijani people to have their cultural rights and determine their own destiny by their own power, along with adhering to the independence of Iran” [26]. In another article, Pischevari clarifies the issue of autonomy while talking about the basic documents of the ADP: “As in our proclamation, the basis of our program is the Constitution and the protection of the Constitution, the election of state and provincial committees as soon as possible in order to ensure the autonomy of the Azerbaijani people in internal affairs, as well as the issue of benefiting from government offices by writing and reading in the mother tongue” [26]. The leaders of the movement have repeatedly emphasized that another aim of “21 Azer” Movement was the autonomy in Azerbaijan to democratize Iran. For example, Pischevari wrote the following in this context: “By gaining freedom, the Azerbaijani people will liberate all Iranian peoples from captivity... We want the happiness of the Azerbaijani people and want Iran to get rid of poverty and disaster... If our slogan of local autonomy is implemented in every eyalet and province of Iran, millions of honorable people will take the path of being the defender of the state such that a strong government will emerge on this occasion and be successful in solving the problems of the country [Iran]. This is how real centralization can begin to occur [in Iran]” [26]. Since the line of the leaders of the movement was *“Autonomy for Azerbaijan, democracy for Iran!”*, this was causing conflict between them and the Soviets, who protected them. As a number of sources confirm, this disagreement

led to the murder of Mir Ja'far Pischevari in Soviet Azerbaijan in March 1947 [30].

The people of Southern Azerbaijan have been exposed to increasing pressure after the 1950s. With the Shah's White Revolution reform, the people reacted to the distribution of the lands of Southern Azerbaijan to the peasants. In fact, Khomeini, who would lead the Iranian Revolution in 1979, protested the Shah's reforms and was exiled for this reason. In those days when the possibility of Khomeini's execution was the point in question, the support of Ayatollah Shariatmadari, whom the Azerbaijani Turks considered the religious leader in Tabriz, enabled him to be sentenced to exile. Although there were differences of opinion between him and Khomeini on various issues, when Khomeini was arrested, it was Shariatmadari who stated that he was a religious leader in the position of marji' taqlid (literally meaning “source to follow” or “religious reference”) and thus prevented the execution of Khomeini [1].

The Turks of Southern Azerbaijan were one of the most influential groups in the 1979 Iranian Revolution. Representing the religious aspect of the revolution, Khomeini received support from the people of Southern Azerbaijan and Iranians of Turkish origin. The Turks of Southern Azerbaijan accepted Ayatollah Shariatmadari as their religious leader during their opposition to the Shah. Shariatmadari had different views from Khomeini on some issues but he supported Khomeini until the end of the revolution [2]. Azerbaijani Turks in Iran demanded permission to use the Azerbaijani language in the Ulduz newspaper, which was published in Azerbaijani Turkish at the time. This action shows that ethnic-based demands existed long ago, that many Azerbaijanis believed that the revolution would provide cultural freedom for them, and that they continued to struggle when they did not get a result. Ayatollah Shariatmadari founded the Muslim People's Republican Party (MPRP) on February 25, 1979. While the party promoted the membership of all ethnic groups in Iran, members of the party were mainly from the Azerbaijani provinces of Iran and the Azerbaijani Turks, who were tradesmen of the Tehran Bazaar. The party's program called for

the granting of autonomous rights to ethnic minorities within a united Iran. The party supported the idea that the great provinces in Iran should have their own parliaments and demanded that not just Azerbaijanis but all ethnic minorities in Iran be given rights. Party members, such as the Shariatmadari, also opposed the centralization of all state authority around one leader's authority.

One of the most important organizations established after the advent of the new regime in 1979 was the Council of Azerbaijan. The council published a manifesto demanding the recognition of the national language and culture of Azerbaijan and the establishment of schools in the upcoming school year and mass media in the Turkish language, as well as the recognition of the right of the Azerbaijanis "to use their mother tongue" in the courts and other government offices. [34] On December 2, 1979, a great uprising started in Tabriz. The protests that started in Tabriz quickly spread to Urmia and other regions. Azerbaijan Turks supported Shariatmadari in their opposition to Khomeini. However, Shariatmadari was concerned that the harsh intervention of the new regime against the uprisings in the Kurdistan region would be applied to the Iranian Azerbaijanis. Thus, characteristically, Shariatmadari chose to avoid bloodshed and conflict between his supporters and the regime. These events ended with the intervention of the Islamic Revolutionary Guard Corps in Tabriz. As a result of these events, Shariatmadari was sentenced to house arrest and was defrocked from his position in 1982. Shariatmadari told his Azerbaijani devotees who declared their willingness to defend him to return to Azerbaijan and not to act on his behalf [34]. After Shariatmadari was placed under house arrest, the defiance was stopped.

After the disintegration of the USSR, the Republic of Azerbaijan was established, bordering the Azerbaijani Turks in Iran. In this process, Armenia's occupation of Karabakh and Iran's support for Armenia in the Karabakh War drew the reaction of the Azerbaijani Turks in Iran. It is seen that Turkish nationalism rose in Iran in this period.

The Southern Azerbaijan National Awakening Movement (SANAM / Southern Azerbaijan Independence Movement) was founded in 1995 under the chairmanship of Mahmudali Chehregani within the framework of Turkish idealism. In the 1996 elections, he received six hundred thousand votes and was entitled to enter the parliament. However, Tehran police arrested him for illegal trade. The security forces detained Chehregani in prison for two weeks and subjected him to heavy pressure to announce that he was withdrawing from the elections. When the news of his withdrawal from the elections spread, discontent arose among the Turks in Tabriz, and Turkish youth took to the streets again. The Tabriz police executed five of the demonstrators by hanging them on a construction crane, showing how intolerant they were in this matter [35]. Although Chehregani wanted to be a candidate again in the elections, the central government prevented this attempt.

SANAM stated that it officially supported the territorial integrity of Iran, that they did not aim to unite with Azerbaijan or Turkey, that they only wanted a federative Iran where the rights of Azerbaijani Turks were respected, and that they had no independence projects [32].

In May 2006, Southern Azerbaijani Turks took to the streets in masses. Behind this reaction lay the discomfort caused by a cartoon in the state press. In the cartoon, it was shown that the insects spoke Azerbaijani Turkish and the language of these insects was not understood, and it was stated that if the Iranians loved their country, they should kill them by not leaving their excrement in the toilet [32]. The publication attracted the attention of Turkish university students at first. The Iranian administration preferred to remain silent to the reactions shown and did not care about the situation at first. The silence of the state led to the spread of the problem and riots in all Southern Azerbaijan cities, including Tabriz. At the end of the demonstrations attended by millions of people, the state tried to repress the events by shutting down the newspaper in question and arresting those responsible; however, the late apology was not enough to appease the people. As a result of the state's

intervention in the events with weapons, there were many dead, hundreds of injured, and thousands of detainees among the protesters. It is known that in Iran, especially in the modern period, tools such as jokes, idioms, films, and cartoons targeting (humiliating) the Turkish identity and figures are used for the purpose of overpowering the Persian identity. Moreover, it is stated that there are stereotypes among Persians against various ethnic groups and especially those living in underdeveloped regions, and these stereotypes are everywhere against Turks, regardless of where they live. Although the Southern Azerbaijani Turks knew this, they tolerated this situation with a sense of dominance and greatness [32]. However, in the events of 2006, a state broadcaster exceeded the border of politeness and used insulting words. When we examine the cartoon crisis, it can be said that it has some consequences for both Iran and the Southern Azerbaijan movement. Therefore,

As for Iran:

- Shi'ism failed to show its feature of being a unifying factor for the first time.
- The Persian nation experienced the danger of confronting the Turks as a whole for the first time.
- The officials of the Islamic Republic pointed out the importance of the role of the Southern Azerbaijani Turks in the state for the first time.
- The case of protecting the Turkish language in the recent history of Iran has gained such a social dimension for the first time.

As for Southern Azerbaijan:

- Concepts such as religion and sect, which constitute the national identity, lagged behind the concept of the nation for the first time.
- Tehran's security forces entered into conflict with an ethnic group for the first time.
- The idea of independence was voiced massively for the first time.
- Southern Azerbaijani Turks have exhibited their geographical prevalence and social density in the broadest sense [32].

As the cartoon crisis of 2006 revealed, Azerbaijani Turks living in Iran refuse to assimilate into the dominant Persian culture and strive to maintain their cultural values. Considering that the minority rights regime,

which is valid in the international arena today, is based on the purpose of ensuring the continuation of the self-identity of the people in question (minorities), the necessity for Iran to take initiatives to recognize the right of the Azerbaijani Turks to education in their mother tongue in the country emerges once again.

### **3 The Southern Azerbaijan Questions Within the Scope of the Right to Self-Determination**

When we examine the Southern Azerbaijan Questions in terms of international law, it is useful to make evaluations within the scope of the principle of self-determination.

The issue of the right to “self-determination” has been interpreted in different ways since it began to affect international relations and politics and has always been a matter of debate. States have always tended to interpret this concept in accordance with their own political interests. The right to self-determination has also been turned into a tool of power policies applied in certain historical periods. However, despite all this, considering the fact that the international system is in favor of the status quo, the concepts of territorial integrity and international stability were taken into account in all discussions on self-determination and played a restrictive role in the implementation of this right [21].

Today, secessionist movements based on ethnic, religious, or ethnoreligious differences, of which number exceeds three thousand, tend to question national state structures within the framework of the right to self-determination [22]. According to the chosen interpretation of self-determination, these movements, which emerged with the claim of self-determination, are defined as *national liberation movements* that struggle for the implementation of one of the basic human rights or as *secessionism movements* that raise difficulties to the existence of the modern state through the use of a concept that has no place in international law. In this context, *self-determination* continues to have a somewhat contradictory meaning in today's world. On the one hand, self-determination is seen as a political tool to break up many units within the existing state system;

on the other hand, it can be considered as a right in the existence process of many countries that are newly established and included in the states system.

The principle of self-determination is divided into two in scientific research. The first type of self-determination is internal self-determination, which is related to the internal structure of the states and is called the right of a people to freely choose the form of government they desire without any external pressure. The second type of self-determination is external self-determination, which refers to “the right of a people to choose to be united with any state it wants, including the right to establish an independent state. International law, on the other hand, binds the use of the right to self-determination in this respect to certain conditions, taking into account the political and social realities of the world, in order for peoples to gain their independence” [3].

The right to internal self-determination means that the people living in a country can choose the form of government they want and freely use their economic wealth. This concept, which is called the right to independence, deals with the issue that peoples living together in terms of their traditions have a right to struggle in the event of the occupation of an independent state and the colonization of a people. On the other hand, “even if it is accepted that the people who live together traditionally have the right to determine their own destiny, it is not always enough for the mentioned ethnic element to form the majority in the region where it claims the right to independence” [15].

“It has been interpreted that this right, which is mentioned as internal self-determination, is mostly related to the form of political administration and that it gives freedom to the peoples, especially in determining the form of state and government. At the same time, internal self-determination also makes sense for different communities such as ethnic/national minorities or indigenous people within a country and can generally be applied through concepts such as democratic management, cultural rights, and autonomy. However, it has been seen that the right to choose this form of government is increasingly making economic

sense and that the continuous sovereignty of states over their natural resources is an important part of the right to self-determination, which has been approved by the UN General Assembly.

The right to internal self-determination of a people living in the sovereign states has emerged in the form of popular uprisings against authoritarian and oppressive state regimes. These uprisings have taken the form of the most basic rights that people living in sovereign states can enjoy [38]. Because the peoples who have come to the stage of revolt against the nation-states have taken action according to the expression of “to rebellion against tyranny and oppression as a last resort”, specified in Paragraph 3 of the Preamble of the Universal Declaration of Human Rights, in addition to UN General Assembly Resolution 2625 [43].

The right to internal self-determination, unlike external self-determination, is not a right that expires once it is exercised [10]. The aim is to ensure that all citizens of a state participate in the administration within a democratic system. It is a right granted to the entire population of a country, not to ethnic, linguistic, or religious groups.

While in the strong form of national self-determination, the idea of a state for each nation comes to the fore, in the weak form, subnational political autonomies, regional parliaments, and federal governments come to the fore. The most common of these categories are autonomy and federalism. It is useful to examine these two mechanisms, which are considered as a last resort against the demands of secession.

Autonomy, in its broadest sense, is the state of a community or territorial unit governing itself freely and/or governing by its own laws, within a broad organization governed by a center [29]. According to *Weller*, it is the abolition of the right to self-determination by trading it for autonomy, in exchange for affirming the permanent territorial integrity of the state [41]. Because autonomy is considered a variant of the right to internal self-determination as governing oneself without questioning the sovereignty of a state, approving one’s own laws and applying them as a regional community through democratically elected bodies and politicians, protecting a minority culture and

identity without having one's own independent state [6].

*Ruth Lapidoth* sees autonomy as a means for the diffusion of powers in order to preserve the unity of a state while respecting the diversity of its population [5]. According to *Lapidoth*; diffusion of powers is a means of preserving both diversity and unity. Autonomy has also been defined as a tool that transfers direct control over certain issues to ethnic or other groups that demand to protect their own identity while preserving the powers related to the general interests of the state. Autonomy is a device to allow ethnic or other groups that claim a distinct identity to exercise direct control over affairs of special concern to them while allowing the larger entity to exercise those powers that cover the common interest [5].

However, no international convention has directly granted ethnic or national minorities the right to autonomy or self-determination. This is because many states see autonomy as the first stage of external self-determination leading to independence. Among the examples that can be considered successful, it is possible to show the autonomies of Gagauz in Moldova, Scotland and Wales in Great Britain, Tatarstan in Russia, and Puerto Rico in the USA. Likewise, South African autonomies with 9 regions can be counted among the successful examples [13]. In Iraq, the Northern Iraqi Regional Government held a referendum on independence in 2017, although it had a very wide autonomy. There are many immature and problematic autonomy practices such as Chechnya in Russia and Mindanao in the Philippines [11].

Another form of power-sharing is federalism. When we compare autonomy and federalism, we see that although there are similarities in some features, they are completely different concepts. In this regard, the features of being included in the decision-making processes at the central state level are the most distinctive and decisive points [20]. Although autonomous regions have the right to partially self-government within the framework of the law in an area determined by the state, they cannot influence the decision-making processes of the central government. On the other hand, in a federal state, the states have rights in the decision-making mechanisms of the central state [12]. Autonomous regions do not have their own nationwide representative bodies, such as forming the second house of parliament. While regional and local administrations get their authority from the central government in the unitary state, the federated units do not get their authority from the federal government in the federal state. Both levels of

administrations have taken their authority from the constitution and are equal before the constitution [24]. In a unitary state, the central government has the right, at its own discretion, to revoke the powers it has conferred. Since there is equality of administrations in federal governments, the federal state does not have such a power that can be used unilaterally. In the federal state, power is divided between two levels of administration. The federal state, not the federated administrations, is responsible for foreign relations and national defense [9]. Federated administrations are not considered independent and sovereign states in terms of international law. Federated administrations stand somewhere between autonomy and an independent state in terms of power-sharing. Peoples who have the right to self-determination also have the right to choose a federal form of government such as autonomy, independence, union with another state. International conventions have made these options possible [27].

According to the UN General Assembly Resolution 1514 and Resolution 2625, when a people determines its international status by choosing one of the options of independence, free association, or integration, this is regarded as the external exercise of the right to self-determination [36]. The right to external self-determination is defined as the right of a people to choose to be united with any state it wants, including the right to establish an independent state [23].

External self-determination is an interstate issue, as it is based on the desire of a particular people to achieve international status and involves the achievement of international sovereignty by gaining independence in their efforts. This approach derives from the pre-existing or presumed sovereign right. However, international law imposes certain limitations on this issue, taking into account the political and social realities of the world. As stated earlier, the UN prioritizes the peoples under colonial rule and peoples under foreign occupation as users of the right. For colonized communities, this is reason enough to be able to establish a state [37].

As stated in *Pazarci's* opinion, the fact that some communities, such as minorities living in parts of the country, who are subject to the general rules valid throughout the state territory and are not subject to any discrimination, have some differences is not enough for them to be evaluated within the framework of the principle of self-determination in terms of today's international law. The reason for this attitude of

the UN is the fear of causing disintegration in multinational and fragmented states, where democracy is not fully established and the fear of causing instability by the emergence of states that do not have economic and political competence and the qualifications to be independent states [25]. In the current international legal system, it is understood that the principle of external self-determination is a right that can be used in very exceptional cases, depending on certain conditions.

Within the framework of the principle of internal self-determination, the conditions under which the right to secession will arise is a matter of debate among international lawyers. While some jurists, such as Karen Pop and Tomuschat [39], defend the legitimacy of secession from states that insist on keeping the ways of democratic participation closed and that constantly commit gross human rights violations, some jurists, such as Cassese [21], argue that micro-nationalism or "new tribalism", which has tended to increase after the Cold War, is destabilizing the international community and that the current international legal system should develop on the tendency to preserve the current status quo, in a way that does not support micro-nationalist secessionism.

It can be said that prevention of demands for secession and independence within the scope of the right to external self-determination depends on non-oppression against ethnic and other subgroups living in a state, resolution of identity issues through internal agreement, and further consolidation of representative democracy. Many nation-states contain different peoples (ethnic groups) [7]. Ignoring them and not taking into account the sensitivity of these peoples (ethnic groups) to protect their differences lead to the beginning of the path towards external self-determination. Except for peoples subjected to colonization and occupation, external self-determination is only a viable way when internal self-determination is not possible and there is excessive and constant persecution [36].

It is also a fact that the principle of external self-determination does not consist only of the right to establish an independent state. It is also

expressed that the fact that a people secedes from a state in which they live together through a plebiscite and unites with another country of their choice, i.e., making a choice between states, is a separate version of external self-determination [14]. Aiyub Kadir expresses external self-determination as the right to freedom from hegemony or colonization by other States or empires [18].

According to Article 56 of the UN Charter, all Members pledge themselves to take joint and separate action in co-operation with the Organization for the achievement of the purposes promoted based on the right to self-determination. However, this action is legitimate when the people in question are subjected to serious discrimination, oppression, and excessive violation of their law by the mother state. In the absence of these, according to Article 2 of the UN Charter, the principle of non-intervention in the internal affairs of states will be violated. Except for peoples under colony and foreign occupation, excessive use of the right to external self-determination is restricted by the principles of territorial integrity and sovereignty of states by international law, as it will have negative effects against democracy.

Much of the debate about the right to external self-determination centers on secession. Some authors, such as *Arend Liphart*, argue that the right to secession is the only choice against assimilation and oppressive regimes [40]. The existence of such a right is seen as a way out for those who are subjected to such oppression and as a tool to force oppressive and autocratic states to democratize. Because it forces oppressive and racist governments to make a choice between fragmentation and democratization. Being a state requires both internal political legitimacy and external political legitimacy. While internal political legitimacy derives from strong leadership and a stable governance structure based on popular support, external political legitimacy derives from the approval of the regional and international community. The principle of self-determination is at the basis of the legal legitimacy of being a state [25].

If we evaluate the Southern Azerbaijan Questions in Iran within the scope of the right to internal and external self-determination in

international law, it is useful to emphasize the following important points.

Within the scope of the right to internal self-determination:

1. The right to internal self-determination, which focuses more on concepts such as democratic governance, cultural rights, and autonomy, is an important principle of international law to be used in solving the Southern Azerbaijan Questions. Because we see that these demands were among the main targets of the Sattar Khan, Khiabani, and Pischevari movements that rebelled in the Southern Azerbaijan region of Iran in the 20th century. Today, it can also be stated that the desires of the Southern Azerbaijani Turks for freedom of education in their own language, cultural freedom, the democratization of the theocratic regime, recognition of the right to autonomy in the region are demands for internal self-determination and can be considered legitimate in terms of international law.
2. When we look within the scope of the idea that the continuous sovereignty of states over natural resources in the economic field, accepted by the UN General Assembly, is an important part of the right to self-determination, it is possible to evaluate the fact that the Southern Azerbaijan region was exposed to economic discrimination, especially after the Pahlavi Persian regime came to power in 1925, and the fact that large economic projects and investments were made in Persian regions as a violation of rights of the people of the region.
3. Based on the fact that popular uprisings against authoritarian and oppressive state regimes are considered legitimate within the scope of the right to internal self-determination, it can be stated that the struggle of the Southern Azerbaijani Turks against the oppressive, authoritarian, and theocratic regime in Iran is legitimate in terms of international law.

Within the scope of the right to external self-determination:

1. It seems possible for some reasons to use the right to external self-determination, which is defined as the right of a people to choose to be united with any state it wants, including the right to establish an independent state, in solving the Southern Azerbaijan Questions. The UN prioritizes

the peoples under colonial rule and peoples under foreign occupation as users of the right. For colonized communities, this is reason enough to be able to establish a state. According to the 1813 Treaty of Gulustan and 1828 Treaty of Turkmenchay, it is possible to evaluate the historical Azerbaijani lands divided between Russia and Iran as lands under foreign occupation, albeit partially. This point indicates the possibilities for the Southern Azerbaijan region to benefit from the principle of external self-determination in the future.

2. In terms of today's international law, the right to external self-determination can be applied if the general rights valid throughout the state territory are not applied to the people of different ethnicity living in a certain region and if there are persistent discrimination and extreme human rights violations on ethnic grounds. (Kosovo example). Considering the discrimination in the Southern Azerbaijan region in Iran and the gross human rights violations on ethnic grounds, it can be considered possible for the people of this region to exercise their right to external self-determination.
3. In international law, it is also expressed that the fact that a people secedes from a state in which they live together through a plebiscite and unites with another country of their choice, i.e., making a choice between states, is a separate version of external self-determination. It can be said that the emergence of demands for secession and independence within the scope of the right to external self-determination depends on the pressure against ethnic and other subgroups living in a state, identity issues not being resolved through internal agreement, and representative democracy not being developed. The excess of these listed elements in Iran makes it possible for the Azerbaijani Turks living in the Southern Azerbaijan region to go to the plebiscite and decide to secede from the state or unite with another state in terms of international law.

If we summarize all the points made, it turns out that change is essential in Iran. Because unless the oppressive, authoritarian, and theocratic regime in Iran changes its policies of Persianism and discrimination in the country, unless it immediately carries out the reforms related to the recognition of cultural rights and

local government autonomy for different ethnic communities, and unless steps are taken towards democratization of its administration, minorities living in the country will have the freedom to apply for the right to self-determination granted to them by international law. Today, Iran is faced with a dilemma: Either it will recognize the rights of the minorities in its country and enable them to contribute to the integrity of the country as happy citizens of the society or it will continue to provoke its people against itself by continuing the policy of Iranianization (Persianism), that is, the policy of assimilation, which it implemented after 1925 but did not get any results, and allow the country to be dragged into an ethnic conflict. Iran, which gave the appearance of having chosen the first path during the presidency of Khatami, who came to power with reformist slogans by using the rhetoric "Iran belongs to all Iranians", followed policies close to the second path after Ahmadinejad came to power. Today, we observe that the Iranian administration continues to implement the same policy. Time will show how long Iran, in front of which stands the example of Iraq that has fallen into ethnic conflicts, can continue its policy and whether this is the right policy.

#### 4 Conclusion

Turkish nationalism and Turkist-Turanist sentiments rising among the Turks, which constitutes the absolute majority of the Southern Azerbaijan geography, contradict the Persian nationalism, which forms Iran's ideological backbone and the backbone of Iran's cultural existence. The establishment of a state called the Republic of Azerbaijan, which borders the Azerbaijani Turks in Iran, with the disintegration of the USSR, the support of the Iranian state to Armenia in the Karabakh War, the failure of the dominant political Shiism ideology in Iran in the state administration, the fact that Iranian rulers act under Persian nationalism under the name of Shiite sectarianism, the spread of the idea of Turkish Union and the consolidation of the concept of the Turkic World, failure to fulfill the promises made to the people during the 1979 Revolution,

Tehran's treatment with Southern Azerbaijan region as a periphery and directing a significant portion of economic investments to central provinces, and the cultural marginalization of Iranian Turks are the most important factors in the socio-cultural basis of Turkish nationalism in Iran. According to the Iranian state mentality, Turkish nationalism offers the republics of Turkey and Azerbaijan the opportunity to use 'soft power' within Iran. For many years, Iran wanted to Persianize the Turks of the region and wanted to eliminate this threat. However, the failure of this policy has made it inevitable to seek alternative solutions. As emphasized in the academic studies conducted in Iran on this subject, Iran does not have a comprehensive strategy and acts reactively in accordance with current conditions and lacks a comprehensive strategy for the solution of the problem. According to some administrators, the issue of Turkishness, which is the subject of disagreement among Iranian state administrators, will be resolved by ensuring the ethnic rights of the Turks in the region, and according to others, if such a process is brought to the field, this problem will deepen even more. The result is that the Southern Azerbaijan Questions in Iran will continue to be up to date in the near future both for the countries in the region and for the global powers. In this respect, it is very important to research the subject in more detail and to put forward scientific solution offers.

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