10.46272/2587-8476-2022-13-4-11-18

The Political Origins of De Facto States: Searching for Explanation Models

Interview with Laurence Broers

Laurence Broers is the South Caucasus Programme Director at the peacebuilding organization Conciliation Resources. He has more than 20 years' experience as a scholar of conflicts in the South Caucasus and practitioner of efforts directed at their peaceful resolution. He is the co-founder and co-editor-in-chief of *Caucasus Survey*, the first scholarly journal dedicated to the Caucasus region, published by Brill. He is the author of *Armenia and Azerbaijan: Anatomy of a Rivalry* (Edinburgh University Press, 2019) and co-editor, with Galina Yemelianova, of the *Routledge Handbook of the Caucasus* (Routledge 2020) and, with Anna Ohanyan, of *Armenia's Velvet Revolution: Authoritarian Decline and Civil Resistance in a Multipolar World* (I.B. Tauris, 2020).

The conversation was conducted by Sergey Markedonov, Editor-in-Chief of the Journal of International Analytics

Sergey Markedonov: *De facto* statehood is usually studied in the context of the collapse of the Soviet Union and the collapse of Yugoslavia. However, this approach seems to be clearly insufficient. Where and when can we trace the origin of this phenomenon? Medieval Swiss cantons or the United Provinces of the Netherlands, also known as the (Seven) United Provinces?

Laurence Broers: While many *de facto* states do have roots in specific historical traditions of localised governance, I see the origins of the *de facto* state phenomenon in the emergence of the very system that excludes the possibility of its existence: the post-Second World War system of sovereign and equal states covering every centimetre of the globe. The consolidation and hegemonic standing of this system is what creates the possibility of a *de facto* state as an anomaly that does not conform to the system – or, as Alexander Iskandaryan memorably put it, "temporary technical errors within the system of international law."[1]

1 Iskandaryan, Alexander. "In Quest of the State in Unrecognised States." In Laurence Broers, Alexander Iskandaryan and Sergey Minasyan, eds., *The Unrecognised Politics of De facto States in the Post-Soviet Space.* Yerevan: Caucasus Institute, 2015.

Before the emergence of the modern state system, various kinds of governance and territorial administration were widely seen as normal, such as colonies and protectorates. There were also specific precursors to *de facto* states, such as the Japanese project to establish Manchukuo as a state formation in the territory of China in the 1930s.[1] However, I'm not sure if Manchukuo complies with the criterion of indigenous capacity that was the hallmark of Scott Pegg's elaboration of the *de facto* state concept,[2] as opposed to an externally conjured "puppet state" – which is, of course, how most "parent states" see the entities that have seceded from their control.

Consequently, research into *de facto* statehood is essentially the study of anomalies in the hegemonic system of state sovereignty that followed global de-colonisation.

Consequently, research into *de facto* statehood is essentially the study of anomalies in the hegemonic system of state sovereignty that followed global decolonisation. We are all programmed to accept the normality of state sovereignty as a consistent regime of territorial governance running between the lines of maps. Yet, in reality, there is a wide range of deviations from this regime, whether defined as non-sovereign territories such as "overseas territories," "buffer zones" or "security belts," or unbounded, amorphous areas within or across United Nations member-states that nevertheless lie beyond the reach of recognised sovereign governance – such as has been the case for extended periods in, for example, Afghanistan or the Democratic Republic of Congo.

De facto states are one variation in this "deviance," comprising spaces beyond recognised sovereign rule. But, far from being ungoverned spaces or the proverbial "black holes" on the map of sovereign space, *de facto* states are governed spaces that seek normalisation as states. Consequently, there is this extraordinary duality to *de facto* states, in that they simultaneously subvert the sovereign state system and replicate its forms in their quest to become fully accepted members of that same system whose rules they are breaking.

S.M.: In his 2017 analysis of studies on the problems and prospects of de facto states, Scott Pegg concluded that, in the early 1990s, "the study of de facto states was a somewhat lonely and marginalised enterprise." The situation has changed significantly since then. What main achievements of this scholarly industry can you name? What issues are still far from being resolved? What problems can be defined as the most difficult obstacles for scholars addressing this topic?

L.B.: There was indeed a boom in studies on *de facto* states from the 2000s, when it became clear that several of the entities that had emerged from the collapse of the Soviet Union and Yugoslavia were not going to collapse on their own, that there were significant domestic dynamics contributing to that outcome and that, consequently, *de facto* states could no longer be simply ignored. I believe the overarching achievement of *de facto* state studies has been to dispel the "black hole" image of *de facto* states that defined them in terms of negatives and generate a complex and

1 Avila-Tàpies, Rosalia. "Co-Ethnic Spatial Concentrations and Japan's 1930s Concord Project for Manchukuo." *Geographical Review of Japan* 88, Series B, no. 2 (2016): 47–65.
2 Pegg, Scott. *International Society and the De facto State.* Aldershot, MA: Ashgate, 1998.

sophisticated literature that unravels these entities as particular variants on the wider theme of statehood.[1]

Perhaps most importantly, *de facto* state studies gave a voice to those living behind contested borders. The many public opinion surveys carried out in Eurasian *de facto* states, especially by the *Post-Soviet De facto State Research Project* led by John O'Loughlin and Gerard Toal, offered the wider world crucial insights into the fears, hopes and aspirations of otherwise excluded, securitised and silenced communities.[2]

Another crucial achievement was to explore and identify the internal sovereignty of *de facto* states, how their institutions functioned and sustained their legitimacy in the eyes of their populations. For example, Nina Caspersen's pioneering studies enabled us to see unrecognised states as purposeful agents and actors in their own histories rather than as geopolitical accessories.[3] And flowing from this research agenda, we began to see a fascinating literature emerging that compares *de facto* states across core variables such as governance, political economy, external relations and even foreign policy.

But there are also enduring problems for this school of research. One is that there still appears to be no agreement on terminology. Everyone seems to have their own preferred term, whether this is "*de facto* state," "unrecognised state," "contested state," and so on. I believe this ambiguity is tied to a deeper issue, which is the profound instability in the ontology of *de facto* states. If local, indigenous capacity was central to the formation of these entities, then we have seen – at least in Eurasia – how this indigenous capacity has declined. This trend questions the very notion of indigenous capacity that underpinned Scott Pegg's original conceptualisation of the *de facto* state phenomenon.

As a result, de facto states increasingly encompass a spectrum from entities with genuine indigenous capacity that are nevertheless not recognised, such as Somaliland, to entities such as South Ossetia which is recognised by a handful of states but has no indigenous capacity of its own.

As a result, *de facto* states increasingly encompass a spectrum from entities with genuine indigenous capacity that are nevertheless not recognised, such as Somaliland, to entities such as South Ossetia which is recognised by a handful of states but has no indigenous capacity of its own. The South Ossetia situation is actually more akin to Robert Jackson's notion of the "quasi-state," which he used to define recognised states that are members of the United Nations ut which do not exercise meaningful sovereignty over large parts of their territory – and which are consequently in many ways the exact opposite of *de facto* states.[4] We actually see stark variation in the family of entities that are studied today under the rubric of "*de facto* states," and I think quite a few cases would not satisfy Scott Pegg's foundational criterion of indigenous capacity.

1 For an overview, see Scott Pegg, "Twenty Years of *De Facto* State Studies: Progress, Problems, and Prospects," Oxford Research Encyclopedias (Politics), July 2017, accessed December 22, 2022, http://politics.oxfordre.com/view/10.1093/acrefore/9780190228637.001.0001/acrefore-9780190228637-e-516.

2 J. O'Loughlin, V. Kolossov, and G. Toal. "Inside the Post-Soviet *De facto* States: A Comparison of Attitudes in Abkhazia, Nagorny Karabakh, South Ossetia and Transnistria." *Eurasian Geography and Economics* 55, no. 5 (2015): 423–456.

3 Caspersen, Nina. *Unrecognized States. The Struggle for Sovereignty in the Modern International System.* Cambridge: Polity, 2012.

4 Jackson, Robert. *Quasi-States: Sovereignty, International Relations and the Third World.* Cambridge: Cambridge University Press, 1990.

This underlines that *de facto* states are very dynamic political phenomena, and categories of analysis struggle to keep up – resulting in disagreements over terminology. But this is hardly exclusive to *de facto* states. Recognised states are ever shifting and evolving political formations too, but their embeddedness in discursive, material and symbolic practices gives them a greater veneer of fixity and stability.

S.M.: *De facto* statehood is a multi-faceted phenomenon of international politics. *De facto* states are key elements of ethno-political conflicts in the contexts of the collapse of multi-ethnic federations and empires, as well as of decolonisation processes. At the same time, they are part of controversial state-nation-building in the newly independent countries. How can we define the importance of ethnopolitical and geopolitical factors? Where and when do domestic factors play a decisive role and in what circumstances do external factors determine the key developments?

L.B.: A central thread in research into these entities is whether or not to privilege domestic or external factors in *de facto* state outcomes, as well as, of course, the polemics surrounding them. While many researchers, including myself, have highlighted the importance of domestic factors in generating popular legitimacy and the sustainability of *de facto* states,[1] other scholars note the role of external factors in supporting *de facto* states as instruments of coercive diplomacy.[2] But this is not an either/or. Clearly, ethnopolitical and geopolitical factors are both present in all *de facto* states, in differing proportions and varying over time. Successful *de facto* states need both sufficiently coherent internal ethnopolitical conditions and a sufficiently permissive geopolitical environment to survive without recognition.

When it comes to Eurasia's *de facto* states, we can see that ethnopolitical factors were key in the process of their formation, but geopolitical factors have become ever more important to their survival over time. This is reflected in the literature on *de facto* states, which has become increasingly focused recently on patron state relations, and how *de facto* states navigate relations with their patrons.[3] I think that the geopolitical angle will only become more important as the world continues to move towards multipolarity, and a "regionalised" world in which major regional powers seek to dominate their neighbourhoods. This may offer a less favourable environment for *de facto* states than the unipolar moment of the 1990s, in which so many *de facto* states came into being. Indeed, I wonder whether the 1990s–2010s may subsequently be seen as a kind of "high tide" for *de facto* states as a phenomenon more likely to survive in an era of unipolarity and liberal democratic hegemony than what came after.

Of course, not all *de facto* states did survive that period – such as the Republic of Serbian Krajina, the Chechen Republic of Ichkeria or Tamil Eelam. But many did, as parent states faced higher costs for the use of violence in reintegrating these entities. Over time, the costs of using force lessened, as Azerbaijan's campaign to retake

1 See Broers, Laurence. "Recognising Politics in Unrecognised States: 20 Years of Enquiry into the *De facto* States of the South Caucasus." *Caucasus Survey* 1, no. 1 (2013): 59–74; Broers, Laurence. "Unrecognised Statehood? The *De facto* States of the South Caucasus." in Galina M. Yemelianova and Laurence Broers, eds., *Routledge Handbook of the Caucasus,* 257–272. London and New York: Routledge, 2020).

2 Souleimanov, E.A., E. Abrahamyan and H. Aliyev. "Unrecognized States as a Means of Coercive Diplomacy? Assessing the Role of Abkhazia and South Ossetia in Russia's Foreign Policy in the South Caucasus." S*outheast European and Black Sea Studies* 18, no. 1 (2017): 73–86.

3 See for example the outputs of the research project "*De facto* " – the Dynamics of *De facto* State Patron–Client Relations," led by Pål Kolstø and financed by the Research Council of Norway, Project No. 301277.

Nagorny Karabakh in 2020 demonstrated. And in a regionalised world dominated by great powers, where those powers are also patron states of unrecognised entities, they may be more willing to directly annex them rather than to support them as notionally separate sovereign entities. This has been the case, for example, for Russia and the Donetsk and Lugansk Peoples' Republics.

Overall, I believe we have entered a period of global politics and geopolitics that will be more hostile to *de facto* states. They are more likely than ever before to be interpreted through the prism of geopolitical rivalries, and securitised as such, and less likely to be interpreted through the friendlier prisms of self-determination and global human rights discourses that were more influential in the 1990s–2010s.

S.M.: You have studied the Armenian–Azerbaijani conflict for a long time and managed to understand the "anatomy of the rivalry" between the two Caucasus countries. Every war and conflict ultimately ends in peace. How can you see the prospects of reconciliation of the two states and societies (the latter is more important)? The issue of Karabakh has had a "sacred" importance for both countries. In 1994–2020, the Armenian people were not interested in any compromises, while the Azerbaijani side is now trying to "close" the issue of the status of Karabakh for good. Can you imagine any compromises based on win–win principles? Otherwise, we are doomed to observe a new chain of revenge and retribution.

L.B.: I think we are beyond "win–win" thinking when it comes to the core issues between Armenia and Azerbaijan. The stronger party, Azerbaijan, has won a decisive military victory and does not appear to feel much constraint in terms of the kind of peace it wants to see. What we are seeing is the 2020 victory becoming embedded as a cornerstone of both the legitimacy of the regime and of the formal production of Azerbaijani national identity. There has been a vivid emotional politics of vengeance on display since 2020, and as one Azerbaijani colleague said to me earlier this year, "for decades, we suffered humiliation; now it's the Armenians' turn."

However, there is an over–arching "win-win" scenario for the whole of the South Caucasus in the form of the development of a coherent and networked region, as opposed to the fractured region we see today. Since the 2020 war and the widely discussed Article 9 of the Russia-brokered ceasefire statement, we have seen a lot of discussion of economic links and connectivity as a win–win approach to the resolution of the Armenia–Azerbaijan conflict. And to be sure, many people would benefit if the South Caucasus genuinely opened up.

Unfortunately, we know from myriad cases around the world – from Israel–Palestine economic interdependencies to the Russia–Europe energy relationship – that economic linkages alone are no guarantee of peace.

Yet a genuinely open Caucasus also assumes the emergence of new networks and social forces that are not necessarily compatible with the kinds of power vertical we see in and around the region. Connectivity is also being promoted in the absence of what you highlight in your question – reconciliation at the societal level. What is being suggested is a transactional approach to peace, rather than a trust-based one. Unfortunately, we know from myriad cases around the world – from Israel–Palestine economic interdependencies to the Russia–Europe energy relationship – that economic linkages alone are no guarantee of peace. Wider

transformations are needed, of both Armenian and Azerbaijani societies, whereby they both enjoy a less truncated citizenship, with the freedom to mobilise around issues other the conflict between them, and where political elites across the divide no longer rely on the conflict for their legitimacy. Otherwise we risk rebuilding without reconciling, and indeed laying the basis, as you say, for new cycles of retribution in the future.

S.M.: You were one of the first authors to study *de facto* entities through the prism of democratisation theories and practices. Do you believe that liberalisation can promote conflict resolution? We can suggest other scenarios, where appeals to democracy can be accompanied by the ethnic mobilisation under the slogan of defending "our freedom" from aliens.

L.B.: Although we know that mature democracies are much less likely to go to war with one another, there is no linear relationship between liberalisation and peace. This has been widely acknowledged in the political science literature by authors such as Jack Snyder and Edward Mansfield, who argued that democratic transitions are a particularly fraught and violence-prone process due to the weakness of institutions and their ability to channel conflict.[1] And there is a vast number of critiques of the 'liberal peace'. So certainly, there are grounds to interrogate democratisation and its record when it comes to resolving conflict. Indeed, Armenia and Azerbaijan are good examples of this, given that the Karabakh conflict unfolded through the prism of liberalisation and the emergence of mass movements in both republics. Rather than a straight line from democratisation to peace, we see a highly contingent and path-dependent relationship shaped by contextual factors.

But what if we flip this question around and ask whether illiberal approaches promote conflict resolution? We are currently seeing many advocates of securitised approaches to conflict resolution and of what David Lewis and others call "authoritarian conflict management," which essentially entails the suppression of the grievances driving conflict.[2] Have we witnessed conflict resolution in Chechnya, Xinjiang or Sri Lanka, three examples where illiberal approaches to resolving conflict have been adopted? Clearly the picture is complex, and illiberal approaches bring their own legacies.

Ultimately, however, it is challenging to talk about conflict resolution processes that do not enable participation. If the communities who are most affected by conflict do not actually participate in the processes that supposedly address the conflict, then how effective can those processes be? Armenians in Karabakh and displaced Azerbaijanis – the two communities most directly affected by the Karabakh conflict – have not played a role in the peace process since 1997, which instead became harnessed to political incumbency in Yerevan and Baku. Would a wider, more participatory process have led to peace? We'll never know, but what we do know is where a narrow, elite-focused process led us.

S.M.: What do you think about the study of *de facto* states through the prism of post-colonial theories? What promising ideas can be brought to this topic? And what new problems will appear?

1 Mansfield, Edward D., and Jack Snyder. *Electing to Fight: Why Emerging Democracies Go to War.* Cambridge, MA: MIT Press, 2005.
2 Lewis, David, John Heathershaw, and Nick Megoran, " 'Illiberal Peace?' Authoritarian Approaches to Conflict Management." *Cooperation and Conflict* 53, no. 4 (2018): 486–506.

L.B.: Post-colonial studies is clearly a productive approach when so many *de facto* states have a root connection to imperialism and its legacies. At one level, these *de facto* states invite a renewed focus on the imperial past – for example, on the dynamics of peripheral incorporation and what you might call "meso-level hegemonies" between the imperial centre and the territory that later formed a *de facto* state. In the South Caucasus context, for example, Georgia and Azerbaijan as union republics extended a kind of meso-level hegemony over their autonomous republics and regions, yet this was always contested and constrained by the linkages between those autonomous republics and regions and other actors (Moscow or Armenia). These perspectives can help us understand the particular experience of socialist federations as "empires," or how the experience of peripheries within such federations was similar or dissimilar to traditional colonies in European empires.

A post-colonial lens can also be productive for understanding the imperial present, and whether some *de facto* states can be seen as examples of a kind of "post-modern imperialism," or a new iteration of dependency. This dependency echoes a traditional understanding of colonialism, but one which is also distinct since *de facto* states need and pursue relations with a patron state as a condition of their continued existence. Giorgio Comai, for example, reframed Eurasia's *de facto* states as "small dependent jurisdictions" characterised by features very different to Scott Pegg's notion of a *de facto* state and more similar to the "overseas territories" that former European empires such as Great Britain and France still retain.[1] A post-colonial perspective can therefore help us to analyse contemporary forms of limited or pooled sovereignty that characterises many *de facto* states today.

Within that perspective, I think we can also see scope for some very interesting research on the politics of memory within *de facto* states as they navigate relations with outside powers which are both their former imperial master and their contemporary patron state. How can a *de facto* state in such a setting reconcile the need to both "decolonise" its history and manage the politics of dependency on its patron? I think this kind of setting gives rise to what we might call "mnemonic ambiguity" as a strategy directed at the selective harmonisation of historical memory narratives in order to avoid dissonance with the geopolitical present. This is the subject of an article by Ketevan Epadze in a recent issue of the journal I edit, *Caucasus Survey*.[2] She examines this dynamic in the context of memory narratives about the eighteenth-century Prince Kelesh Ahmed-Bey Shervashidze of Abkhazia in the light of Abkhazia's current relationship with Russia.

In terms of new problems, we might well see new "old" problems, such as the attribution of agency within imperial settings and the ways in which the Soviet Union was or was not an empire. Union republic-level nationalities have been very reluctant to accept that the dysfunctions of Soviet ethno-federalism for smaller groups further down the hierarchy are in any way attributable to them. Similarly, those smaller groups have traditionally focused all of their grievances on the meso-

1 Comai, Giorgio. "Conceptualising Post-Soviet *De facto* States as Small Dependent Jurisdictions." *Ethnopolitics* 17, no. 2 (2018): 181–200.
2 Epadze, Ketevan. "Reconstructing a National Hero in the Post-colonial Memory Politics of Abkhazia: Debates over Kelesh Bey Shervashidze." *Caucasus Survey* 10, no. 3 (2022): 324-49.

level groups immediately above them rather than the system as a whole. We need to remain attentive to the transposing of concepts from one context to another that is similar in some ways but different in others. For example, does Edward Said's seminal concept of orientalism "travel" to the post-Soviet context?[1] Or more precisely, what can the prism of orientalism – which analyses the British and French gaze upon the Middle East – expose? And what could its application obscure? Many groups that claim to have been "orientalised" under imperial regimes of power engage in their own processes of orientalising minorities within, so that we see a series of "nested orientalisms" emerging as the post-Soviet alter ego to the institutionalised hierarchies of Soviet-era ethno-federalism. Unravelling these dynamics and causal relationships is a key challenge to any parallels between the post-colonial and the post-Soviet.

Цитирование

Броерс, Л. Политическое происхождение де-факто государств: в поисках объяснительных моделей // Международная аналитика. – 2022. – Том 13 (4). – С. 11–18. https://doi.org/10.46272/2587-8476-2022-14-4-11-18

For citation

Broers, Laurence. "The Political Origins of *De facto* States: Searching for Explanation Models." *Journal of International Analytics* 13, no. 4. (2022): 11–18. https://doi.org/10.46272/2587-8476-2022-14-4-11-18

1 Said, Edward W. *Orientalism. Western Conceptions of the Orient.* London: Penguin, 1995.