Unrecognized States in the International System

Edited by
Nina Caspersen and Gareth Stansfield

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An edited collection on the subject matter of 'unrecognized states' requires the bringing together of a group of academics from a relatively small pool of political scientists whose interests have taken them away from the more mainstream aspects of the field and who instead have chosen to delve into the complex and mercurial world of the 'unrecognized'. We are firstly grateful to our contributors for being among the trailblazers in a field that remains understudied, irrespective of its arguable importance.

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Introduction

Unrecognized states in the international system

Nina Caspersen and Gareth Stansfield

With the exception of the Arctic and Antarctic regions, the surface of the Earth is divided neatly into entities that are internationally recognized and control territories clearly delineated by internationally agreed boundaries. Or at least this is how the global state system is often presented. A more detailed evaluation of the territorial and political organization of the planet's surface uncovers anomalies that do not fit the idealized model which is fundamental to the academic study of political science and international relations. Evidence of these anomalies appears almost daily in news reports: the collapse of the state in Somalia; the Tamil–Sinhalese confrontation in Sri Lanka; the re-emergence of a Taliban 'insurgent' state in Afghanistan; state weakness in the periphery of Pakistan; the Kurds' demands for autonomy in Iraq; the continued existence of the Armenian enclave of Nagorno Karabakh; and the future of the Balkans. This is just a small sample of the range of issues that do not quite 'fit' into the neat model of 'recognized' states in the international system.

These specific regional/country problems also present specific policy predicaments for neighbouring states or for other states with national interests in the region. How does the international community respond to the security problem presented by unrecognized states that pose a challenge to the established regional security order, either because of their failings or, perhaps, their successes; that undermine the territorial integrity of sovereign states, whether purposefully (i.e. through an active secessionist dynamic) or merely by virtue of their existence; that could provide a territorial platform for insurgent groups; and that often have serious humanitarian problems associated with them? What challenges are posed by these 'states of concern', and how are they now viewed in a period that is, in many ways, in significant political flux following the opening-up of political space in a globalized world that is increasingly characterized by fragmented, rather than organized, authority and projections of power?

Unrecognized states, shadow states, states-within-states

Among the different entities that do not fit into the system of sovereign states, one type of entity stands out in particular: the so-called unrecognized states.[1] These are territories that have achieved de facto independence often, though not

always, through warfare, but have failed to gain international recognition as independent states. Despite the challenge they present to the principle of the territorial integrity of established states, unrecognized states are not trying to undermine the *system* of sovereign states or create alternative forms of statehood; they are rather seeking a place in a system that does not accept them as constituent members. As such, there is no formally recognized mechanism by which an unrecognized entity can legally make the transition to 'recognized' state – after all, such a mechanism would logically require established states to agree upon principles that could result in their own territorial attenuation.

Many of these territories therefore exist in a state of limbo – in situations that have been characterized as being 'no war, no peace' (Walker 1998) – and have, for a long time, represented unresolved (for some observers, unresolvable) but also largely forgotten conflicts conducted at the geographical peripheries of states (Rutland 2007). Most people would be hard-pressed to locate territories such as Transnistria or Nagorno Karabakh on a map, and unrecognized states are, in more ways than one, the 'places that don't exist'; absent from the map and from the international agenda, until the tensions generated by them erupt in often spectacular fashion, taking by surprise observers whose interest had moved on to other, more accessible, problems. Recent events illustrate this tendency clearly. The outbreak of warfare in Georgia in August 2008 and in Sri Lanka in the spring of 2009 are just two examples of how situations involving unrecognized states can rapidly explode. Suddenly, these curious entities were back on the international agenda and journalists began to take an interest in the inner-workings of little-known places such as Abkhazia, South Ossetia and the now-collapsed Tamil Eelam. What they found was, however, a vacuum; very little is known about these entities, to the extent that they have been described as 'informational black holes' (King 2001).

Unrecognized states are ambiguous entities which are hard to pin down and, when trying to describe them, we are tempted to turn to Winston Churchill's famous characterization of Soviet foreign policy: 'a *puzzle* inside a *riddle* wrapped in an *enigma*.' With reference to his Soviet focus, Churchill believed that the key to unlocking the puzzle included an appreciation of the role played by Russian nationalism, and part of the key to understanding unrecognized states is similarly found in the mobilizing power of ethno-nationalism. Yet ethno-nationalism is not enough, in itself, to build an understanding of the dynamics of unrecognized states. They do indeed often emerge from ethno-nationalist mobilizations, but they are also very much the product of the international system, which constrains, shapes, and perhaps even enables these aspiring states. If we understand this interplay, then it is easier to understand these entities and easier to find ways of solving the puzzle; of making sense of unrecognized states in the international system.

This 'making sense' must also apply to the internal aspects of unrecognized states, in addition to the exogenous effects of them on their regional politics. Most reporting on unrecognized states has tended to view them through the prism of 'security threats'; they are often conflated with failed states, they are commonly associated with war and ethnic cleansing, and they tend to be viewed

as the puppets of larger powers who use them to assert their regional influence (Lynch 2004a). More recent literature has, however, also pointed to the relative success of unrecognized states when it comes to state-building and even political reform (Caspersen 2008; Kolstø and Blakkisrud 2008). The case of Somaliland is often mentioned as an unlikely oasis of relative calm, stability, and democratization in the Horn of Africa (Hansen and Bradbury 2007), and the example of the Kurdistan Region of Iraq presents an interesting case study of socio-political development in a post-conflict setting (Stansfield 2003). Rather than viewing these analyses as polar opposites, they can be seen as illustrating different, even paradoxical, aspects of these entities, which occupy an uneasy in-between position in the international system.

So what is an unrecognized state and how does it differ from other anomalies in the international system? Unrecognized states are not the same as 'shadow states' (Reno 2000), 'black spots' (Stanislawski 2008) or 'insurgent states' (McColl 1969), even though many examples have emerged from these conditions. Unlike the Taliban-controlled parts of Afghanistan or the tribal areas of Pakistan, unrecognized states such as Nagorno Karabakh and South Ossetia control (most of) the territory they lay claim to and have managed to build at least some state institutions; they have, in other words, achieved a level of 'stateness' underpinned by a degree of de facto domestic sovereignty (as defined by Krasner 1999). Moreover, unrecognized states demonstrate, or are believed to demonstrate,[2] a clear aspiration for full independence; they do not seek invisibility (Stanislawski 2008) and want to become part of the world of sovereign states. This latter factor also distinguishes them from autonomous regions, states-within-states or various semi-dependencies such as Andorra and the Channel Islands. Unrecognized states are not satisfied with their current status and their current status is, moreover, under threat; their domestic sovereignty is not accepted by their, *de jure*, parent state. We, therefore, define unrecognized states based on three criteria:

1 They have achieved de facto independence, including territorial control, and have managed to maintain this for at least two years.[3] Unrecognized states control most of the territory they lay claim to, including the territory's 'capital' and key regions, and this distinguishes them from other separatist movements. But the territorial control is not necessarily absolute; they may aspire to more territory than they currently control and the extent of their control is likely to vary over time.
2 They have not gained international recognition, or even if they have been recognized by some states, they are still not full members of the international system of sovereign states. We consequently include what we could term 'partially recognized' states', such as Abkhazia and South Ossetia, which have been recognized by their patron state and three other states, and even Kosovo, which has been recognized by 70+ states.[4]
3 They have demonstrated an aspiration for full, *de jure*, independence, either through a formal declaration of independence, through the holding of a

referendum, or through other actions or declarations that show a clear desire for a separate existence.[5]

The first two criteria are fairly similar to other definitions of unrecognized states (for example, Pegg 1998; Kolstø 2006), although our criteria are a little more permissive and we, for example, include Kosovo, which Kolstø (2006) characterizes as a borderline case. However, the latter criterion differs from previous works and broadens the concept of unrecognized states to include entities that have not formally declared independence.[6] By not insisting on a formal declaration of independence, we are able to include entities such as Taiwan, the Kurdistan Region of Iraq, as well as Montenegro prior to its independence from Serbia-Montenegro. The absence of a formal declaration of independence can be a strategic attempt to increase room for manoeuvre and the prospect for international support. Such considerations were seen in Abkhazia, which only formally declared independence in 1999, even though it had been de facto independent since 1993. Eritrea, likewise, only declared independence in 1993 following an independence referendum, but it had been de facto independent since 1991 and its aspirations were clear. Table I.1 lists unrecognized states since World War II.

The dates identified for the beginnings and (in some cases) ends of unrecognized states should be regarded only as approximations. In some cases, Somaliland, for example, a formal declaration of independence accompanied by unambiguous political control of territory makes identifying the birth date

Table I.1 Unrecognized states since World War II

Unrecognized state	*Parent state*	*Dates*
Abkhazia	Georgia	1993–
Anjouan	Comoros	1997–2008
Biafra	Nigeria	1967–1970
Bougainville	Papua New Guinea	1975–1997
Chechnya	Russia	1991–1994, 1996–1999
East Timor	Indonesia	1999–2002
Eritrea	Ethiopia	1991–1993
Gagauzia	Moldova	1991–1994
Katanga	Congo	1960–1963
Kosovo	Serbia	1999–
Kurdistan-Iraq	Iraq	1991–
Montenegro	Federal Republic of Yugoslavia	2000–2006
Nagorno Karabakh	Azerbaijan	1994–
Northern Cyprus	Cyprus	1983–
Republika Srpska	Bosnia	1992–1995
Republika Srpska Krajina	Croatia	1991–1995
Somaliland	Somalia	1991–
South Ossetia	Georgia	1992–
Taiwan	China	1949–
Tamil Eelam	Sri Lanka	1986–2009
Transnistria	Moldova	1991–

relatively straightforward. In other cases, such as Montenegro, the process was more gradual and the absence of such a formal declaration of independence complicates the dating of the birth. In still other cases, Chechnya and Kosovo, for example, the on–off nature of the conflict makes it difficult to determine with precision when the 'de facto independence' criterion applied. During the time of the First Chechen war (1994–1996), for example, it would be difficult to argue that anyone really *controlled* the territory of Chechnya in any meaningful sense.

Cases that do not meet our criteria include the Mahabad Republic – the stillborn Kurdish state established in northern Iran in 1947, and the Republic of Crimea, neither of which satisfy the criterion for two-year duration. Less clear-cut are omissions such as Puntland (Somalia) and Adjara (Georgia). Although both entities clearly satisfy the requirements of de facto statehood in that both are (were) self-governing and in control of defined territory for periods longer than two years, neither expressed a desire to secede from their respective parent. Unlike some authors (for example, Geldenhuys 2009) we have also not included Western Sahara and Palestine. These entities are more widely recognized than most unrecognized states, but they do not meet the criterion of territorial control and the dynamics of their development, existence, and the potential for conflict resolution is therefore expected to differ. However, some contributors to this volume have decided to include them.[7] Also omitted are a significant number of insurgencies and uprisings that may have been inspired by a desire for independence, but in which the separatist movement has not managed to exert sufficient political control over the desired territory to qualify as de facto independence. Among these cases we are likely to find candidates for future unrecognized states and the category includes entities such as Aceh (Indonesia) and southern Sudan.

Despite such omissions, our definition allows for a high degree of fluidity in terms of territorial control, degree of recognition and demands made, and this is deliberate. Within the category of unrecognized states, we find a high level of variation and, despite being known for their intransigence, these entities are frequently characterized by a sense of flux and are, moreover, perceived as transitional. Non-recognition is not regarded as a permanent status, not by the outside world and not by the leaders and populations of these entities. Internally, non-recognition is seen as a necessary, and possibly painful, step on the road to recognition, and by the outside world it is frequently seen as a temporary anomaly before territorial integrity is restored – through negotiations, or through the use of force. And unrecognized states do indeed change form; for example, Chechnya went from an insurgent state in the early 1990s, to an unrecognized state from 1996 to 1999, to a black spot during the wars and now to a state-within-a-state (Pełczynska-Nałęcz *et al.* 2008). The ability to adapt is often crucial to their survival but it also hints at possible limits to their long-term viability.

Esoteric anomalies?

Unrecognized states are full of paradoxes and this makes them a practical challenge to policymakers and an intellectual problem for scholars; how do we make

sense of these entities that do not fit into the international system, but are trying to create entities that imitate recognized statehood? How do they interact with the international system and how are the problems associated with these entities managed? The international system is still very much based on a clear division between sovereign states and non-sovereign entities, and in international relations theory, sovereignty has traditionally been seen as straightforward. As J.D.B. Miller put it, 'Just as we know a camel or a chair when we see one, so we know a sovereign state' (quoted in Sørensen 1999: 590; see also Pegg 1998). But the reality is considerably more complex and the global state system is not as neatly organized as we might think. Lack of external sovereignty does not necessarily equate disorder, neither statehood nor identities are fixed, and in-between entities are trying to carve out a niche for themselves in an international system predicated on external sovereignty.

Unrecognized states tend to be small, their chance of international recognition is often remote, and the exogenous and endogenous pressures on them are intense. One could, therefore, easily be led to conclude that they are doomed to be short-lived anomalies of no great consequence. But perhaps this form of statehood could take on a more permanent character. Unrecognized states are borne out of conflict; they exist in very volatile parts of the world, they are often founded on violence and ethno-nationalist mobilization, and they lack the protection provided by the norms of non-intervention. On the face of it, these aspiring states would therefore be the unlikeliest candidates for successful state-building, never mind democratization and good governance, yet they claim that statehood can exist without internationally recognized sovereignty, that recognition does not constitute states and that they have in fact managed to build institutions in conditions where recognized entities have failed. Their demand for separateness is not the dream of optimistic, or perhaps deluded, separatists; rather it presents the current reality, and herein lies a great challenge for policy-makers. Can the leaders of unrecognized states be persuaded to accept less than full independence as currently understood – and can they bring their followers along? Can leaders of established states which have, within or across their borders, an unrecognized entity ultimately accept having paper sovereignty over the territory in effect controlled by others? Are there any alternatives to recognition if they cannot? Recent international developments suggest that non-recognition or indeed partial recognition could possibly acquire a more permanent status. There is little to indicate that Kosovo will be able to join the United Nations in the near future, and even less to indicate that Abkhazia and South Ossetia will, yet reintegration seems a very unlikely prospect in all three cases. Does this mean that we are witnessing a new form of statehood, or are these entities better understood as states-in-waiting?

Exploring and theorizing unrecognized states

A notable body of work focuses on unrecognized states, both in terms of case studies of particular situations and in terms of considering responses to them.

Valuable empirical work has forwarded our understanding of case studies, with some at times being comparative. Yet little has been done to theorize 'unrecognized states' per se: how they form, operate, and develop, and how they are placed in and interact with the 'international system'. It is our intention that this collection takes forward the study of 'unrecognized states' by moving away from an overt focus on case study analysis to one which presents various themes that link the emergence, operations, and development of them, in addition to assessing how the established order of states respond to the challenges they present. In so doing, this collection does not constitute a comprehensive coverage of 'unrecognized states' as appears in valuable works such as Pegg (1998), Bahcheli *et al.* (2004), Kingston and Spears (2004), and Geldenhuys (2009). Instead, the contributions to this volume each take a particular theme relating to the formation, operation, development, and existence of unrecognized states with the hope of presenting a new theoretical synthesis that allows such entities to be viewed as, if not 'regular' features of the international system, at least ones of a more perennial rather than anomalous nature.

The first part of the book explores the place of unrecognized states in the international system. Stansfield and Harvey contextualize the problematique of the 'unrecognized state', investigating how the language of abstraction used to describe and analyse these entities presents inherent limitations when it comes to understanding their developmental trajectories and positioning within the wider international system. Chorev finds that the emergence, survival, and viability of unrecognized states is closely tied to the process of globalization and argues that it is mistaken to see these entities merely as 'states-in-waiting'. Mulaj similarly examines how the actions and inactions of the international community have aided, but also hindered, the creation and survival of unrecognized states. Finally, Closson analyses unrecognized states in relation to different notions of sovereignty and asks if these entities challenge dominant conceptions of sovereignty.

The second part of the book examines the inner workings of unrecognized states; how they develop in a context of non-recognition and how it is portrayed to the outside world. This part highlights how the international system constrains and enables these entities, and also how their portrayal to external audiences is strongly affected by dominant discourses and norms. Caspersen analyses how unrecognized states try to imitate (recognized) democratic statehood and finds that, although statehood is possible without external sovereignty, it takes a specific form. Bakke focuses on a 'darker' side of unrecognized statehood: the propensity for internal violence. She analyses the types and causes of this violence and asks how it affects the viability of these entities. Kolstø and Blakkisrud explore how the perceived security threats emanating from unrecognized states are seen and securitized by their respective parent states; i.e. how they are portrayed to internal and external audiences. They find significant overlap in the rhetoric used, but also argue that this form of securitization has been relatively unsuccessful with international audiences. Owtram further examines this interaction between unrecognized states and the international system, by analysing the foreign policy of these entities; what are their goals and how do they try to achieve them?