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WHO COUNTS? WHY DO GOVERNMENTS DENY SECESSION IN SOME CASES BUT NOT OTHERS?

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*If there is one constant in history apart from the universality
of death and taxes, it is the reluctance of states to part with territory
Michael Hechter (1992: 277).*

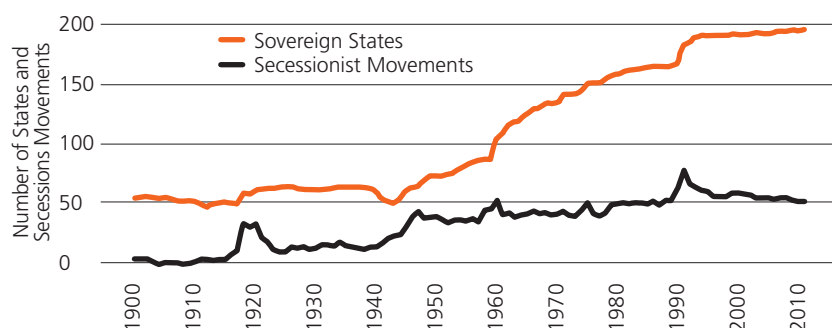
There is a received wisdom that states will always deny secessionist demands. Land is too valuable and/or too important to the national image. The very idea of the sovereign state is predicated on territorial control. Permitting one region to secede will only embolden others; therefore, the links in the chain must be defended. These are all commonly given explanations for why states will deny secessionists and fight them if they have to. There is no question that blood has been spilled over the issue, from the US Civil War to the conflict in Biafra to the fighting in Chechnya. It is estimated that half of the civil wars since 1945 have involved secessionism (Griffiths, 2015: 733), and one prominent scholar claims that secessionism is the chief source of violence in the world today (Walter, 2009: 3).

However, these explanations belie a much more nuanced set of dynamics where secession is concerned. In fact, states have permitted secessionists to vote on the issue in a number of cases (Scotland in 2014) and permitted the secession when the “Yes” vote prevailed (Montenegro in 2006). The processes of decolonisation and dissolution transformed the international system and are two of the biggest reasons for the threefold increase in the number of states since 1945 (Griffiths, 2016: 2). But these events were merely secession by another name. Collectively, they illustrate that states and the international community are prepared – indeed motivated – to permit secession under certain circumstances. This essay will outline those circumstances by describing three interrelated factors: (1) The international recognition regime; (2) The calculus of state response; and (3) The resulting strategy of secession.

The international recognition regime

Secession is “the creation of a new [internationally recognised] state upon existing territory previously forming part of, or being a colonial entity of, an existing sovereign state” (Radan, 2008: 18). There are 195 states in the international system, depending on how you count, and any new state represents a subtraction in territory from at least one existing state. Yet there were 55 secessionist movements as of 2011 (Griffiths, 2016: 52), and many more waiting in the wings. Figure 1 illustrates the number of sovereign states and secessionist movements per year since 1900. The existing states act in many ways like a club; secessionist movements are all applicants to the club (Griffiths, 2017). What are the criteria for joining the club and how are the resulting pressures managed?

Figure 1: Sovereign states and secessionist movements, 1900–2011

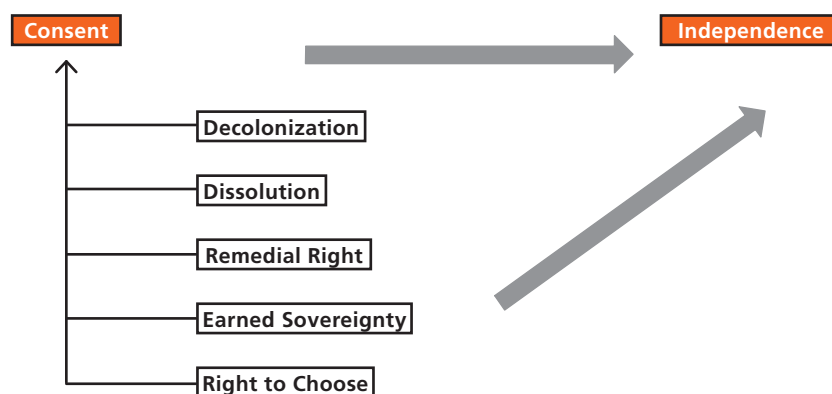


All of this is managed in large part by the international recognition regime, a body of evolving norms, rules, and practices that determines which claimants can become independent states (Grant, 1999; Fabry, 2010; Coggins, 2014). Although the act of recognition remains the prerogative of individual states, and strong states often do what they want, such acts are guided by the international recognition regime. At the heart of that regime is a basic tension between two prominent norms in international life. On one hand, there is the norm of territorial integrity, a sovereignty norm born out of the tumult of the world wars which treats borders as inviolable. On the other hand, there is the norm of self-determination, a liberal norm that now obliges the international community to assist nations in controlling their political destiny. One norm implies that borders should not be changed; the other implies that stateless nations should be able to change them. The resulting efforts to balance these competing demands can be summed up by the question: who counts? Who counts for the fullest expression of self-determination, and who does not? Answering that question is complicated by the fact that nations are fuzzy, overlapping, and protean categories.

Since 1945 the question of “who counts” has been answered in several ways (Grant, 1999; Crawford, 2006). The first way (or path to independence) is via state consent, depicted in Figure 2, where the central government permits the secession and recognises the aspiring nation (e.g., Montenegro). This is an uncontroversial path insofar as it requires little from third parties – the decision has been worked out

domestically – and it is an almost guaranteed ticket to independence. The second path to independence is decolonisation, a process that took hold in the 1960s and gave independence to 1st order administrative units of saltwater empires, a specific formulation designed to answer the question of “who counts?” in the context of colonialism. The third path was that of dissolution, a solution that was created during the Yugoslav and Soviet breakups. Like decolonisation, this was in part a legal solution meant to create a conceptual distinction between cases of dissolution and other forms of secession. Once again, the question of “who counts?” was paramount. Potential answers to that same question have been hinted at in recent developments in places like Kosovo; is the recognition regime moving toward a position where nations suffering human rights abuses at the hand of the state now have a remedial right to independence? Do proper standards of governance allow desiring nations to earn their sovereignty? Finally, does the Scottish referendum mean that states might begin to give nations the choice of independence?

Figure 2: Paths to independence



The international recognition regime should be seen as a work in progress. The sovereign tradition promotes stability just as the liberal tradition accepts transformation. The resulting set of norms, rules, and practices evolve as the international system evolves. It is set against this background that individual states decide how to respond to internal demands for independence.

The calculus of states

When responding to secessionist demands, states engage in a kind of cost-benefit analysis. There are many reasons for denying such demands. The territory and its inhabitants may be an economic asset because of the resources on it and/or because of its economic base. The territory may be valuable for security reasons, especially in conflict-prone regions. Moreover, the territory may carry a symbolic value that resonates with the national myth of the core population. These are all regularly given explanations for why states fight to deny secession and retain territory. However, it is only true part of the time, for states often fight long and costly wars to retain low-

value territories, as the Russian government has with Chechnya, or permitted the independence of valuable regions, as the Czech government did with Slovakia, and as the British government was prepared to do with Scotland. There is a larger strategic calculation that guides the response of states.

The issue of precedent setting is a key factor in the calculus of states. It explains why states will fight to retain a low-value territory and then turn around and permit the independence of a high-value territory. States permit secession if the loss of the territory does not threaten the core (Walter, 2009; Griffiths, 2015, 2016). In the context of secession, the precedent setting problem is salient when all of the potential secessionist regions see themselves as like types – leading a given group to perceive that the permission for another group to secede can be extended to them. Apart from a blanket denial, there is only one way out of this problem for fissiparous states with many potential internal movements: to reify the perception of difference. To say that this nation is classified in a different way, that they have a special administrative status, that they alone can secede because of a conceptual distinction. The more salient that distinction in the eyes of the relevant parties, the more likely secession becomes. Although such distinctions nearly always coincide with administrative lines and categories, they can be bolstered through long conflicts that gradually create the impression that this region is different.

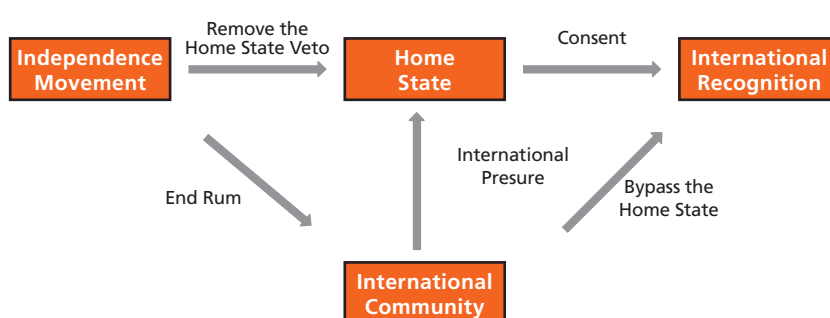
There is thus a close relationship between the calculus of states and the international recognition regime. States will permit secession if they can put a bulwark between one region and the rest. The normative conflict at the heart of the international recognition regime requires a similar bulwark to separate the deserving from the rest. The motivations are not quite the same: self-preservation is the greater imperative for states; the international system is freer to encourage liberal notions like self-determination. But the solution is the same – emphasising difference to answer the question of “who counts?”

The strategy of secession

All of this has implications for the strategy of secession. The objective of a secessionist movement is to become an internationally recognised sovereign state (see Figure 3). To gain recognition, a movement must either: (1) Convince their home state to permit independence; or, (2) Convince the international community to either apply pressure on the central government or circumvent its wishes entirely by recognising the aspiring nation. The first approach is where the movement removes the home state veto, the single biggest obstacle to obtaining independence (Osterud, 1997). The second approach takes the form of the end run, going around the home state to bring the international community into the game. Although most movements use both approaches in tandem, the attractiveness and utility of the end run depends on the position of the home state; where the home state is willing to negotiate and, indeed, even permit an independence referendum, the end run becomes unnecessary; where the home state is uncompromising and potentially willing to suppress the secessionists, the end run rises in importance. Taken in full, this is the strategy of secession.

Both approaches are shaped by the international recognition regime and the calculations of states. The first approach is the pathway of consent: getting the home state to remove its veto. The possibility of obtaining consent increases in relation to the perception of difference. The British government was prepared to permit Scottish independence because it did not anticipate that a contagion effect would ripple through the English countryside. Scotland was different. In contrast, the Spanish government does not have the same latitude over Catalonia given the absence of a clear bulkhead between it and, say, the Basque Country. Of course, such differences can over time be obtained through asymmetric devolution and/or protracted conflict that gradually create the perception that this region is unique.

Figure 3: The strategy of secession



The second approach leverages the coercive and transformative power of the international system. It works by grafting the narrative of a given secessionist movement onto one of the pathways to independence by arguing that it should count given the rules surrounding decolonisation, by arguing that its state has dissolved or committed human rights abuses, by showing that it has earned its sovereignty, or by appealing to the democratic right to choose. At their core, these are all rhetorical arguments for why a specific nation, contrary to the rest, should count.

Why do governments deny secession in some cases but not others? The answer is because they can: the costs are low and the danger of contagion is controlled. The referenced region has somehow answered the question of “who counts?” by showing that they are unique. This is a fundamental issue in the dynamics of secession. It sits at the heart of the international recognition regime, it is a critical issue for states, and it is a guiding principle in the strategy of secession.

References

Coggins, Bridget L. 2014. *Power Politics and State Formation in the Twentieth Century: The Dynamics of Recognition*. Cambridge: Cambridge University Press.

Fabry, Mikulas. 2010. *Recognizing States: International Society and the Establishment of New States since 1776*. Oxford: Oxford University Press.

Grant, Thomas D. 1999. *The Recognition of States: Law and Practice in Debate and Evolution*. Westport, CT.: Praeger.

Griffiths, Ryan D. 2015. Between Dissolution and Blood: How Administrative Lines and Categories Shape Secessionist Outcomes. *International Organization* 69(3): 731–751.

Griffiths, Ryan D. 2016. *Age of Secession: The International and Domestic Determinants of State Birth*. Cambridge: Cambridge University Press.

Griffiths, Ryan D. 2017. Admission to the Sovereignty Club: The Past, Present, and Future of the International Recognition Regime. *Territory, Politics, Governance* 5(2): 177–189.

Hechter, Michael. 1992. The Dynamics of Secession. *Acta Sociologica* 35(2): 267–283.

Osterud, Oyvind. 1997. The Narrow Gate: Entry to the Club of Sovereign States. *Review of International Studies* 23, 167–84.

Radan, Peter. 2008. Secession: A Word in Search of a Meaning. In *On the Way to Statehood: Secession and Globalization*, edited by Peter Radan and Aleksandar Pavkovic. Burlington, Vermont: Ashgate.

Walter, Barbara F. 2009. *Reputation and Civil War: Why Separatist Conflicts Are So Violent*. Cambridge: Cambridge University Press.