

NFHS Topic Proposal: State Recognition

Nation State Recognition: A Foreign Policy Topic Proposal for 2021-2022 High School Policy Debate

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Intro

Scope and Range

This topic paper seeks to explore a foreign policy area that is of great importance to scholars and members of a variety of cultural groups throughout the United States, but yet has never been formally discussed in a debate topic at the high school or collegiate level. Despite secessionist movements occurring across the globe for centuries, new states forming regularly, and alliance structures constantly shifting, the topic of nation state recognition has never been a formal topic area for debate. There are overlapping advantage and disadvantage ground between this topic and many others we have seen, even as recently as arms sales, but the mechanism itself is one that is unexplored by the policy debate community and offers some unique benefits for the competitive aspects of policy debate.

The everyday importance of new nation states forming cannot be ignored. While at first glance, this topic may seem outside the realm of daily discussion, it does not take long to realize that conflicts between emerging states exist around the world, and have served as the fuel for many international conflicts over the lifespan of the high schoolers who will debate the topic. This topic would allow students to explore areas of international relations that they have not yet explored through debate, like the history of unrecognized and proto-states, the cultural factors that often lead to such strife, and the worldwide impact that is made by collective recognition of a new international entity.

Perhaps more importantly, the topic would allow debaters to broaden their horizons and expand their understanding from a more limited scope of domestic topics. The topic would cover an interesting and robust literature base that spans a variety of geographic areas that would allow high school students to learn about regions across the world. I would propose that at least 4 areas be included in any listed topic, which would span East Asia, the Middle East and Africa. Other areas could be included to allow for debates in Central Asia, Europe, Canada or even within the United States. Despite having broad geographic and alliance-based advantages and multiple disadvantages, the topic is still not too unwieldy because they are based on a common mechanism of recognition that guarantees quality debates with stable argumentative ground for both sides.

A few key areas that would definitely be discussed on this topic, regardless of which topic wording is chosen, are Taiwan, Palestine and Kurdistan. Each of these areas offers an in-depth literature base that would allow older students to broaden their understanding of international relations, but would also allow younger students to engage in becoming more educated about the world that surrounds them. Many of the conflicts that lay beneath these secessionist movements have plagued the international community for decades, lead to intense lobbying in Washington, and have countless repercussions on everyday life, ranging from diplomatic flare-ups to full-scale interventions by the United States military.

Taiwanese independence would allow students to learn about the rich history of relations between the United States, China and Taiwan. While this has certainly been a timely discussion for the last few years, the history of US policy toward Taiwan has been fascinating for decades. Whether it is an exploration of Cold War politics or the international discussions of a rising superpower, international relations theorists have debated for decades the potential repercussions of the United States shifting back to a policy of formally recognizing Taiwan, and this topic would allow students to pursue that literature and develop expertise of their own.

The Israel-Palestine portion of the topic also offers a unique opportunity for students to learn about a religious and cultural dispute that has the opportunity for students to grapple with America's role in shaping global politics. The arms sales topic would often veer in the direction of the United States' relationship toward Israel, but never did affirmatives have to grapple with the delicate balance of the Palestinian piece of the puzzle. This topic would force students to research the potential political and electoral ramifications of a policy shift toward Palestine, while balancing the America's duty toward helping to create a more peaceful international system as a world hegemon.

Finally, discussions of an independent Iraqi Kurdistan offer another opportunity for students to delve into timely literature and an important discussion in the international political climate. Many articles were recently written involving US support for Kurdish forces following President Trump's withdrawal from Northern Syria. This international dispute sent shock waves through political lines in the United States, and offers yet another opportunity for this topic to inform our high school debaters about the importance of US policy toward other emerging groups. Although the Kurdish forces do not fight for an official nation, many spoke of US action as betrayal, and researching this topic would give students the opportunity to learn about the difficult decisions that the United States has to make as an international actor when it comes to supporting our allies and trying to mediate global conflicts.

These examples only scratch the surface of material that could be discussed in a topic on nation state recognition. This topic paper will outline several other areas of potential discussion and offer examples of the pros and cons of formally recognizing new states. Literature will be presented from Europe, Asia, Africa, and even about recognizing new nations within the United States itself. If you are interested in additional research that has been done outside of this brief paper, there is an attached bibliography and suggestions for other search terms. Additionally, if you contact me directly as the author of the paper, I would be happy to supply you with a more thorough and holistic look at the research that went into these topic wording suggestions and division of ground for debate.

Balance

One of the biggest advantages to a state recognition topic would be the mechanism of the topic itself, which offers a fair debate for both sides of the issue. The way that the topic arrives at this balance is by having a unique mechanism that is guaranteed by the action of actually recognizing a new state, which is an interesting and well disputed area of international politics, but also one that would guarantee a large departure from the status quo. This change is paramount to generating robust affirmative and negative ground. The mechanism of state recognition debatably requires two different parts – one political and one procedural – which would serve as the basis for many of the affirmative and negative arguments that could potentially drive discussions on this topic.

Here is a piece of evidence that outlines the process of state recognition:

Mehmeti 16 – PhD candidate @ Tirana State University (Ermima, “Recognition in International Law: Recognition of States and European Integration - Legal and Political Considerations,” http://journals.euser.org/files/articles/ejis_jan_apr_16/Ermira.pdf)/BB

According to Kelsen, recognition is comprised of two distinct acts: a political and a legal act: “[p]olitical recognition of a state or a government is an act which lies within the arbitrary decision of the recognizing state” and “can be brought about either by a unilateral declaration of the recognizing state, or by a bilateral transaction.⁶ This kind of expression of willingness does not constitute any legal obligation, Kelsen says, and concludes that, “[T]he political act of recognition, since it has no legal effect whatsoever, is not constitutive for the legal existence of the recognized state,”⁷ and thus the political act of recognition is declaratory. The legal act of recognition, Kelsen explains, is still a rather confusing matter in international law: “[It is the same] when the question arises whether or not in a concrete case the fact “state in the sense of international law” exists, whether or not a certain community fulfills the required conditions of being a subject of international law, i.e. of having in its relations with other states the rights and obligations stipulated by general international law; this implies equal rights and obligations stipulated by general international law; this implies equal rights and duties of these states towards the community in question.”⁸ This establishment, Kelsen concludes, according to which a state in the sense of international law exists, represents what he termed as “the legal act of recognition,”⁹ and would be analogue to the constitutive doctrine of State recognition.

This process would provide ample advantage and disadvantage ground for debates.. The affirmative has access to advantages about giving secessionist movements legitimacy, resolving human rights issues associated with a variety of ethnic conflicts, protecting minority groups from persecution, containing adversaries, guaranteeing access to foreign aid, ending civil wars, and a plethora of other options, some of which will be contained in the affirmative ground section later.

Authors who warn against outright recognition argue that recognition would disrupt existing alliances by changing sovereignty, endorses secessionist movements that could spill over to other areas, causes long lasting wars that could only further entrench areas in conflict, and would generally contribute to increasing instability in the international community. There are also quality negative arguments about the amount of diplomatic power the United States would have to expend, and the potential domestic political ramifications of creating new alliances. One other area of interest for international relations theorists concerns the benefits and drawbacks of full on recognition versus establishment of less formal alliances and agreements, which offers the negative additional ground to make quality arguments on the topic. These arguments and several more will be outlined in the negative ground section later in the paper.

Timeliness

This topic strikes the right balance between being timely and being *too* timely. Debate is a delicate game where many students spend hours researching every week preparing for their next competition. Other students who are new to debate will spend weeks learning not only the parameters of the activity, but also basic background information on the topic that they are to discuss for the season. While it might seem counter-intuitive for a resolution to be too timely from a student interest perspective, it certainly can be from a debate perspective. If a resolitional action is actually changing in the status quo (engagement with China, criminal justice reform), some of that preparation can disappear from the discussion in the blink of an eye, leading to frustrated students who felt that they wasted their time. Even more troublesome, entire sections of negative ground can be decimated by resolitional action occurring. If the US takes a timely action in the middle of the season, months of research can be eliminated overnight, and thus, the topic being too timely can become a disadvantage.

State recognition strikes a proper balance here. There is almost no chance that the United States will be recognizing a new nation in the immediate future, and a list of countries could easily be included to ensure that any area is not likely to be recognized during the year that the topic is going to be debated. Yet, despite the fact that the topic is not likely to occur, it is still a topic that is timely enough that students are actually interested in discussing it. Nightly news often runs stories on secessionist movements and US response to those international conundrums. Across the world and for decades the United States has been put in a position of mediating global conflict, often informally interacting with emerging proto-states. This topic would allow students to begin to research and grow educated on an issue that has always been a part of international politics and will continue to be one well into the future, as the graduate high school and college and begin to work in the communities that can actually operate the levers of change being demanded in these delicate situations.

Quality

The literature associated with an international topic is of vital importance as students transition into adulthood. International research forces students to challenge their predispositions and broaden their horizons, while still engaging in reading that is of a high academic quality. This topic is especially beneficial because it will allow students to delve into the historical underpinnings of each of the secessionist movements and also to student patterns in international and domestic politics and new states are formed. It will also allow students to research cultures and areas of the world that they might otherwise have little to no interaction with, broadening their understanding of an increasingly globalized world.

Material

Articles about secessionist movements are written nearly daily in news publications throughout the United States. Perhaps uniquely, this topic would also allow students to explore source materials from other countries, allowing them to learn more about journalistic bias. Think tanks in the United States with a variety of policy perspectives often write about emerging quasi-states, which is another lens that students can use to learn about this important topic. A litany of research also exists from established political scientists and theorists that discusses the pros and cons of recognizing new nations. The deep literature base can sustain discussions for an entire debate season, whether the topic is expansive or narrow, because of the variety of different perspectives and materials that students can peruse. A small selection of those materials will be included in this paper and highlighted in the bibliography.

Potential Affirmative Areas/Solvency Advocates

The introduction to this paper laid out the rationale for a few of these areas (Iraqi Kurdistan, Palestine and Taiwan) so I will not repeat that process here. However, 6 different potential affirmative areas will be covered in this section in order to establish some specific affirmative ground that would be available on the topic. For each of the areas that has not already been described above, a short summary of the conflict area will be included.

Iraqi Kurdistan

Here is a solvency advocate that says it would help with stabilizing from Russia and Iran

Ahmed 19 – Qanta A. Ahmed is a physician, author of “In the Land of Invisible Women” and member of the Council on Foreign Relations. (“U.S. Must Align With Kurds, Remake the Middle East” Morning Consult January 18, 2019 <https://morningconsult.com/opinions/u-s-must-align-with-kurds-remake-the-middle-east/>)

During that trip, Trump overlooked acknowledging the defeators of IS – the Kurdish Peshmerga of Northern Iraq. The credit for reclaiming territory from IS — wrought hand to fist by Kurdish Peshmerga who sustained thousands of casualties and fatalities in the three-year bloody on-the-ground conflict — belongs only to the Kurds. The president would have been better advised to instead visit the Kurdish Peshmerga at their bases in Duhok and Erbil alongside American support troops with whom the Peshmerga have collaborated deeply, and underline America’s unwavering support to the Kurds. Standing shoulder to shoulder with the men and women Peshmerga who defeated IS on the battleground would send a dramatic sign: acknowledging their heroism and sacrifice and perhaps immediately deterring Turkish President Recep Tayyip Erdogan’s planned offensive set to transpire in coming months. Unless the pending U.S. drawdown from Syria is reconsidered, Trump’s move will claim thousands of Kurdish lives under the guise of “flushing out ISIS remnants” in northeast Syria. Erdogan, who recently denied a meeting with National Security Advisor John Bolton, has said when it comes to northeast Syria, he does not distinguish Kurds from IS militants. On-the-ground American acknowledgment of the Peshmerga by the American president could have served as recognition of the coming threat from Turkey to the Kurdish Syrian Democratic Forces currently abandoned by U.S. support. When aligned with the Kurds, the president would instead send a key message that critical as allegiances with the United States are, America is just as loyal and steadfast an ally to her partners. This would come at a time when Russia and Iran are seen as the most diehard global powers in the region. Updating the planned U.S. withdrawal from Syria that so far has included equipment withdrawal, Sen. Lindsey Graham (R-SC) recently described the effort as a “pause situation,” leaving open the possibility for a needed diplomatic correction. This is a move in the right direction. Certainly, within hours of the Kurds’ abandonment by the United States, events on the ground moved with alacrity. Syrian Kurds have appealed to Damascus for pro-Assad Syrian troops to join them in Manbij as a deterrent to a feared Turkish offensive. Turkish officials have been in Moscow to strategize. And Trump’s announcement, despite apparently angering Turkey, has triggered France to vow to stand by the Kurds by augmenting its troop presence and receiving SDF officials at the Elysee Palace. The Peshmerga Kurds in Syria also face diminishing engagement with Syrian President Bashar al-Assad who may also see them as a threat to the integrity of Syria. Having exploited their uses for stabilizing an IS-infested region of Syria, Assad may see fit to dispose of the Kurds immediately. By recently visiting Baghdad — effectively an Iranian annex under control of a pro-Iranian Iraqi president who has openly declared the importance of aligning Iraq closer to Iran) — Trump further exploited the 2017 victory over ISIS led by the sacrifice of the Kurdish Peshmerga from northern Iraq. This president, unlike all other U.S. presidents before him, could take the long overdue action and declare the country’s recognition of an independent Iraqi Kurdistan. This would mark the beginning for a sovereign Kurdistan that is so richly and painfully deserved by the Kurdish people. Iraq is already partitioned on the ground: a Kurdish North, a Sunni triangle and Shia South known as the Three-State Solution. Formalizing the partition would empower America’s best and bravest heroes and incite

dismay among America's most treacherous enemies – **a divided Iraq is Iran's nightmare**. But for the Kurds, for the wider Sunni world and for jihadist groups looking to exploit vacuums of governance and sectarianism, **a divided Iraq is a foundation for peace, and an independent Kurdistan signals that the Kurds are indeed internationally defended**. American acknowledgment of the allegiance of Kurds would be a pivotal and positive swing in the security of the Middle East. **Iran would be chastened. Iraqi influence** and ambitions over oil-rich Kurdistan **would be subdued**. **Israel and the United States could commence building operational bases** in Kurdistan in full view of Turkey and Syria, who, **noting the heavyweights settling in for the long haul next door, would likely be deterred**. This is an opportunity for the U.S. to improve relations in the Middle East and perhaps even remake its trajectory. **The U.S. can simultaneously recognize an independent Kurdistan in northern Iraq guaranteed by both U.S. and UN peacekeeping forces, relocate exited troops from Syria into northern Kurdistan and adeptly return America as moral arbiter**. In this bold move, **America can face Iran and Russia with an American ally an independent and empowered Kurdistan**, hosting American troops, bases and ordinance, **while simultaneously reminding Iran the U.S. will not be driven from the region**. The Kurds, the world's largest ethnicity denied a state and nationhood, **would finally be recognized as a people with a state of their own**. Their loyalty to the United States, western Europe, Canada and Israel could be rewarded, and an entire region calmed. **The way forward can only be through an independent Kurdistan which the United States must guarantee, as the moral obligation America owes the Kurds**.

Here is another that is more focused on combating ISIS

Simon 17, (David M. Simon is a prominent Chicago Lawyer), 9-25-2017, "Why The U.S. Should Support Kurdish Independence," Forbes, <https://www.forbes.com/sites/realspin/2017/09/27/why-the-u-s-should-support-kurdish-independence/#407516cd3a08>

Independence for the Kurds of northern Iraq is consistent with historic American values. In the 19th century, we supported independence for Latin Americans from the Spanish empire. After World War I, we supported independence for central and eastern Europeans from the pre-war Austro-Hungarian, German, and Russian empires. After World War II, we supported independence for Africans and Asians from European empires. **Kurdish independence is long overdue**. Before World War I, the Kurds were one of the many peoples of the Ottoman Empire. When the war and the Ottoman Empire ended, the Kurds asked the Great Powers at the Paris Peace Conference for an independent state. A few years later, the British, French, and Turks instead drew the present borders of Iraq, Syria, and Turkey for their own benefit and did nothing for the Kurdish majorities in the adjoining areas of what are now these countries. These **artificial borders, without an independent Kurdish state, are no more reasonable than were those of the former European empires from which numerous other peoples around the world have carved out independent states**. **The Kurds need independence from Iraq**. In the 1980s, Saddam Hussein's Iraq attacked the Kurds with poison gas. In 1991, the U.S., Britain, and France imposed a no-fly zone over northern Iraq to end Iraq's military attacks on the Kurds. More recently, **the current Iraqi government ignored a December 31, 2007 deadline and refused to implement a key Iraqi constitutional provision known as Article 140 that would allow the Kurds to democratically decide their future**. **Kurdish independence will advance American interests**. The Kurds of northern Iraq have **long been more pro-American, pro-Western, anti-jihadi, and more religiously tolerant** than the rest of Iraq and, indeed, than at least most of the Arab world. **The Kurds have provided critical assistance in defeating ISIS**. Even when outgunned, **the Kurds have been the most reliable and effective fighting force against ISIS, both in Iraq and in Syria**. For over half a century, **the Kurds of northern Iraq have maintained a warm but discreet relationship with our ally Israel**. And **Iran opposes independence because an independent Kurdish state in northern Iraq will be an obstacle to greater Iranian hegemony in the Arab world**. Possible expansion into Kurdish areas of Syria should not be a concern. **Any Kurdish area of Syria that becomes part of an independent Kurdish state would be far freer and safer than the alternatives** – the tyranny of the Assad regime or the theocracies of ISIS or the Syrian affiliate of al-Qaeda in Syria known as the al-Nusra Front. **Turkey's opposition should not be treated as a veto**. Turkey has been at war

with its Kurdish minority in southeastern Turkey for decades. While Turkey thus opposes an independent Kurdish state in northern Iraq, Turkey's actions – building oil and gas pipelines connecting it to Kurdish northern Iraq and being the largest foreign investor in the area's economy – show that it has implicitly accepted an independent Kurdish state there. **Internal problems should not preclude independence**. The Kurds of northern Iraq have internal problems, including corruption and lack of adherence to the rule of law. So does much of the rest of the world. The Kurdistan Democratic Party (KDP), the Patriotic Union of Kurdistan (PUK), and the Movement for Change (Gorran) are bitter opponents. But many nations, including ours, had very significant internal problems and divisions when they gained independence. On the other side of the ledger, moreover, the Kurds of northern Iraq have economic advantages that many other peoples who have obtained independence did not, including considerable human capital and vast reserves of oil, gas, and freshwater. **All of this means that we should support independence for the Kurds of northern Iraq**.

Palestine

A very clear solvency advocate for US recognition promoting peace

Carter 16 - founder of the Carter Center, was the 39th president of the United States (Jimmy, “Jimmy Carter: America Must Recognize Palestine,” *New York Times*, Proquest)//BB

That prospect is now in grave doubt. I am convinced that the United States can still shape the future of the Israeli-Palestinian conflict before a change in presidents, but time is very short. **The simple but vital step this administration must take** before its term expires on Jan. 20 **is to grant American diplomatic recognition to the state of Palestine**, as 137 countries have already done, and help it achieve full United Nations membership. Back in 1978, during my administration, Israel's prime minister, Menachem Begin, and Egypt's president, Anwar Sadat, signed the Camp David Accords. That agreement was based on the United Nations Security Council Resolution 242, which was passed in the aftermath of the 1967 war. The key words of that resolution were “the inadmissibility of the acquisition of territory by war and the need to work for a just and lasting peace in the Middle East in which every state in the area can live in security,” and the “withdrawal of Israel armed forces from territories occupied in the recent conflict.” From left, President Anwar Sadat of Egypt, Prime Minister Menachem Begin of Israel and President Jimmy Carter of the United States in 1978 during the White House announcement of a Middle East peace agreement reached at Camp David. Credit Associated Press Image From left, President Anwar Sadat of Egypt, Prime Minister Menachem Begin of Israel and President Jimmy Carter of the United States in 1978 during the White House announcement of a Middle East peace agreement reached at Camp David. Credit Associated Press The agreement was ratified overwhelmingly by the Parliaments of Egypt and Israel. And those two foundational concepts have been the basis for the policy of the United States government and the international community ever since. This was why, in 2009, at the beginning of his first administration, Mr. Obama reaffirmed the crucial elements of the Camp David agreement and Resolution 242 by calling for a complete freeze on the building of settlements, constructed illegally by Israel on Palestinian territory. Later, in 2011, the president made clear that “the borders of Israel and Palestine should be based on the 1967 lines,” and added, “negotiations should result in two states, with permanent Palestinian borders with Israel, Jordan and Egypt, and permanent Israeli borders with Palestine.” **Today, however, 38 years after Camp David, the commitment to peace is in danger of abrogation. Israel is building more and more settlements, displacing Palestinians and entrenching its occupation of Palestinian lands. Over 4.5 million Palestinians live in these occupied territories, but are not citizens of Israel. Most live largely under Israeli military rule, and do not vote in Israel's national elections**. Meanwhile, about 600,000 Israeli settlers in Palestine enjoy the benefits of Israeli citizenship and laws. **This process is hastening a one-state reality that could destroy Israeli democracy and will result in intensifying international condemnation of Israel**. The Carter Center has continued to support a two-state solution by hosting discussions this month with Israeli and Palestinian representatives, searching for an avenue toward peace. Based on the positive feedback from those talks, I am certain that **United States recognition of a Palestinian state would make it easier for other countries that have not recognized Palestine to do so, and would clear the way for a Security Council resolution on the future of the Israeli-Palestinian conflict**. The Security Council should pass a resolution laying out the parameters for resolving the conflict. It should reaffirm the illegality of all Israeli settlements beyond the 1967 borders, while leaving open the possibility that the parties could negotiate modifications. Security guarantees for both Israel and Palestine are imperative, and the resolution must acknowledge the right of both the states of Israel and Palestine to live in peace and security. Further measures should include the demilitarization of the Palestinian state, and a possible peacekeeping force under the auspices of the United Nations. A strong Security Council resolution would underscore that the Geneva Conventions and other human rights protections apply to all parties at all times. It would also support any agreement reached by the parties regarding Palestinian refugees. The combined weight of United States **recognition**, United Nations **membership** and a **Security Council resolution** solidly grounded in international law

would lay the foundation for future diplomacy. These steps would bolster moderate Palestinian leadership, while sending a clear assurance to the Israeli public of the worldwide recognition of Israel and its security. This is the best — now, perhaps, the only — means of countering the one-state reality that Israel is imposing on itself and the Palestinian people. Recognition of Palestine and a new Security Council resolution are not radical new measures, but a natural outgrowth of America's support for a two-state solution.

Here is a newer peace of evidence advocating for US recognition of Palestine

Goldberg 20 — Ilan Goldenberg is Senior Fellow and Director of the Middle East Security Program at the Center for a New American Security. He is a foreign policy and defense expert with extensive government experience covering Iran's nuclear program, the Israeli-Palestinian conflict, and the broader challenges facing the Middle East ("Recognizing the state of Palestine is the only appropriate response to Israeli annexation," *The Washington Post*, 07/02/20, <https://www.washingtonpost.com/opinions/2020/07/02/recognizing-state-palestine-is-only-appropriate-response-israeli-annexation/>)

The Israeli government may begin taking steps toward unilaterally annexing portions of the West Bank soon. This move would present a grave threat to any possibility of a future two-state outcome that allows Israelis and Palestinians to live in freedom and security, each in a state of their own. It would also shatter the paradigm that has governed resolution of the Israeli-Palestinian conflict for decades. Israeli annexation would herald a new era of unilateralism, the consequences of which would be a policy shift on the Palestinian side of the equation as well. Annexation is far from a foregone conclusion. Alternate Prime Minister Benny Gantz, Arab leaders, former Vice President Joe Biden and nearly every Democrat in Congress have voiced concern or outright opposition. The Trump administration's position is unclear, as it envisioned annexation in the context of a larger peace plan that the Israeli government seems more reluctant to endorse. If annexation does occur, however, and it is recognized by the Trump administration, the two-state solution will stand on the precipice of irrelevance. In such a world, it will be critical to take steps to bolster its renewal and establish a new set of facts on the ground that shape a two-state environment. The most effective and meaningful response by U.S. supporters of a two-state solution — especially in Congress — is to advocate formal recognition of the state of Palestine. Annexation would be an unmistakable sign that Israelis are moving away from two states. But no less significant would be the impact on Palestinians, who would no longer believe that a state of their own is achievable. Polling in the Palestinian territories already shows support for two states at its lowest point since Israelis and Palestinians began negotiating in 1993 with the signing of the Oslo Accords. The opposition is based not on the substance of an agreement, but in the lack of belief that it is possible in the face of 25-plus years of failure and the growth of Israeli settlements on land supposedly designated for a Palestinian state. Unilateral Israeli annexation, designed to demonstrate to Palestinians that Israel will not be held hostage to a Palestinian veto over its borders and territory, would have a far more expansive effect. It would hasten the process of deterioration of Palestinian institutions toward further dysfunction and authoritarianism, as they would be increasingly be seen by Palestinians as tools for Israeli occupation, not preparation for statehood. Eventually, this lack of legitimacy would cause the Palestinian Authority to collapse. Recognition of a Palestinian state would be a huge political boost to Palestinian supporters of two states by providing symbolic achievement of a long-desired national aspiration. It would boost the Palestinian Authority's legitimacy and forestall its collapse. U.S. recognition should make clear that while the final borders of Israel and Palestine must be negotiated between the parties, they should be based on the 1967 lines with mutually agreed on land swaps, grounding U.S. policy in 50 years of precedent. U.S. recognition would almost certainly cause most partners in Europe, who have thus far refrained from recognizing a Palestinian state, to follow. But even if a U.S. administration chose not to recognize Palestine, simply signaling to European countries that the United States would not oppose them taking this action could trigger a wave of international recognition that would boost Palestinians at a moment of despondency. Recognition would also be an appropriate countermeasure to Israeli unilateralism that puts a two-state outcome at severe risk. Just as Israeli annexation is an attempt to skip negotiations and jump to the endpoint of recognition of Israeli

territorial claims in the West Bank, recognition of a Palestinian state would be a similar leap to the endpoint of Palestinian goals in any negotiating process.

Taiwan

Here is a new advocate that says we should recognize Taiwan

Ibrahim 20 — Dr. Azeem Ibrahim is a Research Professor at the Strategic Studies Institute, U.S. Army War College, and a Director at the Center for Global Policy in Washington, D.C. He received his Ph.D. from the University of Cambridge after which he completed fellowships at the universities of Oxford, Harvard and Yale. Over the years, Dr Ibrahim has advised over half a dozen world leaders on strategy and policy development, with his most recent role being the Strategic Policy Advisor to the Chairman of Pakistan's PTI party, Prime Minister Imran Khan ("The United States Should Recognize Taiwan as an Independent Nation", The National Interest, May 9, 2020, <https://nationalinterest.org/blog/buzz/united-states-should-recognize-taiwan-independent-nation-152611>)

As recognition of our mistakes, as correction for past errors, and in gratitude for showing the world the best way on how to handle such a pandemic, the United States should now, at long last, formally acknowledge Taiwanese reality: the United States should unilaterally recognise Taiwan as in independent country. All too often in politics, perception is reality. But when politicians themselves start believing that all political reality is just perception we always end up in trouble. Such was the case in the early days of the COVID-19 outbreak in China, when first the local authorities in Hubei province, and then the national government in Beijing, treated the emergence of the disease as a public relations issue rather than a health issue. The first country in the world to face the facts around the virus and went on to implement one of the most effective responses to the virus was Taiwan. Taiwan registered the first case on January 21, one of the first countries to do so outside of China—at a time when most countries had not even registered the virus as a potential threat on their political horizons. Over three months later, and in a medium-sized country of nearly 24 million people, Taiwan has only registered 429 infections and 6 deaths (at the time of writing). How did Taiwan achieve such an astonishing success? The country had at least two things going for it. The first is that it has had the experience of Sars two decades ago, so like South Korea and Japan had the knowhow and the infrastructure to cope well with an epidemic of this kind. The second advantage is political: led by a pro-independence government which has come under sustained pressure from Beijing in recent years, Taiwan knows to instinctively distrust narratives coming out of Beijing. It also has some one million citizens working on the mainland, giving the Taiwanese government some useful channels of communication with people and with the realities of inland China. So when the initial reports from doctors in Hubei province emerged about a potential new viral respiratory disease, Taiwan was one of the first countries to know about it. As it has since emerged, it has also tried to pass on what it has learned, as well as the fact that the Chinese authorities were deliberately withholding relevant information and suppressing the doctors' reports, to the World Health Organisation (WHO) as early as December. Unfortunately, Taiwan is excluded from the WHO, and not recognised as an independent country in any aspect of the UN system, as a consequence of Chinese pressure. So their attempts to raise the alarm were not listened to. It may have been inevitable that Chinese citizens in Hubei province would suffer the consequences of their local officials choosing to cover up the emergence of the virus in the early days, but it was not inevitable that the rest of us would also suffer the consequences of Beijing's economy with truth. We are suffering as much as we are as a consequence of our own choice to close our ears to Taiwan's warnings. we did so because we chose to elevate another convenient perception of the powers that be above reality: as much as it may frustrate China, and as much as other countries may dread raising the ire of Beijing over the issue, the fact of the matter is that Taiwan just is an independent country. If we had acknowledged the fact, if Taiwan had already been accepted as a normal independent member of the UN system and of the WHO as it fully deserves to be, their warnings would have been heard, and the course of this pandemic could have been very different indeed. What is strange about the international status of Taiwan is that it is also one of the wealthiest countries in the world, it has one of the most successful democracies in the region, and could easily stand on its own as a country, but for the quirks of history that tie it to the

mainland. In past decades many citizens warmed towards Beijing due to the increasing economic ties and opportunities that linked the two countries, but that was before the hardline nationalist administration of Xi Jinping came to power in China and started flexing its muscles against its neighbours. Certainly before the uprising in Hong Kong over the past year. More recently, even some of the more Sinophile citizens of the island have recoiled from Beijing's ham-fisted approach to countries in its orbit, and recognise that China represents a mortal threat to their democracy. Of course, Beijing will lash against anyone who asks for, or recognises Taiwanese independence. But the United States is not (yet) constrained by any threat of Chinese backlash. As recognition of our mistakes, as correction for past errors, and in gratitude for showing the world the best way on how to handle such a pandemic, the United States should now, at long last, formally acknowledge Taiwanese reality: the United States should unilaterally recognise Taiwan as an independent country.

And some evidence that says recognition would help us clear up human rights issues

Chan 20 – K.G. Chan, Author at Asia Times (“**US should diplomatically recognize Taiwan: Bolton**”, The Asia Times, July 9, 2020, <https://asiatimes.com/2020/07/us-should-diplomatically-recognize-taiwan-bolton/>)

Taiwan should push for more recognition and a stronger international presence while America's ties with China are at a “new low,” said former US National Security Advisor John Bolton. Bolton, who served under President Donald Trump between 2018 and 2019, spoke during an online seminar on Thursday. He suggested that the current US administration could be more willing than ever to elevate the status of the self-governed island. He said the US should exert heavy pressure on China, including by giving full diplomatic recognition to Taiwan, to counter Beijing's contention that the island is a renegade province pending reunification with the mainland either through negotiation or invasion. In an online discussion hosted by US Foreign Press Association president Ian Williams, Bolton immediately mentioned Taiwan when asked if there was any tangible pressure point the US could apply on China when it comes to issues such as human rights. “Well, there is of the Uighurs, and obviously what is going on in Hong Kong, also the repression of religious freedom for many years,” Bolton said. “When we see this kind of behavior, it provides an opportunity for asymmetric pressure on China. I have believed for quite some time that the US should grant full diplomatic recognition to Taiwan.” Bolton said US officials from the Pentagon and State Department had to “go to a coffee shop or restaurant across the street from their offices to meet informally with Taiwanese representatives, instead of inside their office buildings, out of fear of upsetting Beijing.” “That is ridiculous. It inconveniences Americans. We should be able to meet with whoever we want in American government buildings. How is that for a radical thought? “Frankly, I think if you are not prepared to recognize a freely elected representative government in a democratic country like Taiwan, then what is the purpose of diplomatic recognition to begin with?” Bolton said this was only one of a number of things the US had done inexplicably over the years to satisfy Beijing, but that do not serve American interests. The Taipei Economic and Cultural Representative Office, Taiwan's de-facto embassy in Washington, does not have any diplomatic status in the US due to Washington's “one China” pledge. Taiwan's de facto ambassador Hsiao Bi-khim thus resides in the US on a business rather than diplomatic visa, according to reports. Bolton is not the only former or incumbent top US official to openly advocate for granting Taiwan full diplomatic recognition.

Somaliland

This area is one that is of interest if the topic wording either doesn't include a list, or if folks wanted to expand it to another region of the world. Somaliland borders recognized nations of Somalia, Ethiopia and Djibouti. Of particular importance is Somaliland's proximity to the Gulf of Aden, a key area that the United States has a vested interest in due to our numerous conflicts in the Arabian peninsula and because of shipping routes around the Horn of Africa. This area of the topic would allow students to explore areas of African international politics, many of which have not been discussed in over a decade (Sub-Saharan Africa topic – 2007-2008)

The United States should recognize Somaliland – empirics prove we can

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Given the narrow interpretation of self-determination prevalent since 1945 (Jackson 1990; Pegg 1998), Somaliland's most important asset in terms of its search for recognition is its separate colonial status. This is prominently displayed in the office of its foreign minister in the form of a map of Italian East Africa which shows the British protectorate of Somaliland and the French colony of Djibouti surrounded by the Italian colonies of Eritrea and Somalia and Italian-occupied Ethiopia. Somaliland's former status as a separate colony is also highlighted in its claim to the territorial borders of the former British Somaliland (noted in Article II of its constitution). Government publications sometimes include the texts of the Anglo-French Treaty of 1888, the Anglo-Italian Protocol of 1894 and the Anglo-Ethiopian Treaty of 1897, which defined Somaliland's colonial borders (Republic of Somaliland 2002), as well as Queen Elizabeth's Royal Proclamation Awarding Independence to Somaliland (Republic of Somaliland 2002: 12; Republic of Somaliland 2017b: 32–33). Somaliland believes itself well-suited for the post-1945 international system where, in Jackson's (1990: 17) expression, 'to be a sovereign state today one needs only to have been a formal colony yesterday'. Beyond its separate colonial status, Somaliland emphasizes its brief five-day period of widely recognized sovereign statehood in 1960. Somaliland received its independence from the UK on 26 June 1960. The British knew that Somaliland planned to unite with the former Italian colony of Somalia and did not object to this but felt that Somaliland should receive its independence first. The United Nations registered notification of Somaliland's independence and 35 UN member states, including all five permanent members of the Security Council, recognized Somaliland (Geldenhuys 2009: 129). Although Somaliland joined a union with Somalia on 1 July 1960, its five previous days of sovereign statehood allow it to present its case as a resumption of its former sovereignty rather than as secession. Importantly, beyond limiting any precedent set by its recognition, the combination of its separate colonial status and its five days of independent statehood makes Somaliland's case for recognition entirely compatible with Article 4(b) of the Constitutive Act of the African Union (2000), which emphasizes 'respect of borders existing on achievement of independence'. Indeed, a 2005 African Union (AU) fact-finding mission to Somaliland emphasized that Somaliland's statebuilding project 'was anchored, and remains so, on the recognition by the Somalilanders of the inherited colonial borders at the time of independence from Britain in June 1960' (African Union 2005, para. 6). Another plank of Somaliland's legal case for recognition is that it represents the dissolution of a failed union rather than secession. The more expansive version of this argument questions whether the union between Somalia and Somaliland was ever properly consummated. The original plan was for delegates from Somaliland and Somalia to sign an international treaty forming their union. This never happened.

Ultimately, the legislatures of Somaliland and Somalia passed separate Acts of Union that were substantively different. Somaliland voters showed their displeasure with the proposed union both by boycotting a June 1961 referendum on Somalia's constitution and by voting against it by wide majorities. Somaliland's claim to its union with Somalia never being legally ratified is buttressed by a 1963 court ruling by a British judge in Mogadishu acquitting northern military officers of treason on the basis that, in the absence of a legally binding Act of Union, the court lacked jurisdiction over events in Somaliland (Adam 1994: 23–26; Bryden 2004: 170–171; Carroll and Rajagopal 1992–1993: 660–661; Republic of Somaliland 2002: 4–5; Republic of Somaliland 2017b: 8–14). The less expansive version of this argument acknowledges that after 1961 'the union was not seriously challenged again' and that after Somaliland's Mohamed Ibrahim Egal became prime minister of Somalia in 1967 'integration appeared to be an accepted fact' (Bradbury 2008: 33–34). Yet, it still emphasizes the distinction between the dissolution of a failed union and unilateral secession. Failed unions that dissolve, including those between Egypt and Syria, Senegal and Mali, Senegal and Gambia and Cape Verde and Guinea Bissau are much more commonly accepted than secession and they are also consistent with post-Cold War state practice, which allowed for the recognition of successor states to the former Yugoslavia only after those cases were treated as the dissolution of failed unions, as had been the case with Czechoslovakia and the Soviet Union (Fabry 2008: 62). Referencing such cases, the Republic of Somaliland (2017b: 30) argues that historically 'the African Union permitted states to reclaim and retrieve their sovereignty following the dissolution of an unsuccessful union'. It goes on to maintain that 'In a similar fashion, following the end of the Cold War, successor state claims were a key factor in reestablishing the independence of former Yugoslav Republics and Soviet Socialist Republics' (Republic of Somaliland 2017b: 30–31). As with Somaliland's separate colonial status, dissolving a union also limits any precedent set by its recognition. The AU fact-finding mission specifically highlighted legal and empirical problems with Somaliland's union with Somalia and noted that those problems make 'Somaliland's search for recognition historically unique and self-justified in African political history. Objectively viewed, the case should not be linked to the notion of "opening a Pandora's box"' (African Union 2005, para. 8). A final part of Somaliland's legal or normative case is that it has a 'remedial right' to secession based on the brutal human rights violations suffered at the hands of the Siad Barre regime in the late 1980s. Hargeisa and Burao were largely destroyed by artillery fire and repeated indiscriminate aerial bombing campaigns that did 'not seem to correspond to any rational political or military objectives' (Adam 1994: 29). Omer (2010) explained that 'Six people in my own family were killed by aerial bombing. Everyone in Somaliland is like me.' Johnson and Smaker (2014: 8) estimate that 50,000 to 100,000 people were killed in Somaliland, while Africa Watch (1990: 10), writing at a time when the violence was still ongoing, estimated 50,000–60,000 killed, with more than 400,000 people fleeing as refugees and another nearly 400,000 people fleeing as internally displaced persons. The Republic of Somaliland (2017a: 129–130) has identified 243 mass grave sites across its territory and claims the death toll to 'be around 100,000', with 'up to 50,000 people' killed in Hargeisa alone, 'as a result of summary executions, aerial bombardments and ground attacks carried out by government troops' (2017a: 147–148). This violence is commemorated today by Hargeisa's central monument, which is one of the MiG fighter planes that Siad Barre's air force used to bomb the city. While international law does not recognize a 'remedial right' to secession (Pegg and Kolstø 2015: 197), the massive civilian suffering in Somaliland adds weight to the normative case for recognition. As Klich (2018: 200) explains, 'Somaliland's evidenced claim that its people have been subjected to gross human rights violations provides a moral argument that complements its claims to have strong legal grounding'. Empirical or performance-based arguments While Somaliland continues to emphasize the legal and normative aspects of its case, it increasingly posits an empirical or performance-based case that it has 'earned sovereignty' through its relative peace, stability, democratization and economic recovery. As explained by Richards (2014: 117–118), 'the argument being made is that the territory has earned sovereignty through exhibiting preferable and acceptable empirical statehood'. What Somaliland means by 'earned sovereignty' is different from how 'earned sovereignty' was conceptually developed by Paul Williams and his colleagues. In its original formulation (Williams and Heymann 2004: 439–441; Williams and Pecci 2004: 355–356), earned sovereignty comprises three core elements (shared sovereignty, institution building, final status determination) and three optional elements (phased sovereignty, conditional sovereignty, constrained sovereignty). Earned sovereignty in this conceptualization has not been tried between Somalia and Somaliland. Instead, Somaliland has pursued a strategy of proclaiming its sovereignty and final status, building institutions and conducting itself in ways that demonstrate that it has 'earned sovereignty' based 'on the achievement of a satisfactory level' of good governance and legal guarantees. This includes protection of human and minority rights, disarmament and demobilization, development of democratic institutions, institution of the rule of law, and promotion of regional stability (Williams and Pecci 2004: 367). One component of Somaliland's earned sovereignty strategy for recognition is demonstrating widespread popular support for independence. Somaliland has not conducted a referendum on independence per se, but its 2001 constitutional referendum is widely perceived as serving that purpose since Article 1 of the constitution references Somaliland restoring its independence and refers to it as 'an independent country'. Although several observers have noted problems with this poll and question both the reported turnout and results (97.9% yes vote), they concur that it still demonstrated significant popular support for independence (Anonymous 2002: 263–264; Bradbury 2008: 133; Bryden 2004: 172). A few years later, an AU fact-finding mission noted that 'The message was the same at every place: "the irreversible independence of Somaliland; the irreversible sovereignty of Somaliland; no return to the Union with Somalia; the quest for recognition from the AU and the international community"' (African Union 2005, para. 3). The Republic of Somaliland (2017b: 23–24) also emphasizes a petition appealing for Somaliland's formal recognition that was signed by 1,021,000 Somaliland citizens to mark the 25th anniversary of the restoration of Somaliland's sovereignty in 2016. Popular support can be demonstrated by many other self-determination movements and it is certainly not sufficient to secure recognition, but there is no doubt that the vast majority of

Somaliland citizens clearly favour sovereign recognition. A second component of Somaliland's earned sovereignty argument is the relative peace and security enjoyed in most of the country since 1997 (Walls 2009). Somaliland's central core, formed by the triangle between Hargeisa, Berbera and Burao, is remarkably safe. Its disputed eastern regions, which Puntland also claims, have seen recurrent bouts of fighting but the areas under Somaliland's control have gradually expanded. Even allowing for some conflicts between Somaliland and Puntland in the eastern regions of Sool and Sanaag, including a worrying escalation of fighting in and around Tukaraq in the first half of 2018 (International Crisis Group 2018), **Somaliland's peace and security is dramatically better than Mogadishu's and compares favourably to many other sub-Saharan African countries.** The United Nations Development Program Somalia (2012: 209), for example, **found** that the percentage of youth **experiencing** five different kinds of **violence** in the past year **was lower in all categories in Somaliland** than it was in south-central Somalia. Somaliland's security rests on a decentralized system where clans are largely responsible for actions taking place in their territories (Walls 2009). Most fundamentally, it is based on the high priority that Somaliland citizens place on maintaining peace. As explained by Abdi 'Bobo' Yusuf Duale (2010), 'The people are our police'. **The core component** of Somaliland's performance-based argument for recognition, though, **remains its democracy**, which 'juxtaposes striking successes with recurrent and persistent problems' (Pegg and Walls 2018: 327). Some of the problems include repeated delays to elections, a failure to elect lower house of parliament members since 2005 and a failure to elect or select upper house of parliament members since 1997. **Impressive successes include** its first **four presidents all leaving office voluntarily or regularly, the peaceful and constitutional succession** of the vice-president following the surprise death of President Egal in 2002, the loser of an extremely close 2003 **presidential election accepting defeat** graciously and the incumbent president peacefully handing over power to the opposition after losing the 2010 presidential election (Pegg and Walls 2018). **Somaliland's democracy faces many challenges but again compares favourably not just to Mogadishu but to other sub-Saharan African states.** Freedom House (2018), for example, ranks Somaliland as 'partly free' while its neighbours Djibouti, Ethiopia and Somalia are all ranked 'not free'. For Somaliland, the proclamation of democratic values is not a break with other legitimizing strategies; rather, it is portrayed as a natural extension. **National self-determination, past grievances and democratization are constructed as creating a coherent narrative**; as an even stronger argument for independence. (Caspersen 2011: 346).

Another solvency advocate for recognition

Clapham 15 – PhD, Professor @ Centre for African Studies (Chris, "Long Walk to Statehood: Why Somaliland Deserves International Recognition" *Georgetown Journal of International Affairs*, <https://www.georgetownjournalofinternationalaffairs.org/online-edition/long-walk-to-statehood-why-somaliland-deserves-international-recognition//BB>

The self-proclaimed but as-yet unrecognized Republic of Somaliland derives from the former British Somaliland Protectorate, occupying the northern part of the Somali-inhabited area of northeast Africa and the southern shore of the Gulf of Aden. Following the normal process of decolonization, it became independent on June 26, 1960, but—just five days later—agreed to join the former Italian Somalia immediately to the south. The resulting Somali Republic was intended by Somali nationalists to incorporate the other Somali-inhabited regions of the Horn of Africa—the Ogaden region of Ethiopia, the Northern Frontier District of Kenya, and the French Somali Coast (now Djibouti). This ambition, however, was never achieved. Instead, after the breakdown of the military dictatorship of Mohamed Siyad Barre in 1991, government in the formerly Italian part of the state collapsed entirely, while the formerly British part reclaimed its independence on May 18 of that year. Since then, **Somaliland has remained self-governing, promulgated a constitution, held a number of reasonably fair and contested elections, and maintained peaceful rule over the greater part of its territory.** This has been in dramatic contrast to the collapse and only very partial restoration of government in the area to the south. **It is, however, extremely poor, and in need of development that can only come from integration into the regional and global economies.** Meanwhile, **its domestic political settlement is threatened by instability both in southern Somalia and in Yemen.** **Recognition would likely have a positive impact on both of these problems.** **Somaliland has a strong legal claim to full international recognition.** In addition to the historical claim deriving from its formerly sovereign status and its capacity to govern effectively in an extremely fragile region, it fulfils the Montevideo Convention on the Rights and Duties of States' requirements for statehood: a permanent population, a defined territory, and a government with the capacity to defend and represent itself. Additionally, it held a referendum in 2001 in which some 97 percent of voters supported independence. On the ground, it is a state that palpably exists, and any scheme for reattaching it to Mogadishu is fanciful. Moreover, there are obvious regional precedents set by the separation both of Eritrea from Ethiopia and of South Sudan from Sudan. The fact that the issue remains unresolved after nearly 24 years is due, at a formal level, to a failure to meet the criterion set by the African Union (AU), which states that the government of the "parent" state must agree to the split. But for much of this time, Somalia has had no government, and none of the extremely fragile regimes claiming to

govern in Mogadishu have had any interest in acknowledging a right to secede that would undermine their own complex clan alliances. Equally important in practice, Somaliland has been unable to find any powerful allies prepared to sponsor its independence through an act of recognition that would confront the international system with a fait accompli. The regional hegemon, Ethiopia, is sympathetic, but is inhibited both by its complex historical relationship with the Somali peoples and by its position as the headquarter state of the AU, which makes it particularly reluctant to disturb the continental consensus. Extra-continental states remain formally committed to the hopeless task of trying to 'restore' the state that was shattered back in 1991. The international system has put an enormous effort into the attempt to rebuild the Somali state governed in Mogadishu, and has been reluctant to alienate factions in southern Somalia opposed to Somaliland secession. Other major powers have broader interests in accepting the AU position; none have specific interests in Somaliland sufficient to induce them to break this consensus. Yet the costs of non-recognition are now becoming acute. Somaliland remains a deeply undeveloped society and, although it receives some official aid, it has almost entirely missed out on the dramatic developments taking place in much of the rest of Africa. The private sector investment the country badly needs is inhibited in part by its problem of recognition: external investors cannot gain the legal status needed to protect their investment so long as they are operating within a global legal void. The transport corridor from the excellent port at Berbera, which would help to relieve Ethiopia's heavy dependence on Djibouti, suffers from appalling communications links on the Somaliland side, in contrast to the modern highway that starts at the Ethiopian frontier. Ethiopia has one of the most rapidly developing economies in Africa—constrained though it is by its landlocked position and inability to use the Eritrean Red Sea ports—and development in Somaliland would necessarily involve closer links with Ethiopia, to the benefit of both countries. Furthermore, the Somaliland government itself is short on administrative competence, and would benefit enormously from capacity-building assistance of the kind that is readily available to other African states. The international system as a whole has much to gain from supporting a stable, peaceful and democratic state within a region severely threatened by violent Islamism, both by al-Shabaab in Somalia itself and by developments just across the Gulf of Aden. Somaliland has its own effective and informal means of containing Islamist violence, rooted in its close linkages with indigenous conflict-resolution mechanisms. This approach would be far more conducive to long-term stability than any further heavy-handed external engagement in the region. Recognition of this strangely successful little state offers a low-cost means of promoting development and regional integration in a historically unstable part of the world—one which continues to be of vital concern both to the global economy and to the management of current international political tensions.

Republic of Lakotah

The Republic of Lakotah is an ongoing secessionist proposal stemming from Native activists in the northern United States. The Lakotah territory, if recognized, would encompass areas in North Dakota, South Dakota, Wyoming, Nebraska and Montana. The activists declared their independence in 2007 and have been largely ignored by the United States government as well as international institutions. This area of the topic would allow students to discuss the importance of tribal sovereignty and also would serve for key kritikal ground for teams interested in debating the non-policy oriented portions of the topic.

The United States should recognize the Republic of Lakotah

Sargent and Melling 2015 – Sarah Sargent is a Senior Lecturer in Law at The University of Buckingham, Graham Melling is a Senior Lecturer in Law in Lincoln Law School specialising in Public International Law (“The Exercise of External Self-Determination by Indigenous Groups: The Republic of Lakotah and the Inherent Sovereignty of American Indigenous Peoples,” Sri Lanka J. Int'l & Comp. L.) bbb

The right to exercise self-determination does not in itself mean an automatic right to secede from a state and establish a separate and independent state. The examination of the current international law position has demonstrated several important facets on the normative meaning of the principle self-determination. Firstly, identifying a group as a ‘peoples’ does not imbue them with the right to secede. Self-determination is a far more complex concept. Internal self-determination is a concept that is neither unique to nor that originated with the UN Declaration on the Rights of Indigenous Peoples. The concept of internal selfdetermination is found in other international instruments that pre-date the UNDRIP by several decades. It is not new. The ability to exercise external self-determination occurs in only limited and prescribed circumstances. International law is concerned with the maintenance and stability of states, not as providing a tool for threatening that. The ability to exercise self-determination is an exceptional circumstance and not the rule in international law. Secondly, the question might be rightly raised then about why states had such a concern over the right to self-determination within the United Nations Declaration. Was this in fact a genuine concern borne out of ignorance of the current international law provisions on selfdetermination? This, while possible, is also perhaps disingenuous. It is difficult to fathom that the state machinery of the four states that opposed the UNDRIP were uniformly and simultaneously in ignorance of international law. Perhaps there were other reasons for the position that states took—a platform of rhetoric to resist indigenous rights of any sort as a matter of international rather than domestic law. That said, it is curious that the Republic of Lakotah chose not to reference the UNDRIP at all in its two declarations. But upon a closer inspection, the nature of the ROL claims stand in conflict and opposition to the UNDRIP. The UNDRIP says that indigenous groups lack the ability to assert sovereign status in the form of independent statehood. But that is a matter hardly settled by the UNDRIP itself. A separate analysis of international law reveals a circumscribed ability to exercise external self-determination as a means of establishing an independent state. This requires a demonstration of continuing oppression or persecution— and given the statistics cited by the ROL as to the condition of indigenous peoples of the Sioux Nations- this would not be an impossibility to prove. Does an indigenous acceptance of internal self-determination then sweep away the possibility of indigenous groups raising state abuse as a reason for ceding—in the event that a group would wish to secede from the metropolitan state? Does the acceptance of internal self-determination somehow minimise claims that might be raised about state abuse in any context other than indigenous secession? The claims of the ROL, whilst thus far largely ignored by both the international community and the United States, highlight several important facets about the operation selfdetermination in international law. It also highlights the aim of international law to provide stability and consistency to state existence, not to be a means of de-stabilising it. It highlights the widespread misunderstanding of the exercise of self-determination as a means to secede, and also the limitations of the self-determination provisions within the UNDRIP. State unease with either internal or external self-determination is perhaps reflective of state unease with the idea of indigenous groups seeking redress of state violations in international rather than domestic forums. The decision of the Republic of Lakotah to raise its claims as matters of international, rather than domestic law, and outside of the provisions of the UNDRIP also point to the unresolved question of where indigenous claims are to be raised. The ROL position on this is unequivocal: it is to be a matter of international law on equal footing with states. Perhaps more than anything, it is this standing in international law that is something that states wish to see not proceed—that indigenous groups should never have the ability to challenge states on equal legal footing—whether the group is recognised under international law as a state or not. In trying to assess the rather murky justifications for legal positions taken and not taken, this much appears to be discernable. States would prefer to control indigenous issues and claims at a domestic level, while indigenous groups would prefer the option of international forums. States will continue to resist the idea that they are not the final arbiter of indigenous claims and status.

The Lakotah people want it

Fukurai 20, (Hiroshi Fukurai Professor of Sociology at the University of California, Santa Cruz), February 2020, "The State Constitution v. the National Constitution: Original Nations' "Sovereignty-

Building" Projects in Asia, North America, and Beyond," Cambridge Core, <https://www.cambridge.org/core/journals/asian-journal-of-law-and-society/article/state-constitution-v-the-national-constitution-original-nations-sovereigntybuilding-projects-in-asia-north-america-and-beyond/CA5EE7AAAAE695B1B3F3D35786D6AA3B/core-reader>

In delivering Lakotah's declaration of independence to the US State Department, **Lakotah delegation leader Russell Means argued that "this is a historic day for our Lakota people. US colonial rule is at its end."** Garry Rowland, a former indigenous representative to the UN, also declared that: today is a historic day and our forefathers speak through us. Our forefathers made the treaties in good faith with the sacred *Canupa* and with the knowledge of the Great Spirit. They [i.e. the US government] never honored the treaties, that's the reason we are here today.⁹⁶ After much fanfare, accolades, and admiration from a wide spectrum of political organizations, however, **the declaration of independence by the Republic of Lakotah in 2007 has been largely ignored by the US, as well as by the UN and its Member States.** In 2010, Russell Means stated that the Republic of Lakotah would **submit the report of the instances of human rights violation by the US, "directly to the UN Human Rights Council, not to be filtered or** sanitized by the [US] State Department," arguing that **"our report will indicate that the United States never intended to abide by the terms of the treaties, and has violated them consistently from the time of the signing to the present."**⁹⁷ He also stated that: **the Republic of Lakotah will report to the [Human Rights] Council and to the world, the exercise of its own rights under principles of international law ... [which] allows the Lakotah to return to our status *quo ante* position prior to the signing of the treaties, ... [and] the United States withdraw its presence from our homeland.**⁹⁸ Even some **members of the Nation of Lakota expressed scepticism about its independence and successful secession from the US.**⁹⁹ Means, a long-time indigenous activist who helped form the AIM, died in 2012, before the Republic of Lakotah was formally recognized in the international community.¹⁰⁰ Similar to Lakotah's historical struggles in North America, **many nations and semi-autonomous nucleated communities around the globe have also been struggling to assert indigenous title to the homeland and the right to self-determination.** In recent years, the efforts of nation peoples, environmental groups, and progressive activists have led to the creation of "rights-based" **Constitutions, referring to the Rights of Nature and/or Mother Earth, in order to ensure the preservation of what little remains of unmolested environment and ecosystems.** For example, in 2008, Ecuador became the first state to amend its Constitution to recognize the Rights of Nature, enshrining the inherent rights of ecosystems to protect them from human and corporate exploitation.¹⁰¹ **Indigenous rights are closely tied to the rights of ecosystems and the preservation of biological diversity that native peoples often depend upon in their subsistence culture and tradition.** Many nations have **begun to draft their own Constitutions and to create constitutional amendments to suit their ecological objectives in preserving the ancestral environment.** Such a "Constitution-making" project has been observed in North America, Asia, and around the world, and it **is our hope that the nation's constitutional activism will lead to the creation of more robust legal mechanisms to ensure the respect for human rights and human dignity of nation peoples,** thus **preserving cultural and biological diversities in the nation's ancestral homelands that future generations of both the nation and the state will surely require for their survival in coming decades and beyond.**

Catalonia

Catalan officially declared independence from the Spanish government in 2017. They have established a parliament that seeks to have a formal state that is separate from the rest of Spain. In response to this declaration, the Spanish president dismissed many of the Catalan members of the Spanish government, and asked them to hold new elections in order to resolve the disputes between the region and their Spanish stakeholders. This area of the topic would allow debaters to explore the cultural differences within long established nations like Spain and delve into the potential ramifications of declaring a new state in an area of the world that has a rich history of stability from international disruptions like secession.

The United States should recognize Catalonia

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Two almost simultaneous but seemingly unrelated events provide President Trump and U.N. Ambassador Nikki Haley a rare opportunity to match words with actions and accomplish multiple foreign policy goals. In one case, the United States is getting a second chance at an important opportunity, which must not be missed again. The first event was the election for a new regional parliament in the rebellious Spanish region of Catalonia. The election was forced on Catalans by Spanish Prime Minister Manuel Rajoy, when he disbanded the elected Generalitat after its members declared Catalonia's independence. Those following events in Catalonia remember that Rajoy sent Spanish troops and police to Barcelona and other cities to prevent people from voting in an Oct. 1 referendum on independence. The massive show of force resulted in over 800 injuries. Incongruously, after the referendum was approved by nearly 90 percent of voters, Rajoy insisted that it was invalid because of low voter turnout. The prime minister followed up on the violence by invoking Article 155 of the Spanish Constitution, which authorizes the central government to suspend regional parliaments and schedule new elections. In the case of Catalonia, Rajoy clearly hoped that Catalans would vote for anti-independence parties, either out of intimidation or weariness. However, it doesn't appear to be going according to plan. While the Ciudadanos Party, which opposes independence, got a plurality of the votes, the majority of seats in the 135-seat body went to three pro-independence parties. Assuming that they can form a coalition, Catalonia once again will have a government committed to independence. For Rajoy, this is not going back to square one. He is appreciably worse off, since he cannot credibly condemn an election that was his idea. Predictably, the prime minister rejected negotiations with Catalan officials, unless those negotiations take place in Spain. With an arrest warrant outstanding for Catalan leader Carles Puigdemont, currently in exile in Belgium, Rajoy's position is a nonstarter. Support from the U.S. government for Catalonia back in October might very well have led to serious negotiations between Madrid and Barcelona. There was strong motivation then for the United States to offer to mediate, and that motivation is even stronger now, thanks to the second dramatic event of the past few days, which was the vote in the U.N. General Assembly to condemn the Trump administration's decision to move the U.S. Embassy in Israel to Jerusalem. Just prior to the vote, Haley warned that there would be retaliation against governments that voted for the motion, a threat widely assumed to be referring to U.S. foreign aid decisions and other economic forms of punishment. In spite of Haley's threat, 128 nations voted to condemn the American decision, and the Trump administration retaliated immediately with a \$285 million cut to the U.N. budget. Poorer nations that voted against the United States may soon realize that crossing the Americans, when those same Americans are drawing up next year's

foreign aid budget, is not a good idea. But such financial threats mean little to nations that do not need aid from the United States. One such nation is Spain, which did vote for the U.N. resolution. In this case, an effective response from the United States would be an offer of recognition and a trade deal for an independent Catalonia, should the new regional government confirm the declaration of independence made on Oct. 27. Such a dramatic gesture would serve several purposes. First, it would signal to Spain and other relatively wealthy nations that the United States is capable and willing to find all sorts of ways to make life difficult for supposed allies that abandon America on issues important to U.S. national security. Second, offering help to Catalonia now would announce to the world that the Trump administration does not regard Europe as the exclusive property of the European Union, and has no intention of deferring to the leadership in Brussels when it comes to trade relations. Third, the United States could show that it has a high regard for the will of the people, expressed through free elections. This regard is an implicit but serious threat to the European Union, which was shaken by Brexit and is fearful of similar appeals to popular sentiment. With the press of other foreign crises, there is no guarantee that the United States will pay much attention to events in Catalonia. Moreover, the new Catalan parliamentary majority may hesitate to confirm the October independence declaration. However, Puigdemont would surely gain the attention and favor of the Trump administration by announcing that an independent Catalonia would follow the lead of the United States by locating its U.S. Embassy in Israel to Jerusalem. This action could prompt the United States to take the less risky option of offering to arbitrate a settlement between Catalonia and Madrid. America's experience with federalism makes this country an appropriate intermediary in a dispute over devolution of power. This action alone would raise the stakes for Madrid to the point where Rajoy would find it almost impossible to continue his hardline stance. Ambassador Haley told an AIPAC conference that the United Nations needs to learn that "there's a new sheriff in town." Taking bold and imaginative action in Catalonia would make that lesson impossible to ignore.

Nagorno Karabakh/Republic of Artsakh

This proto-state dispute is one of increasing international relevance because of escalating tensions that have led to border skirmishes in 2020. The conflict exists largely between Armenia and Azerbaijan, and specifically between a secessionist movement of an Armenian minority. The Nagorno-Karabakh territory is currently recognized by international institutions as a part of Azerbaijan, but many of the people of the area identify ethnically as Armenian. Azerbaijan has been holding only cursory control over the area, including allowing the formation of an independent government, for over 30 years.

The US should recognize the Nagorno-Karabakh Republic – the de facto state has proven its ability to be independent -- that's key to peace in the South Caucasus Region

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The paper discusses the law-governed state building process in the Republic of Artsakh (NKR) with the formation and development of institutions that are of utmost importance for a sovereign state. The article presents the political dynamics of the Karabakh conflict, then touches upon the institution building in the non-recognized NKR and tries to advocate the importance of this process as a factor of ensuring the security of the NKR and the stability of the entire South Caucasus region. The author concludes that the NKR is a political reality. Being non-recognized, this de facto state has proven its ability to conduct elections that meet international standards, to protect its borders, and to build a decent public administration system without the active assistance of the international community. Moreover, given the NKR – by the pace of its democratic development and commitment to democratic values – is on much higher level than the state, from which it separated, the international community should not deny its right to self-determination, but support the efforts of the Nagorno Karabakh’s people for independence. The achievements in state building process of this non-recognized state, as well as its adherence to the peaceful resolution of the conflict with Azerbaijan can only contribute to the lasting peace and security in the South Caucasus Region. Keywords: Artsakh, Nagorno-Karabakh Republic, state-building, Azerbaijan, institution building, South Caucasus.

Introduction In recent years, experts have been paying increasing attention to the possibility of establishing a long-term and sustainable peace, after reaching a ceasefire between conflicting sides. However, if the focus of experts remains on post-conflict peacebuilding through peacekeeping operations with the direct participation of the UN and other international organizations, then as part of our research, we consider the process of legal state-building in the Republic of Artsakh (Nagorno-Karabakh Republic (NKR)), based on the formation and development of the most important institutions of a sovereign state which they have mainly carried out on their own. As the well-known Russian public figure and historian Victor Sheynis noted, “The Nagorno-Karabakh Republic has matured both as a country and as a state” [2]. In this research, we briefly review the political dynamics of the Karabakh conflict, the process of institution building in the NKR in the condition of being non-recognized and try to justify the importance of this process as a factor ensuring the security of the NKR and the stability of the entire region of the South Caucasus, precisely from the point of view of its viability as an independent state. The importance of institution building as a factor for peace is underscored by the United Nations. According to the former Secretary General Ban Ki-moon, the UN should develop institution building to ensure a smooth transition to the development of statehood at the national level [3]. Ban Ki-moon notes that “institutions can play a very important role in maintaining peace and reducing the risk of a return to violence, so the building of legal and effective institutions that ensure the protection and promotion of human rights should be central to peacekeeping efforts” [4]. H. Torosyan [5]. In addition, German political scientist Stefan Wolf believes that peacebuilding and state-building are not identical, but closely connected processes. By establishing and/or strengthening state institutions in the postconflict environment of divided societies, a tangible and positive contribution can be made to sustainable peace... and focusing on institutional choice provides the link between peacebuilding and democratic state-building [5]. Political dynamics of the Nagorno-Karabakh conflict One of the consequences of the collapse of the Soviet Union was not only the appearance of fifteen new independent states on its former territory, but also the appearance of new entities, which are de facto states and have the signs of statehood, noted in the first article of the “Montevideo Convention on Rights and Duties of States” of 1933: a permanent population, a defined territory, government and capacity to enter into relations with the other states” [6], however those states did not succeed in terms of widespread international recognition. Such unrecognized or partially recognized de facto states are the Republic of Abkhazia, Republic of Artsakh, the Pridnestrovian Moldavian Republic and the Republic of South Ossetia. One of the largest and bloodiest conflicts on the post-Soviet territory is the Nagorno-Karabakh conflict, whose roots date back to the beginning of the 20th century when after the collapse of the Russian Empire new independent states were formed on its former territory. In May 1918, the previously never-existing Azerbaijani state appeared on the political map of the world, which made claims not only on Armenian territories, in particular, Karabakh, but also on Georgian ones. However, the League of Nations, the forerunner of the UN, stated that due to the border disputes with neighboring states, an exact definition of the current borders of Azerbaijan is not possible and the provisions of the Charter do not allow Azerbaijan to be admitted to the League of Nations in the current circumstances [7]. At the same time, it is important to note that Nagorno-Karabakh was recognized by the League of Nations as a disputed territory and was not included in the territory of the independent Azerbaijan [8].

Some aspects of state-building process in the Republic of Artsakh (NKR) Democratic Republic, which in 1920, with the proclamation of Soviet Azerbaijan, ceased to exist. Moreover, in December 1920, after the establishment of the Soviet system in Armenia, the communist leader of Azerbaijan Nariman Narimanov “welcomed the victory of the brotherly people” and announced that the three disputed provinces, Karabakh, Nakhichevan, and Zangezur would from now on be part of Soviet Armenia” [8]. Based on the refusal of Soviet Azerbaijan from claims to “disputed territories” and the agreement between the governments of Armenia and Azerbaijan, in June 1921 Armenia declared Nagorno-Karabakh as its integral part. However, soon the leadership of Azerbaijan resumed its claims to Nagorno-Karabakh. In 1921, plenary session of the Caucasus Bureau – which did not have the authority

to resolve territorial disputes between the third parties, due to the fact that the USSR was not yet created, and Armenia and Azerbaijan were still de-jure independent states – neglecting the decision of the League of Nations and rejecting a plebiscite as a democratic mechanism for establishing borders between Armenia and Azerbaijan, under the direct pressure of Joseph Stalin and with procedural violations, decided to include Nagorno-Karabakh in the territory of Azerbaijani SSR, with the formation of broad autonomy on these Armenian territories [9]. The contemporary stage of the conflict began in 1988 when in response to the legal demands of the people of Nagorno-Karabakh for selfdetermination, the Azerbaijani authorities carried out the ethnic cleansing of Armenians throughout the whole Azerbaijan, of which there exists overwhelming evidence. This is also stated in the resolution adopted by the US Congress on May 17, 1991, condemning the attacks on innocent children, women, and men in Armenian areas and communities in and around the Nagorno-Karabakh [10]. According to Nobel Peace Prize laureate and human rights activist, academician Andrei Sakharov, “For more than 60 years, the Armenian majority of the population of NagornoKarabakh has been subjected to oppressions on national bases by the Azerbaijani authorities... In the new conditions of Perestroika, Armenians had hope for a change of the untenable situation” [11]. H. Torosyan 55 As a result, Azerbaijan unleashed large-scale military operations that have led to a great loss of life and become the cause of a large number of refugees from both sides; Azerbaijan has finally lost the control not only over Nagorno-Karabakh but also over seven adjacent districts. In turn, parts of the Martakert, Martuni and Shaumyan districts of the NKR are still under the control of the Azerbaijani army. A ceasefire agreement was signed in 1994 and negotiations between the parties are mediated by the OSCE Minsk Group, led by three co-chairs: Russia, the United States and France, the permanent members of the UN Security Council. The legal bases of the NKR self-determination As noted by a prominent expert on inter-ethnic relations Galina Starovoytova, “the formation of their own State was the only hope of ethnic minorities fighting for the preservation of their identity” [1]. With that objective, the people of Nagorno-Karabakh – since the proclamation of NKR on September 2, 1991, relying on the principles of self-determination and equal rights of peoples, which are fundamental in international law and enshrined in the Charter of the United Nations [12] – under the control of international observers exercised their right to self-determination through nationwide referendum of December 10, 1991. The right to selfdetermination of the people is also enshrined in a number of other international legal acts, including the International Covenant on Civil and Political Rights, the Helsinki Final Act of 1975, Concluding Document of the Vienna Meeting of 1986 and the document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE of 1990 [13]. On April 3, 1990, the USSR Law Procedure for Resolving Questions Connected with a Union Republic’s Secession from the USSR was ratified. By Article 3 of the Law, “In a Union republic which includes within its structure autonomous republics, autonomous oblasts, or autonomous okrugs, the referendum is held separately for each autonomous formation. The people of autonomous republics and autonomous formations retain the right to decide independently the question of remaining within the USSR or within the seceding Union republic, and also to raise the question of their own state-legal status” [14]. Azerbaijan – declaring secession from Soviet 56 Some aspects of state-building process in the Republic of Artsakh (NKR) state legal jurisdiction by the Act of Independence of October 18, 1991, even before the referendum in Nagorno-Karabakh, in accordance with the provisions of the Law of the USSR – “legislatively rejected the necessity to coordinate with it the further fate of Nagorno-Karabakh. There was also no necessity to coordinate the results of the self-determination with the USSR central authorities due to the Alma-Ata Declaration of December 21, 1991, on the dissolution of the USSR...” [15]. Thus, according to the Soviet and international law, two equal subjects of international law were formed on the territory of the Azerbaijani SSR, the Republic of Azerbaijan and the Nagorno-Karabakh Republic. The same view is shared by professor of Hamburg University Otto Luchterhandt. During the international conference “The 20th Anniversary of the NKR Independence: Realities and Prospects” in 2012 in Stepanakert, he noted that the Declaration of Independence of Nagorno-Karabakh dated January 6, 1992, does not contradict the norms and principles of international law [16]. In his turn, French MP Francois Rochebloine at the conference “The National Liberation Struggle of the Armenians of Artsakh: from Gulistan to the present days”, held in Stepanakert on October 2013, with the participation of prominent political figures and scholars from around the world including Austria, Belgium, Germany, Russia and France, mentioned that “the result of the realization of Artsakh’s right to selfdetermination was the formation of a state with all its attributes, developing spheres of life” [17]. Thus, the above-mentioned clearly shows that Nagorno Karabakh has never been part of independent Azerbaijan and was illegally included in the territory of Azerbaijani SSR. Moreover, as after the collapse of the USSR, by the Act of Restoration of Independence Azerbaijan proclaimed itself the successor of the Azerbaijan Democratic Republic which existed from May 28, 1918 to April 28, 1920, it has no legal rights toward the NKR [18].

NKR is seeking Trump's recognition – views Golan decision as an opportunity

Harutyunyan 2019 – “Karabakh Official Buoyed By Trump's Golan Move,”

<https://www.azatutyun.am/a/29845422.html>) bhb

U.S. President Donald Trump's decision to recognize Israel's annexation of the Golan Heights set an important precedent which could benefit Armenia and Nagorno-Karabakh in the conflict with Azerbaijan, a senior Karabakh official said on Wednesday. Trump signed a relevant proclamation at the White House on Monday in the presence of Israeli Prime Minister Benjamin Netanyahu. He said United States should have recognized Israel's sovereignty over the Golan Heights "decades ago." Israel captured the rocky plateau in the 1967 Middle East war and annexed it in 1981 in a move not recognized internationally. Trump's decision has been condemned Syria, other Arab nations as well Turkey, Russia and Iran. Armenia, which maintains a cordial relationship with Syria, has not yet officially reacted to it. A top aide to Bako Sahakian, the president of the unrecognized Nagorno-Karabakh Republic, was encouraged by the “fundamental development.” “President Trump substantiated his decision with the notion that the Golan Heights are critical for Israel's security,” the official, Davit Babayan, told RFE/RL's Armenian service. “There is no reference to historical other issues,” said Babayan. “There is only the security context. In this sense, the Golan Heights are almost as significant for Israel as the Karvachar (Kelbajar) district is for Artsakh (Karabakh) and the Republic of Armenia.” “We must use that as a precedent and show [the international community] that we are in the same situation ... This seems like a gift which we have gotten without having done anything. In my view, failure to utilize it would be a crime,” he added.

Potential Generic Affirmative Ground

While this topic is ripe with affirmative advantage ground based on the nation the affirmative team would choose to recognize, it would detract from the focus of the paper to include all of that research here. This section seeks to show that there are experts writing about the potential benefits of state recognition more generally. General affirmative advantage ground will center around democratic values, economic incentives of creating new alliances, and the ability to the United States to recognize important human rights issues that pertain to formally recognizing marginalized states.

Secessionist Movements

Recognition helps secessionist movements succeed

Berlin 9 – JD, Law Clerk to the Honorable Patti B. Saris, United States District Court for the District of Massachusetts (Alexander, “RECOGNITION AS SANCTION: USING INTERNATIONAL RECOGNITION OF NEW STATES TO DETER, PUNISH, AND CONTAIN BAD ACTORS,” *U. Pa. J. Int'l L.*, 31.2, Lexis)//BB

Furthermore, the simple act of recognition is costless, requiring nothing more from the recognizing state than a statement. Of course, to achieve fully the removal of the secessionist entity from the parent state's control, other sanctions and potentially armed intervention may be necessary. But recognizing the secessionist entity has power of its own: empirical evidence suggests that recognition fortifies "the security of a community," and thus is independently helpful in removing the territory from the control of the parent state.¹² For instance, the security of the former Yugoslav republics of Slovenia and Croatia were significantly increased through recognition.¹³ Recognition can give the secessionist entity numerous benefits that increase its chance of survival, and thus the effective loss of the territory for the parent state. These benefits include "greater ability to provide for the welfare of the population . . . ; a reduction of the risk of external intervention; the possibility of entering into treaty relationships with other states; more settled borders; expanded opportunities for trade; enhanced domestic legitimacy; . . . and other benefits."¹⁴ The bare act of recognition seems to help the secessionist entity actually free itself from the parent state, and thus remove territory, people, and resources from the parent state.¹⁵

Democracy

Non-recognition hinders democratic development

Pegg 17 – PhD, Professor @ IUPUI (Scott, "Twenty Years of de facto State Studies: Progress, Problems, and Prospects," *Oxford Research Encyclopedia of Politics*, DOI: 10.1093/acrefore/9780190228637.013.516)//BB

While a lack of external recognition does not preclude democratization and may afford de facto states some autonomy in how they choose to pursue it, nonrecognition also creates unique obstacles to democratization. Caspersen (2011, p. 346) highlights the paradox that "unrecognized states suffer simultaneously from a lack of international attention and from too much international attention." The lack of international attention refers to the limited external assistance usually provided to de facto state electoral processes. Even basic democratic tasks such as registering voters or maintaining polling stations can challenge de facto states with their limited personnel and resources. Somaliland is a partial exception here, although it receives far less support from the international community than it would if it were a recognized state. Too much international attention refers to excessive meddling or interference by patron states upon whom de facto states often depend for their survival. Perhaps the two most famous cases are Abkhazia's 2004 presidential elections and South Ossetia's 2011 presidential elections. In both cases, de facto state citizens voted against the candidate obviously preferred by Moscow, precipitating political crises that were eventually resolved after extensive Russian interventions (Broers, 2013, pp. 61–62; Kolstø & Blakkisrud, 2008, pp. 499–500; Ó Beacháin, 2012, pp. 168–169). De facto states may also face unhelpful external interventions from their parent states who try to delegitimize their democratic process as part of a larger strategy to combat their secessionist bid (Tansey, 2011, p. 1527). The existential insecurity that accompanies nonrecognition is also not conducive to democratic development. For most de facto states, the struggle to present a united front to bolster self-determination claims can have a stifling effect on dissent and lead to censorship or self-censorship of nonindependence or pro-settlement views. Höhne (2008), for example, while noting how newspapers in Somaliland have provided invaluable forums for some sensitive public debates, lambasts them for distorting news and silencing alternative viewpoints in the contested eastern regions of Somaliland. The desire to be successful to further the cause of international recognition is so powerful in Somaliland that it prevents any reasoned debate over the relative merits of independence versus reunification with Mogadishu (Pegg & Kolstø, 2015). Kolstø and Blakkisrud (2012) argue that given its small size and cultural homogeneity, one might expect Nagorno-Karabakh to be more democratic than it is. Yet, "[t]he ever-present possibility of renewed hostilities means that the opposition must operate within a narrowly defined

political field. Self-constraint and a perceived need for outward unity is ubiquitous in Karabakhian politics” (Kolstø & Blakkisrud, 2012, p. 149). Broers (2013, p. 60) concludes that “heavily militarized contexts . . . constrain democratization and reform processes within de facto states, and provide a constant foil strengthening the hand of hardliners over reformers.”

Human Rights

Recognition is a powerful tool to fight human rights abuses

Berlin 9 – JD, Law Clerk to the Honorable Patti B. Saris, United States District Court for the District of Massachusetts (Alexander, “RECOGNITION AS SANCTION: USING INTERNATIONAL RECOGNITION OF NEW STATES TO DETER, PUNISH, AND CONTAIN BAD ACTORS,” *U. Pa. J. Int’l L.*, 31.2, Lexis)//BB

Given this consistency with law and practice, the sanction theory of recognition should be adopted by the international community. In those cases where a parent state has committed human rights abuses, and recognition of a secessionist entity would serve as an effective sanction without making the world worse off, intrinsic considerations should be put aside and recognition should be granted. The international community is justified in harming the interests of the parent state and violating its territorial integrity in such cases because the parent state has violated its essential obligations as a state and thus forfeited its right to object. More fundamentally, the international community is justified in adopting the sanction theory of recognition because its returns are so great. The international community has very few tools at its disposal for enforcing good human rights behavior on the part of states. The sanction theory, by shifting the focus of recognition decisions from the intrinsic merits of the secessionist entity to the bad behavior of the parent state, while rejecting any requirement of a nexus between the bad behavior and the secessionist entity, maximizes the benefits that can be achieved through recognition, and transforms recognition into a powerful tool to combat human rights abuses.

Economy

Recognition improves the economies of new states

Nelson 16 – PhD @ City University of NY (Elizabeth, “POWER AND PROXIMITY: THE POLITICS OF STATE SECESSION,” Proquest Dissertations)//BB

There are a number of general benefits to statehood. New states stand to gain in terms of economics, politics, and security.⁸ The economic benefits of statehood take a variety of forms. First, only states have access to international financial institutions. For example, the International Monetary Fund (IMF) provides a financial safety net for economically weak new states. New states have access to foreign aid through institutions, as well as individual or multilateral donors. In the case of East Timor, this aid comprised nearly 2% of GDP (Fazal and Griffiths 2014, 94). Both Bangladesh and Eritrea quickly received millions of US dollars after they achieved independence (Ibid.). Finally, statehood status provides for easier access to foreign markets and investors. Without an internationally recognized central bank, Somaliland is forced to use foreign accounts and secondary financial markets.⁹ Unrecognized states have difficulty securing foreign direct investment, which is “typically conditional upon guarantees of insurance and arbitration” (Englebert and Hummel 2005, 415). Agencies that provide insurance to investors often only do so with investors that work in recognized states (Fazal and Griffiths 2014, 94). South Sudan, having achieved statehood, has become a more attractive environment for international investors, particularly in the oil sector (Id. 95).

Potential Negative Arguments – Area Specific

Iraqi Kurdistan

Negative ground in this particular region would largely focus on the effects on Middle Eastern stability of Kurdish recognition. For years, the Kurds have acted as US allies, but largely in order to establish more stable governments in war torn areas within the Middle East. Many authors argue that the creation of a new state in region would potentially have a destabilizing effect rather than a stabilizing one. Outside of those arguments, a plethora of literature exists that the recognition of Iraqi Kurdistan could embolden other secessionist movements in the area, further destabilizing an already fragile Middle East.

An independent Kurdistan hurts US interests in Iraq

Bernard 17 – staff @ TAI (Andrew, “Who’s Afraid of an Independent Kurdistan?,” *American Interest*, <https://www.the-american-interest.com/2017/09/26/whos-afraid-independent-kurdistan/>)

The vote itself won’t immediately trigger secession, but will instead prompt independence talks between the Kurdistan Regional Government and the federal government in Baghdad. But the neighbors of a potential Kurdistan have already started making threats about the consequences the new state would face. As the Turkish state-run Anadolu Agency reports: Turkey and Iraq will launch a joint military exercise on the Turkish-Iraqi border on Tuesday following a controversial referendum in northern Iraq, according to the Turkish military late Monday. Turkey started its military manoeuvres in southeastern Silopi region on Sept. 18, a week ahead of the referendum on independence in northern Iraq. [...] In a brief statement on its official website, the Turkish General Staff said the third phase of the military exercise will start on Tuesday jointly with the Iraqi military in the Habur border gate, also known as Ibrahim Khalil border crossing, on the Turkish-Iraqi border in Silopi district of Sirnak province. Iran, for its part, has closed its airspace to flights bound for the KR at Baghdad’s request and is holding war games along the border. The Turks have stated that the border crossing has not been closed, but the obvious implication that cross-border traffic could be closed was made explicit by the ever-colorful Turkish President Erdogan. Hurriyet Daily: “There are several measures on the table... We will see through which channels the northern Iraqi regional government will send its oil, or where it will sell it,” he said in a speech. “We have the tap. The moment we close the tap, then it’s done.” As if that wasn’t theatrical enough, Erdogan was also quoted as threatening that “we can come unexpectedly in the night.” For now, the most noteworthy result is that Turkey hasn’t actually taken punitive measures in response to the vote. An independent Iraqi Kurdistan is arguably less threatening to Turkey than any of its would-be neighbors. While it would end the territorial integrity of Iraq and risk joining with the autonomous Kurdish region in Syria, an independent KR would instantly become a Turkish tributary, entirely reliant upon Turkey for its links to the outside world. As we’ve written before, an independent KR would see an end to the oil sharing agreement between Erbil and Baghdad, thus further lining Turkey’s pockets with oil money. For all of its fears of Kurdish separatism, Turkey might just go along with Kurdish independence provided it can be given a few billion reasons to look the other way. The U.S. position after the referendum on the other hand is only going to get more and more uncomfortable. Officially, the U.S. pushed for the KR to postpone the vote in the interest of focusing on the anti-ISIS campaign. That effort failed. The U.S. now finds itself as the largest foreign backer of a would-be breakaway state under potential threat from a U.S. ally (Turkey), a U.S. partner (Iraq), and a U.S. adversary (Iran). To the extent that the federal Iraqi government isn’t already under the complete domination of Iran, the Kurdish issue threatens to destroy what remains of U.S. influence. Iraqi Prime Minister Abadi yesterday rejected an independent Kurdistan as constituting a “sectarian, racist state.” That’s the baseline of rhetoric that he will have to maintain going into the Iraqi parliamentary elections in April, and that’s coming from arguably one of the most pro-American Iraqi nationalist politicians in the country. Pro-Iranian politicians, not to mention Iranian-backed militias, will go much further. If we were to imagine that the KR somehow achieves independence, its creation would have two consequences for the United States. Lacking any other export routes for its oil or access to the outside world, the

independent Kurdish state would be almost entirely reliant upon Turkey, a country that has grown increasingly distant from the United States and its fellow NATO allies. Secondly, its creation would cement a similar vassalage relationship between Iran and rump-Iraq, ending once and for all American influence over a country into which the U.S. has spent enormous blood and treasure since 2003. While Americans might feel warm and fuzzy about the creation of a new, pro-America, pro-Israel, democratic and largely secular state in the Middle East, the uncomfortable truth is that the U.S. has been well served by a status quo that after the referendum will be extremely difficult to maintain. The U.S. has plenty of leverage over the Iraqi Kurds—it could withdraw funding and support for the Peshmerga, or close U.S. military bases—but that leverage doesn't mean much if the U.S. is unwilling to use it.

Kurdistan independence would escalate into Middle Eastern Conflict

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Iraqi Kurdistan's just-completed referendum regarding independence from Iraq has provoked an overwhelmingly negative response in the Middle East and beyond. There is no question that most Kurds support transforming their highly autonomous region in northern Iraq into an internationally recognized independent state. The "yes" vote in the referendum was a whopping 92 percent. However, the Baghdad government understandably regards the move as a threat to Iraq's territorial integrity. Neighboring countries, especially Turkey, Syria and Iran, which have sizable Kurdish minorities, similarly view the referendum and what it symbolizes as a menace. Tensions are spiking, and a military crisis may be brewing. Baghdad and Ankara already have threatened joint economic retaliation—and perhaps even military measures—in response to the pro-independence vote. On the other side of the world, a similar situation is simmering with respect to Taiwan. Although a crisis there is not as imminent as the Kurdish confrontation, growing tensions between Taipei and Beijing are reaching alarming levels. The vitriol that Chinese officials are directing at the Taiwanese government of Tsai Ing-wen, which include highly personal attacks on Tsai, has spiked dramatically over the past eighteen months. Both situations illustrate an irreconcilable tension between abstract concepts of justice and geopolitical realities. A solid case can be made that both the Kurds and Taiwanese constitute distinct nations and cultures deserving their own independent states. The victorious allies in World War I promised the Kurds that they would establish a separate Kurdish homeland. Fulfilling that commitment, though, would have greatly antagonized the much stronger and more numerous Turkish and Arab populations. The European colonial powers, therefore, reneged on their promise and parceled out the Kurds to the successor of the defunct Ottoman Empire (Turkey), Persia (Iran) and the newly created entities of Syria and Iraq. Restless Kurds have tried to reverse that decision throughout the subsequent decades. They exploited an opportunity to take the first step when the United States led the assault to overthrow Saddam Hussein's regime. The Kurds created an independent state in all but name in northern Iraq, establishing a separate flag, currency and army, and thwarting Baghdad from having any meaningful control over the region's economic policies. Kurdish fighters in neighboring Syria similarly have exploited the unraveling of that country to gain control over a wide swath of territory in the north. Although not officially recognized by the international community, there is now a Kurdish-governed region there similar to the situation in northern Iraq. It is likely just a matter of time before activists attempt to link the two territories. Taiwan has been even more successful in controlling its own affairs. The population has moved far beyond the situation that existed when Chiang Kai-shek's Nationalist Chinese regime fled the mainland in 1949 and relocated to Taiwan. As the decades passed, a new generation of Taiwanese leaders (increasingly native-born) consolidated and intensified the island's de facto independence. Today, Taiwan is a first-rate economic power and a vibrant democracy. A solid majority of the population identifies as Taiwanese, not Chinese. There is very little sentiment for political reunification with the mainland, especially when a communist dictatorship rules that territory. Indeed, the Democratic Progressive Party, which now controls both the presidency and the legislature in Taipei, has long been committed to the goal of Taiwan's formal independence. In terms of fairness and justice, both the Taiwanese and the Kurds deserve to

have independent countries. They have distinctive languages, cultures and histories. In Taiwan's case, it has been governed from the mainland just four of the past 122 years. From 1895 to 1945, it was a Japanese colony, and from 1949 to the present, the island has had a government separate from and hostile to the communist regime in Beijing. Taiwan's political, economic and social development has been very different from that of the mainland. The Kurdish case is a little less clear cut, but there is still a credible basis for an independent homeland. Kurds have a language and culture quite distinct from Arabs or Persians, and they have a history of being mistreated by both. Saddam's brutal rule was undoubtedly the worst, culminating in the 1988 poison gas attack that killed thousands of Kurdish civilians. But the Turkish government's conduct over the decades has been harsh, and Iran's behavior, especially during the Shah's reign, has been little better. However, the world is not fair and just, and powerful geopolitical realities argue against either population's achieving its goal. Indeed, attaining independence would lead to major regional disruptions and the likelihood of catastrophic wars. Even a geographically limited Kurdish state would redraw the map of the Middle East, fragmenting both Iraq and Syria, with unpredictable consequences. A comprehensive Kurdish homeland would have to include most of southeastern Turkey, since roughly 50 percent of all Kurds reside there. That development would truncate Turkey, thereby greatly reducing the viability and influence of a major U.S. NATO partner. The existing countries are unlikely to accept either version of a Kurdish homeland without a fight. The consequences of the push for an independent Taiwan could be even worse. Chinese leaders are implacable in opposing such an outcome, and there are indications that their patience with Taiwan's continued unwillingness to negotiate an agreement for reunification is wearing thin. The Taiwanese themselves see evidence that Beijing is setting an implicit deadline of 2020 or 2021 to resolve the island's political status to China's satisfaction or use of force to do so will be a viable option. An outbreak of war in the Taiwan Strait would be calamitous for both the security of East Asia and the global economy. Both Kurdish and Taiwanese political ambitions put the United States in an awkward and potentially dangerous position. Washington regards Kurdish fighters in Iraq and Syria as capable, reliable allies against ISIS, and both the Obama and Trump administrations provided material assistance to those forces. The nature of the dilemmas for U.S. policy, though, is evident as Turkey's military has repeatedly attacked those same Kurdish units. U.S. officials are caught in a severe bind. Despite substantial domestic admiration (especially among neoconservatives) for the Kurdish war effort, and for the overall Kurdish political agenda, two key U.S. allies, Iraq and Turkey, adopt the opposite stance. The Trump administration desperately tries to square the circle—continuing to support Kurdish anti-ISIS actions but opposing the independence referendum and the agenda of an independent Kurdistan. It may well prove to be a stance that satisfies no one. Washington's plight with respect to Taiwan has the potential to be even worse. Under the 1979 Taiwan Relations Act, the United States is obliged to regard any Chinese attempt to coerce the island as a grave threat to the peace of East Asia. Washington is also committed to continue selling Taiwan weapons "of a defensive nature." Beijing objects strongly to both provisions as unacceptable interference in China's internal affairs. The stage is set for a U.S.-China military showdown at some point. It is hard to see how the impasse between Taiwan's insistence on maintaining at least de facto independence and China's insistence that the Taiwanese commit to reunification can turn out well. U.S. leaders need to put America's interests first regarding both of these situations. One can legitimately empathize with the goals of both the Kurds and the Taiwanese. But the United States should not risk becoming entangled in armed conflicts to support those objectives. Instead, we need a prompt strategy to reduce our risk exposure

Iran views Kurdistan as pandora's box in the region – an independent Kurdistan would disrupt stability

Aziz and Kirmanj 18, (Sardar Aziz - Kurdistan Parliament & University College Cork; Sherko Kirmanj is an assistant professor at the University of Sharjah in International Relations), "Chapter 8: Iran's regional hegemony and Kurdish independence," October 10 2018, *Federalism, Secession, and International Recognition Regime*, <https://www.taylorfrancis.com/books/e/9780429448423>

When the Kurdish leadership announced its intention to hold a referendum on September 25, 2017, Iran openly expressed strong opposition. Iran's foreign ministry spokesperson, Bahram Qassemi, said that Iraq's integrity is 'not negotiable'. By the same token, Ali Shamkhani, secretary of Iran's Supreme National Security Council, warned that an "independence referendum will isolate and weaken Kurdistan" (Rudaw 2017). Understanding Iran's strategic goals internally and

externally lay the ground for understanding Iran's approach to Kurdish statehood ambition. Dalton (2017) rightly summarized Iran's objectives in this context: first, ensuring domestic survival by maintaining the primacy of the Islamic Republic; second, enhancing Iran's power and hegemony in its neighborhood; third, safeguarding a place of political and economic significance within the global community; and finally, maintaining its ability to prevent rival powers from posing an existential threat. Iran views Iraqi **Kurds' independence as opening Pandora's box.** Iran has nearly ten million Kurds neighboring Iraqi Kurds on its eastern borders. Therefore, Iran sees that an independent Kurdistan could threaten its own territorial integrity. It is worrying that such a move may lead to cleaving the Kurdish populated areas in Iran, Syria and Turkey to create new states in the region. One can only realize Iranian fear if it can recall the establishment of the Soviet-backed Republic of Kurdistan/Mahabad in 1946 that lasted only a year, and that for decades since 1979 Iran has been waging an off-and-on war with different Kurdish political groups. Iran's fear also stems from the fact that Iraqi Kurds' independence could inspire Iranian Kurds and other minorities in Iran. In other words, the **redrawing of Iraqi borders is seen by Iranians as a precedent that must not happen.** Iran shares a historically porous, over 500 kilometers long border with Iraqi Kurdistan that may make political spillover much more likely. Indeed, Iranian fears were somehow realized the day of the referendum in Iraqi Kurdistan when 158 Sardar Aziz and Sherko Kirmanj thousands of Iranian Kurds staged demonstrations in Kurdish cities of Baneh, Sanandaj and Mahabad, chanting slogans in support of their brethren in Iraqi Kurdistan. They chanted their hope that freedom would come soon to them as well (Washington Post 2017). Furthermore, Iranian Kurds' major political parties called the Kurdish people in Iranian Kurdistan to support the planned independence referendum (PDKI 2017 ; Baghdad Post 2017). Tehran perceives any ethnically and/or sectarian-framed plea as a test to its internal cohesion. It believes that Kurdish independence would lead to the disintegration of Iraq and that this would have a domino effect on the other countries in the region, including Iran, along ethno-sectarian lines. From Iran's perception, the disintegration of Iraq will result in the creation of a Sunni-Arab state in the middle and western parts of Iraq, allied to Saudi Arabia perhaps, which cuts off the territorial contiguity that Tehran has been working to create in the last decade – a corridor which connects Iran to its regional allies in Syria and Lebanon via Iraqi territories (Saleem 2017). **This will dramatically change the political dynamic and Middle East balance of power that will not be in favor of Iran,** as it is now. In other words, Iran believes that the creation of an independent Kurdistan thwarts the creation of a Shiite Crescent from the Persian Gulf to the Mediterranean Sea. If KR becomes an independent state, then Iran has to deal with it within the framework of international norms and laws. Currently, Iran is able to leverage KRG capabilities and asymmetric activities without playing by international rules – intervening in the Kurdish political and military affairs almost as it wishes. **An independent Kurdistan changes the rules of the game in favor of the KRG.** More importantly, Iran thinks that an independent Kurdistan will work as the US and/or Israeli base to contain Iran, or at best as an ally to Turkey – all regional and international rivals to Iran. Iranian Supreme Leader Ali Khamenei described the Kurdish independence referendum as a US and foreign powers' plot "to create a new Israel in the region" (Office of the Supreme Leader 2017). **For Israel, Kurdistan is a potentially reliable partner, a Western-oriented friend facing common enemies, Iran.** The publicly announced statements of support for Kurdish statehood coming from top Israeli officials, including the former president, Shimon Peres, Prime Minister Benjamin Netanyahu and Foreign Minister Avigdor Liberman (Bengio 2017), further increased Iran's anxiety the Kurds' ambition of independence. Iran has been worried about the growing political, intelligence and trade relations between Israel and the KRG. Reports indicated that Israel imports threequarters of its oil from KR, which was more than a third of all of the KRG's exports (Financial Times 2015). Israel and the KR have developed limited commercial relations since 2003. Israel subtly shifted munitions to the KRG and provided intelligence (Huffington Post 2017). Furthermore, the 500-kilometer mountainous border with Iran of 'an independent Kurdistan' could provide Israeli military or intelligence forces with vital access to Iran. Iran is also aware that "while publicly advocating diplomacy in order to stop Iran from pursuing a nuclear weapon, [the US] has increased clandestine activities inside Iran and intensified planning for a possible major air attack" (Hersh Iran's regional hegemony and Kurds 159 2016). Donald Trump, the US President (2017–) refused to certify the nuclear deal signed with Iran in 2015 (The Telegraph 2017) Hence, **despite the signing of a nuclear deal, the US and Israel fear of nuclear Iran remains alive.** This makes Iran vehemently oppose the Kurdish efforts for independence in order to prevent a US-Israeli base right on the new state's eastern borders, as Iranian's believe would happen. In short, Iran sees an independent Kurdistan as a launching pad for regime change in Tehran. As the majority of Iraqi Kurds are Sunni Muslims, this has

relatively stopped Iran making an ideological and doctrinal alliance with them. This is in contrast to other parts of Iraq. Therefore, Iran fears that an independent Kurdistan will be lost to the other international players such as US, Israel and/or Turkey as mentioned above. Israel and Gulf countries, in particular, Saudi Arabia and the United Arab Emirates, doubt that the US has taken Iran's intervening activities in the Arab countries seriously enough. Hence, the Gulf states have attempted to use the Kurdish card in Iraq and Iran against Iran and/or Shiite domination in Iraq. The Gulf countries' ties with the Kurds in Iraq started only after the collapse of Saddam Hussein's regime in 2003, which paved the way for the establishment of a Shiite-dominated government. The Gulf states' avoidance of dealing and/or supporting the central government led them to establish relations with local actors, including the KRG. The drive was political, as mentioned, and economic, as the KR became the only part of Iraq open to the Gulf investors, at least initially. The Gulf states, in particular, Saudi Arabia, have been trying to revive the Kurdish insurgency in Iran by funding several Kurdish armed groups in order to use them as leverage against Iran. Iran seems to be aware of Saudi Arabia's intentions and activities, as it urged the KRG to stop allowing Saudi Arabia to arm Iranian Kurdish Peshmerga groups (e-Kurd Daily 2017 ; ARA News 2016 ; Reuters 2016). What further raised Iranians' anxiety was the increase of Iranian Kurdish opposition groups, based in KR, inside Iran since mid-2016 (Al-Monitor 2017 ; KDPI 2016). In a nutshell, an independent Kurdish state may further facilitate the Saudi ambition of interfering in Iranian domestic affairs. Since its establishment in 1979, Iran has been fighting external threats using militias supported and trained by Quds Forces; however, it is now worried that Israel, the US and/or Saudi Arabia may use the same tactic against it. In this chapter, an attempt has been made to explain why Iran tries to impose its hegemony over the Middle East region. Iraqi Kurdistan is located in the heart of the region that Iran attempts to have hegemony over. Through testing our main arguments, the chapter showed that Iran is driven toward hegemony from its geopolitical, cultural and economic stand in order to create a regional bloc and enforce its will on it. The main reason behind Iran's move is to have a place in the world. The roots of this goes back to the historical and cultural role that Persians played for thousands of year that set feelings of superiority in the minds of Iranian 160 Sardar Aziz and Sherko Kirmanj in the process. To achieve this objective, Iran utilized its hard and soft powers to pressure the Middle East states, as well as national and sectarian groups. The Kurdistan Region of Iraq is a neighbor to Iran and shares a cultural, ethnic and religious sphere with Iran. This particular geographical place, enhanced by the ethnic dimension, makes Iran alert to any change within Iraqi Kurdistan. The chapter argues that the acts and behaviors of both Iran and Kurdistan can be explained from a security perspective. At the heart of both Iranian hegemony and Kurdish independence, there is a security dilemma. Based on this premise, the chapter benefited from RSCT and the importance of the relational nature of the regional bloc. For Iranians, Kurds are seen as the insulator or an entity that despite their smallness might play a vital role in restricting the Iranian role in the region, especially if the Kurds gained sovereignty and independently connected to the rest of the world. Hence, containing the Kurds within Iraq is crucial to Iran's regional move. This becomes even more important if Iraq remains loyal to Iran, as it is now. Security, time and crises are the main features for the Kurds and Iran to achieve independence and hegemony, respectively, as both parties see them as necessary preconditions to achieving their goals. These similarities create another layer of collusion between both sides. For the Kurds, the time of crisis in Iraq and the region is the time for independence. Likewise, for Iranians, the time of crisis is the time to establish hegemony, especially from a hard-power perspective. Accordingly, Iran is then the main obstacle for Kurdish independence. Furthermore, the Kurds' miscalculation and gamble on the US role helped the Iranians and cornered the Kurds

Palestine

The core negative ground against the Palestine affirmative centers around the Israel-US alliance, which could be dramatically altered by the recognition of Palestine. Other negative positions of import would be an argument about emboldening other secessionist movements as well as quality arguments surrounding the history of US colonialism in the region.

The foundation of the US-Israeli alliance is built upon the US's support for Israel over Palestine but it's vulnerable — the aff flips America's stance which crushes the alliance

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That's a hugely controversial question. Though American support for Israel really is massive, including billions of dollars in aid and reliable diplomatic backing, experts disagree sharply on why. Some possibilities include deep support for Israel among the American public, the influence of the pro-Israel lobby, and American ideological affinity with the Middle East's most stable democracy. The countries were not nearly so close in Israel's first decades. President Eisenhower was particularly hostile to Israel during the 1956 Suez War, which Israel, the UK, and France fought against Egypt. As the Cold War dragged on, the US came to view Israel as a key buffer against Soviet influence in the Middle East and supported it accordingly. The American-Israeli alliance didn't really cement until around 1973, when American aid helped save Israel from a surprise Arab invasion. Since the Cold War, the foundation of the still-strong (and arguably stronger) relationship between the countries has obviously shifted. Some suggest that a common interest in fighting jihadism ties America to Israel, while others point to American leaders' ideological attachment to an embattled democracy. Perhaps the simplest explanation is that the American public has, for a long time, sympathized far more with Israel than with Palestine: One very controversial theory, advanced by Professors John Mearsheimer and Stephen Walt, credits the relationship to the power of the pro-Israel lobby, particularly the American Israel Public Affairs Committee (AIPAC). Critics of this theory argue that AIPAC isn't as strong as Walt and Mearsheimer think. AIPAC's failure to torpedo the Iran nuclear deal during the Obama administration underscored the critics' point. Regardless of the reasons for the "special relationship," American support for Israel really is quite extensive. The US has given Israel \$118 billion in aid over the years (about \$3 billion per year nowadays). Half of all American UN Security Council vetoes blocked resolutions critical of Israel. Despite this fundamentally close relationship, there are occasionally tensions between Israeli and American officials. This was particularly true under US President Barack Obama and Israeli Prime Minister Benjamin Netanyahu; the two leaders clashed regularly over issues like settlements and Iran. The relationship reached a particularly nasty point when Netanyahu planned, with congressional Republicans, a March 2015 speech to a joint session of Congress that was highly critical of Obama's approach to Iran. The Obama administration was furious over what it saw as Netanyahu conspiring with Obama's domestic political opposition to undermine his policies. The Trump administration has led to renewed warmth in the Israeli-American relationship, culminating in Trump's December decision to formally recognize Jerusalem as Israel's capital. The stark difference between Obama and Trump approaches to Netanyahu reflects a growing partisan gap inside the United States, with Republicans taking an increasingly hard-line "pro-Israel" position. If Democrats end up concomitantly becoming more willing to criticize the Israeli government, Israel may well end up a partisan issue in America — which actually would threaten the foundations of the US-Israel alliance.

Recognizing Palestine would open Pandora's Box

Rivkin and Casey 11 - Washington, D.C., lawyers who served in the Justice Department during the Reagan and George H.W. Bush administrations. Mr. Rivkin is also a senior adviser to the Foundation for Defense of Democracies. ("The Legal Case Against Palestinian Statehood," *Wall Street Journal*, Proquest)//BB

The Palestinian Authority, by contrast, does not meet the basic characteristics of a state necessary for such recognition. These requirements have been refined through centuries of custom and practice, and were authoritatively articulated in the 1933 Montevideo Convention on the Rights and Duties of States. As that treaty provides, to be a state an entity must have (1) a permanent population, (2) a defined territory, (3) a government, and (4) the capacity to enter into relations with other states. As of today, the PA has neither a permanent population nor defined territory (both being the subject of ongoing if currently desultory negotiations), nor does it have a government with the capacity to enter into relations with other states. This pivotal requirement involves the ability to enter and keep international accords, which in turn posits that the "government" actually controls—exclusive of other sovereigns—at least some part of its population and territory. The PA does not control any part of the West Bank to the exclusion of Israeli authority, and it exercises no control at all in the Gaza Strip. The PA does not, therefore, qualify for recognition as a state and, concomitantly, it does not qualify for U.N. membership, which is open only to states. All of this is surely understood by the PA and its backers, and is also why the administration has correctly labeled this effort as a distraction—"stunt" being a less diplomatic but even more accurate term in these circumstances. What is unfortunate is that the Obama administration has failed to present the case against a Palestinian statehood resolution in legal rather than tactical terms, even though these arguments are obvious and would greatly reinforce the U.S. position, also providing a thoroughly neutral basis for many of our allies, particularly in Europe, to oppose Mr. Abbas's statehood bid. The stakes in this battle are high. The PA's effort to achieve recognition by the U.N., even if legally meaningless, is not without serious consequences. To the extent that state supporters of that measure may themselves have irredentist populations or active border disputes with their neighbors—as do Russia, China, Britain and Turkey—they will certainly store up future trouble for themselves. Traditionally, states rarely recognize (even if they may materially support) independence movements in other states. This is because granting such recognition may have very serious consequences, up to and including war. (The classic example here being France's recognition of the infant United States in 1778 and its immediate and inevitable entry into the War for Independence against Britain).

Taiwan

Core negative arguments against the Taiwan affirmative would center on the Chinese response to independence. Many authors argue that recognition of Taiwan could lead to a serious deterioration of US-Chinese relations and potentially unleash dangerous interactions between the two powers. There are also authors that write about emboldening other volatile nations in East Asia, like North Korea.

Recognition of independence would make Chinese aggression more likely

Blanchard 20 — Senior Correspondent for Reuters ("**U.S. increases support for Taiwan, China threatens to strike back**", Reuters, March 26, 2020, <https://www.reuters.com/article/us-taiwan-usa/us-increases-support-for-taiwan-china-threatens-to-strike-back-idUSKBN21E0B7>)

TAIPEI/BEIJING (Reuters) - U.S. President Donald Trump has signed into law an act that requires increased U.S. support for Taiwan internationally, prompting a denunciation by China, which said it would strike back if the law was implemented. FILE PHOTO: Taiwanese President Tsai Ing-wen speaks in the Los Angeles Overseas Chinese Banquet during visit in Los Angeles, California, U.S. August 12, 2018. REUTERS/Ringo Chiu China claims democratic and separately ruled Taiwan as its own territory, and regularly describes Taiwan as the most sensitive issue in its ties with the United States. While the United States, like most countries, has no official relations with Taiwan, the Trump administration has ramped up backing for the island, with arms sales and laws to help Taiwan deal with pressure from China. The Taiwan Allies International Protection and Enhancement Initiative (TAIPEI) Act, signed by Trump into law on Thursday with strong bipartisan support, requires the U.S. State Department to report to Congress on steps taken to strengthen Taiwan's diplomatic relations. It also requires the United States to "alter"

engagement with nations that undermine Taiwan's security or prosperity. Taiwan complains that China is poaching the dwindling number of countries that maintain formal ties with Taipei and has prevented it from participating in bodies like the World Health Organization. China says Taiwan is merely one of its provinces, with no right to the trappings of a state. Taiwan President Tsai Ing-wen posted a picture on her Twitter page of Taiwan's flag fluttering next to the U.S. one under the words "Friends in freedom, partners in prosperity", to welcome Trump's signing of the law. It was "a testament to Taiwan-U.S. friendship & mutual support as we work together to address global threats to human health & our shared democratic values", she wrote in English. **'RESOLUTE STRIKE' China has stepped up its military drills around Taiwan in recent weeks despite the outbreak of the coronavirus,** which emerged in a central Chinese province late last year and spread rapidly in China and beyond. Taiwan says China should focus more on fighting the disease than menacing it. China is already angry about U.S. accusations it poorly handled the coronavirus outbreak, and the new law adds to Sino-U.S. tension. Chinese foreign ministry spokesman Geng Shuang said the U.S. act contravened international law, was a "crude" interference in China's internal affairs and obstructed other sovereign states from developing normal relations with China. "We urge the United States to correct its mistakes, not implement the law, or obstruct the development of relations between other countries and China, otherwise it will inevitably encounter a resolute strike back by China," Geng said, without giving details.

Formally recognizing Taiwan's independence puts Taiwan in danger from Chinese backlash

Toosi and Seligman 20 – Nahal Toosi covers foreign policy and national security for POLITICO. Her work has taken her from the halls of the U.S. State Department to refugee camps in Asia. In 2019, Toosi was a finalist for the National Magazine Award in reporting for her story on the plight of Rohingya Muslims in Bangladesh and Myanmar. Toosi joined POLITICO from The Associated Press, where she reported from and/or served as an editor in New York, Islamabad, Kabul and London. Lara Seligman is an award-winning journalist who covers the Pentagon for POLITICO. Her reporting on the military and the defense industry has taken her around the world, from the Middle East to Mongolia to the backseat of an Air Force Thunderbird ("**Trump seizes a new cudgel to bash China: Taiwan**", Foreign Policy, May 21, 2020, <https://www.politico.com/news/2020/05/21/trump-cudgel-china-taiwan-274160>)

As Taiwan's president was inaugurated for a second term this week, Trump administration officials had some choices to make: How do they congratulate her? Which U.S. official does what? And, above all, how much do they stick it to the Beijing government in the process? Advertisement They ultimately went with a mix: A State Department official and a top White House aide sent video messages for the event, while Secretary of State Mike Pompeo opted for a written statement in advance and some public remarks afterward. The U.S. also announced a potential deal to sell torpedoes to the island, whose disputed political status has long been a fraught subject of U.S.-China relations. But President Donald Trump himself has yet to publicly weigh in. So far, the maneuvering has appeared to be aggressive enough to inspire both Taiwanese gratitude and Chinese rhetorical backlash; Beijing has threatened "necessary measures in response" to America's expressions of congratulations. But — for now at least — the Trump team's tactics also have been restrained enough to keep tensions from spiraling out of control. The Trump administration's approach to Taiwanese President Tsai Ing-wen's Wednesday inauguration is illustrative of its broader strategy toward an authoritarian government in Beijing that it views as a long-term threat to U.S. dominance: Push Chinese Communist Party leaders hard, but not to the point of diplomatic rupture or open warfare. It is a tactic that has been pursued with added vigor in recent months as the coronavirus pandemic has hardened differences between U.S. and China, while giving Taiwan — which has seen just seven deaths since the outbreak began — something to boast about. For better or worse, Taiwan — whose democracy the Trump administration openly supports, but whose independence it does not — has become a useful cudgel for the United States. Advertisement "No Taiwan official is going to turn down some expression of help that's offered on a silver platter from the United States," said Daniel Russel, a former senior Asia hand in the Obama administration. He added, however, that Taiwan's leaders have "very mixed feelings. Without a doubt, they harbor a great fear of being used as a pawn or a chip." The relationship between Washington and Beijing has been on a downward slope for years, and it has grown increasingly ugly under Trump because of a tariff-driven trade war he launched over his belief that China was taking advantage of America on the economic front. The coronavirus pandemic emerged in China late last year, and Taiwan, thanks to its past

experiences with infectious diseases in the region, recognized the danger early. Its technocrat-driven response has severely limited the outbreak on its soil, and it has since touted its success as a counterpoint to Chinese stumbles. Taiwan has, among other moves, sent face masks to other countries, including the U.S. — part of a “mask diplomacy” strategy that Beijing also has used. The U.S. has seized on Taiwan’s success as a hammer with which to hit China. The Trump administration recently called on the World Health Organization to allow Taiwan to participate in meetings of the World Health Assembly, its main decision-making body, under observer status. The assembly met this past week, without the Taiwanese being permitted a role amid Chinese resistance. And America’s push for Taiwan’s inclusion was somewhat ironic given Trump’s own recent threats to quit the World Health Organization. Still, the Trump administration clearly thought the effort was worth it to put Beijing on the spot. “The [People’s Republic of China’s] spiteful action to silence Taiwan exposes the emptiness of its claims to want transparency and international cooperation to fight the pandemic, and makes the difference between China and Taiwan ever more stark,” Pompeo said in a statement. “Taiwan is a model world citizen,” he added, “while the PRC continues to withhold vital information about the virus and its origins.” The Trump administration is also using Taiwan as a weapon in its battle with China over 5G wireless technology. Earlier this week, American officials heralded an announcement by Taiwan Semiconductor Manufacturing Company, one of the world’s leading computer chip makers, that it would build a factory in Arizona. The next day, the Commerce Department announced a rule change that could bar Chinese tech giant Huawei from doing business with TSMC and other global chip manufacturers. **The U.S. and Taiwan do not have formal diplomatic relations, and officially the U.S. has a One China policy that recognizes the regime in Beijing as the government of China. But the U.S. and Taiwan maintain strong unofficial relations, as well as robust economic ties, and it is U.S. policy to help Taiwan defend itself against Beijing.**

Advertisement In the transition period before he took office, Trump agreed to speak to the Taiwanese president, a deviation from diplomatic norms that, while probably not part of a calculated strategy on Trump’s part, stunned Asia watchers. That incident aside, Trump aides have long seen bolstering Taiwan as critical to their pressure campaign on China’s communist leaders. Perhaps nowhere has the effort to strengthen ties been clearer than in the military-to-military realm. Last year, the Trump administration greenlit a controversial F-16 fighter jet sale and a \$2.2 billion package of M1A2T Abrams tanks and portable Stinger anti-aircraft missiles that infuriated Beijing. In keeping with the increased push for weapons sales to Taiwan, the State Department on Wednesday approved a possible sale of 18 submarine-launched torpedoes for \$180 million. The proposed sale will serve as a “deterrent to regional threats,” the department said. As China aggressively builds up its military capability, even signaling an increased willingness to attack Taiwan, U.S. officials are now pushing to normalize weapons sales, sell more advanced equipment and even potentially begin conducting joint naval exercises with the island — all moves sure to further enrage Beijing. Some of the moves have been fueled by the coronavirus pandemic, which has “clarified” the competition with China in the public sphere, said Elbridge Colby, a former deputy assistant secretary of Defense. “Covid has made it clear that we are in a situation of competition ... to the American people,” he said. Advertisement Randall Schriver, who served as assistant secretary of Defense for Indo-Pacific affairs until January, predicted that Washington will seek to help Taipei further modernize its military, potentially with additional sales of coastal missile defenses, spy drones and other intelligence, surveillance and reconnaissance capabilities. “This was the trajectory that was already planned,” Schriver said. “The recent experience with coronavirus is an accelerant to some of those plans.” Officials have also considered enhanced training, including possible joint naval exercises, as a counter to the growing threat from Beijing, Schriver said. Aside from training associated with major foreign military sales such as the F-16 deal, historically, the U.S. military has refrained from exercising with Taiwan because of China’s sensitivities. Outside the military realm, Taipei is pressing Washington for additional support. For example, Taiwanese officials are pushing for some kind of bilateral trade deal, Schriver noted. Taiwan is already a major U.S. trading partner. Taiwan’s leaders have repeatedly expressed gratitude for Trump’s support over the years. For instance, Taiwan was one of a few foreign entities to offer aid to the United States — \$800,000 worth — as Hurricane Harvey wreaked havoc in 2017, a symbolic move more than anything else. This week, amid the inaugural festivities, Tsai’s government expressed its pleasure over receiving the various messages of congratulations from U.S. officials. In particular, it highlighted the video messages sent from Assistant Secretary of State David Stilwell and White House deputy national security adviser Matt Pottinger. Both men made subtle digs at China in their comments. Stilwell said “the world owes Taiwan a debt for ringing the alarm” about the coronavirus crisis early on. Pottinger, speaking in fluent Mandarin, hit a similar point, indirectly tweaking Beijing by reminding it that the illness began on its soil — a point China has at times sought to dispute through some of its messaging. “Taiwan learned critical lessons from the 2003 SARS epidemic,” Pottinger said, according to a translation shared on Tsai’s Twitter account, “and applied them in advance of the outbreak of the mysterious disease the Chinese state-controlled media called ‘Wuhan pneumonia.’” Pompeo did not go so far as to send a video message or engage in a phone call with Tsai, and Trump has kept silent, at least as far as has been publicly acknowledged. Serious direct engagement by a U.S. president or even his chief diplomat could have enraged Beijing well beyond its usual anger at U.S.-Taiwan overtures, analysts said. But Pompeo’s issuance of a written congratulatory statement — which called Taiwan a “force for good in the world,” referred to Tsai as “Taiwan’s president” and was read aloud during Tsai’s inauguration ceremony — was a highly unusual, likely unprecedented, move. The secretary of State further praised Taiwan during a press conference on Wednesday. However, Pompeo sidestepped a question on whether the U.S. should consider formalizing its relationship with Taipei, instead using the moment to criticize what he said was Beijing’s handling of the pandemic. “We’re beginning to work to make sure we get America First, that we get this foreign policy right, and that we respond to these risks that the Chinese Communist Party presents to the United States in an appropriate way,” Pompeo said. China’s government reacted in harsh but predictable terms to the American expressions of support for Taiwan this week, saying it threatens the bilateral relationship between Beijing and Washington. “China will take necessary measures in response to the U.S. erroneous practices, and the consequences will be borne by the U.S. side,” Chinese Foreign Ministry spokesman Zhao Lijian said Wednesday. People close to Taiwanese leaders say they are, for the most part, thrilled with the Trump administration’s pro-Taipei bent so far, but there are some lingering disappointments, some centered on diplomatic protocols. The fact that no senior U.S. official visits Taiwan, despite U.S. legislation that encourages such travel, is one sore point. Another is the restrictions around the types of meetings Taiwanese representatives get with U.S. diplomats. Taiwan doesn’t have an embassy in Washington; its interests are instead represented by what’s known as the Taipei Economic and Cultural Representative Office. Advertisement Taiwanese

officials are careful in how they speak about the all-important relationship with the U.S., mindful of Beijing's red lines. A TECRO representative said that Taiwan was "grateful for the support from our diplomatic allies, as well as the United States, Japan, and many other like-minded countries on the issue of Taiwan's participation in the World Health Assembly." "It's the little things," said one person close to TECRO officials. Trump aides "all say, 'I love Taiwan, it's wonderful, it's the greatest democracy in East Asia.' But the Taiwanese can't meet in the State Department. They have to meet in a restaurant." There's also the always unnerving questions about how reliable Trump himself truly is, given his vacillation toward China over the years and his occasional broadsides against longstanding allies. While Trump campaigned for office on an anti-China message, he has generally tried to maintain a good relationship with Chinese leader Xi Jinping. He even praised Xi's early response to the pandemic, possibly to protect an early-phase trade deal between the two countries and hopes of a bigger deal later. In the same vein, Trump has kept to a minimum his comments on China's human rights abuses in places like Hong Kong, where a pro-democracy movement has been met with crackdowns. But Trump also has questioned the One China policy. Just days ago, he floated the idea of ending ties to Beijing, claiming, "You'd save \$500 billion if you cut off the whole relationship." He also recently jabbed at Xi, saying the Chinese leader was behind a "disinformation and propaganda attack on the United States and Europe." China bashing also is a main theme of Trump's ongoing reelection campaign. Ultimately, "there is a tremendous amount of ambivalence in Taiwan and worry," said Russel, whose positions in the Obama administration included serving as senior director for Asian Affairs at the National Security Council. "And there's reason to worry that Trump will lose interest in Taiwan. He'd trade away Taiwan in a heartbeat if he thought it would get him his trade deal with China." Advertisement There are limits to how far the Trump administration is willing to go for Taiwan. The administration appears to have no immediate plans to formally recognize Taiwan's government, a measure viewed as extreme given Beijing's longstanding demand that Taipei reunify with China under the "one country, two systems" proposal, Schriver said. And, despite the opportunity posed by the unusually tense relations between the U.S. and China, there's no discussion of supporting a Taiwanese bid for formal independence from Beijing. Such a move would be so provocative toward China that one senior Trump administration official said the sky "would fall." "No one has ever talked about independence," the official said. "Even the hard-core Taiwan lobby in D.C. doesn't seriously say that." That's probably fine with Taiwan's current leadership. On the island's complicated political spectrum it is often cast as pro-independence, but it is also cognizant that declaring all-out independence anytime soon could prompt far more than just tough talk from Beijing. The Taiwanese are "painfully aware of the fact that, **while China may have limited options to punish the U.S., it has more options for punishing Taiwan,**" Russel said.

Somaliland

Negative positions surrounding the recognition of Somaliland largely center on US policies in the Horn of Africa and the Arabian peninsula. Many authors argue that destabilizing this region could disrupt energy security in the Gulf of Aden, as well as destabilize the region more broadly. Specifically, authors address the already fragile Somali government and the potential for collapse if the United States were to formally recognize a new nation and rival to their control. There are also specific writers who speculate about US recognition emboldening other secessionist movements in Africa, like those in Western Sahara.

Somaliland recognition would lead to regional instability and hostilities

Economist 15 — T.G. is an anonymous author for the Economist. ("Why Somaliland is not a recognized state" The Economist, November 1, 2015. <https://www.economist.com/the-economist-explains/2015/11/01/why-somaliland-is-not-a-recognised-state#>)

Throughout the post-independence era, geopolitics in Africa has tended to respect "colonial borders", ie the borders laid down by European colonial powers in the 19th century. Across the continent, there have been only two significant alterations to the colonial map since the 1960s: the division of Eritrea from Ethiopia, in 1993; and South Sudan from Sudan, in 2011. On the question of Somaliland, the African Union (AU), to whom the international community tends to defer on boundary issues, has stuck to its traditional line: to recognise Somaliland would be to open a Pandora's box of separatist

claims in the region. Only with the consent of greater Somalia should Somaliland be granted independence, so the argument goes. But this, Somalilanders point out, is inconsistent: Somaliland, unlike Somalia, sticks to old colonial borders. It even has previous experience of statehood (prior to independence, the territory was administered as a separate British colony, and briefly enjoyed a five-day spell as a sovereign state). Formerly British Somaliland's union with Italian Somaliland to its south, which brought about modern Somalia in 1960, was voluntary, they argue. Its independence should require merely divorce, not reinvention.

Although the AU itself admitted as much in 2005, Somaliland's claim remains in limbo. The reason for this lies in and around Mogadishu. Somalia's civil war has raged for two and a half decades and despite, the introduction of a new constitution in 2012, the SFG's claim to territorial authority is precarious. Many fear that the apparent creation of a new state in the region, whose presence would almost certainly embolden Somalia's other secessionist provinces (Puntland, Jubbaland and Hiranland), would lead to the balkanisation of Somalia along clan lines, while simultaneously reigniting old regional tensions (between Somalis and Ethiopians, for example). Moreover, by crimping the power of the federal government in Mogadishu, which is loth to accept anything less than a united Somali state, it could trigger a resumption of hostilities between north and south, rendering peace negotiations, which have been going on for years, nearly impossible. This, for Somalia's neighbours as well as the international community, is the doomsday scenario. Many argue something similar can be seen playing out in South Sudan today.

Recognition creates immediate challenges for Somalia's government

Amble 14 – Managing Editor of War on the Rocks. A former United States Army officer, he has been featured in print and broadcast media in the U.S. and Canada (John, <https://warontherocks.com/2014/04/fixing-somalilands-recognition-problem/>)/BB

This will almost certainly be a central pillar of Somaliland's nascent lobbying strategy in Washington. Even so, however, recognition by the United States and other prominent members of the international community remains a distant goal unlikely to be met. But perhaps it shouldn't be. It would be premature to advocate for immediate recognition. There are pitfalls associated with such a policy, to be sure, not least of which is that it would create one more political challenge for Somalia's government at a time when it is only now beginning to show any signs that it is capable of dealing with those already on its plate. But it is equally foolish to blindly refuse to consider recognition based on logic that is inconsistent and unproven at best.

Somaliland links to the Pandora DA – spills over to Western Sahara

Felter 2018 – Claire Felter covers Africa, global health, and development, as well as edits the Daily News Brief. Before joining CFR, she was a news writer at Bustle and a fellow at the Pulitzer Center on Crisis Reporting. She holds a bachelor's degree in international relations and Africana studies from Tufts University and master's degree in journalism from Boston University. ("Somaliland: The Horn of Africa's Breakaway State," <https://www.cfr.org/background/somaliland-horn-africas-breakaway-state>) bhh

Many countries have encouraged the breakaway state's elections and economic development, but none have recognized Somaliland. Some experts say the African Union would have to be the first to do so. "The United States and the UN and all of their allies have worked hard to try to build up the AU and position it as a moral authority," says Bruton.

The bloc, however, fears that formal recognition would embolden other secessionist movements on the continent, such as Nigeria's Biafra or Morocco's Western Sahara, to demand the same. Since the creation of a continental bloc in 1963, there have only been two widely recognized border changes in Africa: Eritrea's split from Ethiopia in 1993 and South Sudan's independence in 2011.

Republic of Lakotah

Negative ground surrounding recognizing the Lakotah people is relatively robust. One of the main controversies surrounds the desire of the Lakotah to be recognized in the first place. Following the secessionist movement, some members of Native tribes in the area worked diligently to separate themselves from the movement. There is also good evidence about the potential backlash from US citizens to the full on recognition and repatriation of land to Natives in the Northern US, and the potential fall out from the process of changing US territory. Finally, there are great negative link arguments about emboldening other secessionist movements that could continue to destabilize an already fragile United States.

The plan could embolden other secessionist movements in the US

Branch 2013 – Michael P. Branch is Professor of Literature and Environment at the University of Nevada, Reno (“Rants from the Hill: Most likely to secede,” <https://www.hcn.org/blogs/range/rants-from-the-hill-most-likely-to-secede>) bbb

There is in fact a long tradition of secessionist movements in America, a nation itself born through secession. Though we often associate secession with the southern states that confederated against the union during the Civil War, folks all over the country have been talking about getting out ever since they got in. Texas was once a free country (though it seceded from Mexico rather than the U.S.), eight counties of western North Carolina existed briefly as the State of Franklin, Maine was born when it seceded from Massachusetts, and both Kentucky and West Virginia were formed through secession from Virginia. There have been a whole slew of 51st state proposals, from folks in Michigan’s Upper Peninsula wanting to become a state modestly named “Superior,” to Long Islanders whose inherent sense of superiority motivated them to try to avoid slumming with the rest of New York. Northern California has been trying to declare itself free of southern California since before the establishment of Rough and Ready, and has in fact never stopped trying. A number of entire states have attempted to remove themselves from the country—the usual suspects, including Vermont, Alaska, Hawaii, Texas, and California. The citizens of countless cities and counties have also followed Rough and Ready in attempting to sever themselves from the United States. And following the 2012 presidential election, secession petitions were filed from every state in the country. Perhaps most interesting are regionalist and bioregionalist secession movements, which have been strongest in the West. In 1849, the same year Rough and Ready was founded, the Mormon church established the independent state of Deseret, which occupied most of the Great Basin. Communities around Yreka, California, have tried to leave the union to form the State of Jefferson, an effort that has been ongoing since 1941, when some independent-minded folks declared that they would attempt to secede from the U.S. “every Thursday until further notice.” Up in the Pacific Northwest advocates are attempting to form the bioregional state of Cascadia, which would comprise parts of a number of states and even British Columbia. Some Lakota people in Wyoming, Montana, Nebraska, and the Dakotas have created the Republic of Lakota to emphasize that they never chose to join the nation in the first place. Crazy as they may sound, these attempts to live within a larger political structure while somehow escaping its constraints make a kind of sense. Conceptually, secession speaks to our urge to declare ourselves independent from systems we find inefficient, unjust, or limiting, though of course we tend to look right past the privileges and utility of social organizations. We’re all for decent roads and also against the taxes necessary to maintain them. I think it is human nature to form compacts and then rebel against their power over us. The urge to withdraw from most everything is intense out here in Silver Hills, where those of us who survive the fires, earthquakes, aridity, wind, snow, rattlers, and scorpions have implicitly declared a fairly extreme form of

independence just by maintaining residence here. In fact, the stalwarts of Silver Hills recently disbanded our neighborhood association, which existed for the sole purpose of keeping the roads passable in winter. It is hard to figure the logic on that one. Maybe there is a fear of a kind of slippery slope: first they ask you to chip in for snow removal, then they come on their plows to take your guns away?

Not all Sioux support the formation of an independent nation

Daly 2009 – Dr John C K Daly is a Washington DC-based consultant and an adjunct scholar at the Middle East Institute (“The Palestinian Struggle and the Lakota Nation's secession from the USA,” <http://www.a-w-i-p.com/index.php/2009/11/25/the-palestinian-struggle-and-the-lakota>) bbb

Internal Sioux controversy The announcement has stirred up controversy in the Sioux nation as well. On 3 January, Rosebud Sioux Tribe President Rodney Bordeaux told Indiancountrytoday.com that the group led by Means represented "individuals acting on their own." "They did not come to the Rosebud Sioux tribal council or our government in any way to get our support and we do not support what they've done [...] Russell made some good points. All of the treaties have not been lived up to by the federal government, but the treaties are the basis for our relationship with the federal government [Σ] We're trying to recover the lands that were wrongfully taken from us, so we are going by the treaties. We need to uphold them. We do not support what Means and his group are doing and they don't have any support from any tribal government I know of. They don't speak for us." Cheyenne River Sioux Tribe Chairman Joseph Brings Plenty echoed those sentiments: "What has been said by these individuals has been talked about from dinner table to dinner table since I was a young kid; but the thing is, these individuals are not representative of the nation I represent. I may agree, I may disagree, but they have not gone out and received the blessing of the people they say they are speaking for," the Rapid City Journal reported on 7 January. Means responded to these sentiments, saying: "I maintained from the get-go I do not represent, nor do the free-thinking, free-seeking Lakota want to have anything to do with, the 'hang around the fort' Indians, those collaborators with the government who perpetuate our poverty, misery and our sickness - in other words, our genocide. They are part and parcel of that genocide."

Catalonia

Negative ground to Catalanian independence is mainly centered around European stability politically and economically. Spain is already in a fragile condition as their economy rebounds from a currency crisis and a pandemic, so adding on the weight of a secessionist movement from one of their key economic areas could throw the country, and the rest of the EU, into turmoil.

Catalonia secession would destabilize the region for years and be economically disastrous.

Martin 17 — Will Martin leads Insider's sports coverage in the company's London bureau, focusing on combat sports, European and US soccer, tennis, and many other sports. (“A Catalan split from Spain could be even worse than Brexit,” Business Insider, 10/02/17, <https://www.businessinsider.com/catalonia-split-spain-economic-impact-ing-2017-9>)

LONDON — If the Spanish region of Catalonia breaks away from Spain in a so-called Catalexit, it would plunge the region into a long period of uncertainty and could end up having negative effects that "proportionally exceed" those of Brexit, according to the Dutch bank ING. Having engaged in a long battle to preserve its cultural identity, Catalonia on Sunday held an independence referendum, with

about 90% of voters backing a split from the rest of the country. Turnout was 43%. "With this day of hope and suffering, the citizens of Catalonia have won the right to an independent state in the form of a republic," Catalan leader Carles Puigdemont said in a televised statement. "My government in the next few days will send the results of today's vote to the Catalan parliament, where the sovereignty of our people lies, so that it can act in accordance with the law of the referendum." Spain's central government does not recognise the vote as legitimate. But what will happen if Catalonia does declare independence from Spain? "As with Brexit, we believe that any Catalexit would plunge the region into a long period of uncertainty and would most probably be negative for the private sector," the ING economist Geoffrey Minne wrote in a note titled "Catalonia: the cost of being single." The movement for Catalan independence is largely a political one, with campaigners arguing that for Catalonia to prosper and maintain its traditions the region must be separate from Spain. ING, however, is focusing on the economics of a Catalexit. A fall in consumption among Catalan households is the most obvious and immediate likely impact of Catalan secession, ING says. "The starting point when analysing the effect of Catalexit on consumer behaviour is the uncertainty it generates," the note argued. "A recent poll conducted by Metroscopia showed that 62% of respondents in Catalonia said they were 'worried' about the future of their region, compared to 31% who said they were 'excited'." "There is only one step between worries and precautionary saving and if about two-thirds of all consumers decide to moderate consumption then this would dent private demand. If worries turn into panic then there could also be a run on the banks and capital controls." Consumer uncertainty would be followed by uncertainty around business investments in the region, Minne suggested, saying: "For business investment, uncertainty might even be more important than for consumers as any perception of political instability could affect foreign investment far more than local investment." Declaring independence from Spain would automatically mean that Catalonia would have to leave the European Union, which would inevitably cause issues around its membership of the EU's single market. "Most foreign companies, as well as Catalan ones, fear falling out of the European single market," Minne wrote. "A consequence would be that investment could be delayed or redirected outside the region." "Probably the most impacted companies are those exporting to the EU. The EU accounted for 65% of exports and 70% of foreign investment in Catalonia over the last three years," Minne continued, citing the chart below: Minne argued in conclusion that "the economic cost for Catalonia could proportionally exceed that of Brexit for the UK." "All in all, building up the Catalan Republic turns out to be an expensive project and the bulk of the costs that could be cut depend on the goodwill of European governments (the Spanish one included). "It remains difficult to evaluate the consequences of such an unprecedented event, but in the long run we can imagine that the economic cost for Catalonia could proportionally exceed that of Brexit for the UK."

Nagorno Karabakh/Republic of Artsakh

Although this region is not very explored by mainstream media, it is relatively deeply explored in international relations literature as a site for potential conflict in the near future. Authors who advocate against full recognition of the NKR usually cite our alliance with Azerbaijan and the potential to push them into the hands of Russia. That alliance has a particular importance when it comes to energy security, which many authors believe is a key reason that we should not formally recognize the NKR. There is also good evidence about the potential for reenergizing talks over the Armenian genocide, which could have serious implications with the US and other allies in the area. Finally, good negative evidence exists to support the Pandora disadvantage for the region, which is also included below.

US recognition would undermine international cooperation with Azerbaijan – the impacts are anti-terrorism, Afghanistan, US-Russia military dialogue, Caucasus energy security

Mammadov 2018 – Dr. Farhad Mammadov is the director of the Center for Strategic Studies under the president of the Republic of Azerbaijan (“America’s Double Standard on Nagorno-Karabakh,” <https://nationalinterest.org/blog/the-buzz/americas-double-standard-nagorno-karabakh-24944>) bbb

It should be underlined that one of the main duties of Western observers and experts must be a very careful approach to each side’s nationalist narratives and claims, which have justified all kinds of violence and obstructed resolution of the conflict. In fact, the conflict cannot be solved according to any side’s historical claims and imagined narratives, but rather according to principles of international law. Modern international law is based on the system established by the UN Charter, and precludes the violation of state borders through the use of force; therefore, the current international system should be regulated in accordance with the principles of international law. Otherwise, the system will lead to disorder and chaos. Since the history of the South Caucasus is full of conflicts and territorial claims, undermining international law and establishing double standards might set negative and bloody precedents for the future. Before referring to long-ago historic events in his recent article, the United States’ former ambassador to Armenia, John Evans, should have carefully studied Armenians’ popular claims that Stalin transferred or awarded Nagorno-Karabakh to Azerbaijan. This claim does not have any ground in historical fact, and is an intentionally jumbled translation from Russian to English. Historical documents prove that the creation of autonomous Nagorno-Karabakh within Azerbaijan was first suggested by G. K. (Sergo) Ordzhonikidze, a member of the politburo of the Communist Party, in his telegram to Stalin and Georgy Chicherin in 1920. Furthermore, in all firsthand historical sources, and in all instances from Bolshevik rulers of the region during that period, the decision regarding Nagorno-Karabakh was not передать—to hand over, to pass, to award—as Armenians claim. But, in all instances, the decision involved the Russian verb оставить, which means “to keep” or “to preserve,” within Azerbaijan. The honorable ambassador, who is an expert on Russia’s history and language, understands very well the difference between the English verb allocate and the Russian verb оставить, and has all the resources at his disposal to double-check these facts. After Donald Trump entered the White House, he signed a decree banning former administration officials from lobbying the United States on behalf of foreign governments. The activities of the Armenian lobby are a well-known fact, and its influence over U.S. foreign policy has always been tremendous. The Armenian diaspora has been lobbying in hopes to shape U.S. foreign policy toward a pro-Armenian stance on the Nagorno-Karabakh conflict. One of the Armenian lobby’s significant achievements was the adoption and maintenance of Section 907 of the Freedom Support Act, which has frozen U.S. aid to Azerbaijan. Although previous Democratic and Republican administrations alike have understood the negative impact of Section 907 for U.S.

national interests, and tried to remove it, the strong Armenian lobby has successfully resisted these efforts. That the Armenian diaspora's lobbying through financial and political means hampers American policy in the South Caucasus has been voiced by officials of previous administrations. The United States has hitherto supported the sovereignty and territorial integrity of Azerbaijan within its internationally recognized borders. Azerbaijan, as a secular Muslim country, has been always a trustworthy partner for the United States in fighting international terrorism and supporting the U.S. mission in Afghanistan. Azerbaijan has also emerged as a reliable platform for international negotiations, including for dialogue between Russian and American military chiefs. Moreover, Azerbaijan's contribution to the energy security of the United States' European allies is an undisputed reality.

Recognition in peace talks causes Azerbaijan backlash and deal failure

Seymur **Kazimov**, 3/27/2019 "Proposals to include Nagorno-Karabakh in peace talks raise red flags in Azerbaijan," OC Media, <https://oc-media.org/proposals-to-include-nagorno-karabakh-in-peace-talks-raise-red-flags-in-azerbaijan/>

At a joint press conference in Brussels with the EU's Commissioner for European Neighbourhood Policy, Johannes Hahn, Pashinyan was asked about the recent meetings with Ilham Aliyev. 'Our upcoming meeting should inter alia feature a discussion on the format of the negotiations, because we do believe, and our position has not changed so far, that in order to achieve an eventually effective solution, we first of all need to create an appropriate format, which would imply Nagorno-Karabakh's participation in the negotiation process', Pashinyan said. Hahn emphasised that the parties should maintain the format of the existing negotiations on the settlement of the Karabakh conflict: 'If the conversation is about our support, I think that we need to maintain the format of the current negotiations. There is no need to create something new for the sake of creating it. In general, it's about getting trust among the parties', Hahn said. 'No serious initiatives' According to Avaz Hasanov, conflict specialist and chairman of the Humanitarian Research Public Union, the recent processes of conflict resolution show that the sides have no serious initiatives to begin the normal negotiation process. According to him, the Armenian side is slowing down the negotiation process with various proposals to gain time for a better position. The Azerbaijani side is interested in the continuation of negotiations. 'The views voiced during the OSCE Chairman-in-Office's visit to the region, as well as the meeting of Pashinyan with Johannes Hahn prove that the continuation of negotiations and achievement of the results are important for the West', Hasanov told OC Media. Hikmat Hajiyev, Head of the Department for Foreign Policy under the Presidential Administration, writes in an article, published on Euractiv.com that 'the Armenian prime minister cannot answer a very simple question, saying he cannot speak on behalf of the Armenians living in Karabakh: What are the Armenian armed forces doing in the sovereign territories of Azerbaijan?' 'Paradoxically, the Armenian leadership, on the one hand, expresses support for the efforts of the OSCE Minsk Group co-chairs, while on the other hand, calls for the change of the format of the negotiations and violates the co-chairs' work,' Hajiyev notes. 'The format remains unchanged' Rey Karimoghlu, a veteran of the Nagorno-Karabakh war and spokesperson for the Karabakh Veterans Union, is sceptical about the purpose and activities of the Minsk Group. 'I think the negotiations on the solution of the problem are ineffective. In general, the activity of the OSCE Minsk Group should be suspended. Azerbaijan should liberate its occupied territories by diplomatic and military means. It is possible both by international law and the laws of Azerbaijan', Karimoghlu told OC Media. According to a press statement by the Co-Chairs of the OSCE Minsk Group on the upcoming meeting, a fair and lasting settlement must be based on the core principles of the 1975 Helsinki Final Act, which is based on two

core tenets of territorial integrity and the right to self-determination. As per Leyla Abdullayeva, spokesperson for the Azerbaijani Foreign Ministry, 'this statement by the co-chairs of the Minsk Group is a signal to Armenia and we welcome it'. 'Negotiations on resolving the conflict are conducted between Armenia and Azerbaijan. The format of the negotiations remains unchanged. Attempts to attract the separatist regime established in our occupied territories to negotiations and attempts to change the format are unacceptable. The statement of the co-chairs also includes the steps to be taken in connection with the settlement of the conflict,' the spokesperson said.

Recognition destroys the negotiation process and triggers a war

Mustafayeva 16 – Dr. Najiba Mustafayeva, a research fellow at the Center for Strategic Studies (SAM) in Azerbaijan. She specializes in international law, human rights and conflict resolution. ("Armenia's recognition of Nagorno-Karabakh could trigger a war", Euractiv, May 17, 2016, <https://www.euractiv.com/section/armenia/opinion/armenias-recognition-of-nagorno-karabakh-could-trigger-a-war/>)

Recent preparations by Armenia to recognise as independent the occupied Azerbaijani territory of Nagorno-Karabkh will stop the negotiation process and give free hand to Baku to take advantage of its military superiority, writes Najiba Mustafayeva. *Najiba Mustafayeva is an expert at the Center for Strategic Studies (SAM) in Azerbaijan. She specialises in international law, human rights and conflict resolution.* Armenia's government approved on 5 May a legislative initiative of opposition lawmakers on recognizing of the so-called "Nagorno-Karabakh Republic" and sent it for consideration to the parliament. The draft law was initiated by MPs Zaruhi Postanjyan and Hrant Bagratyan. The international organisations and third states adhere to the position that Nagorno-Karabakh belongs to Azerbaijan, and the military forces of Armenia must be withdrawn from all occupied territories of Azerbaijan, as stipulated by the relevant resolutions of the UN Security Council, which are ignored by Armenia. Deputy Foreign Minister of Armenia Shavarsh Kocharian said that the approval of the draft law by the Armenian government is linked with the results of the discussion between Armenia and Nagorno-Karabakh, taking into account other developments, including external. Both Russia and the US disapproved of the move by Yerevan. Dmitry Peskov, spokesman for Russian President Vladimir Putin, said the Kremlin called on all the parties involved in the Nagorno-Karabakh conflict to avoid steps that could violate the fragile ceasefire and lead to the escalation of tensions in the region. "We are calling both sides of the conflict as before to avoid any steps that could destroy the rather fragile ceasefire and lead to an escalation of tension in Karabakh", Peskov said. US Department of State Deputy Spokesperson Mark Toner restated his country's position. "The United States, along with the rest of the international community, does not recognize Nagorno-Karabakh," Toner said, adding: "Nagorno-Karabakh's final status will only be resolved in the context of a comprehensive settlement, so we urge the sides to come to the negotiating table in good faith in order to reach a settlement that achieves those goals". Following these clear signals of international disapproval, the Armenian government issued a clarification that it did not approve the bill which would recognise the independence of Nagorno-Karabakh, but made an assessment of a legislative initiative by the two MPs. In Armenia, any legislative initiative of parliamentarians needs to get a preliminary assessment by the country's government. Armenia's spokeswoman for the prime minister, Gohar Poghosyan, said that the government "has not approved the bill on recognising the independence of the Nagorno-Karabakh at this stage". The National Assembly of Armenia has abstained for the time being considering the bill that would officially recognise the independence of the so-called "Nagorno Karabakh Republic", the Armenian Parliament said. Novruz Mammadov, Deputy Head of the Administration of the President of the Republic of Azerbaijan, called the proposal a provocation of the Armenian leadership – aimed at spoiling the negotiation process, maintaining the status quo and disrupting the negotiation process, in affront to international law and relevant UN Security Council resolutions. Mammadov also called on the Minsk Group co-chairs to express their opinion on the issue. The Ministry of Foreign Affairs of Azerbaijan said that by regularly perpetrating provocative acts, as well as violating the ceasefire, firing at the cities and villages of Azerbaijan along the line of contact of armed forces of Armenia and Azerbaijan and the border of two countries, Armenia aims to freeze the situation and block any progress in the negotiations process. By such acts, the leadership of Armenia also attempts to justify the obvious failure of its aggressive and annexationist policy and satisfy the demands of various military and extremist circles of Armenian society for the sake of its own internal political ambitions. The recognition of Nagorno-Karabakh is an attempt to stop the signing of a compromise on the basis of the "Kazan formula", involving, in particular, a long-term discussion of the status of Nagorno-Karabakh. By recognizing the independence of the so-called "NKR", the Armenian government will waive this part of the "Kazan formula" and would destroy its integrity, built on a complex system of

balance between Armenia and Azerbaijan. Thus, Yerevan is breaking a temporary compromise, not leaving Azerbaijan, to prepare for a military solution to the conflict. As Russian political analyst Aleksandr Karavayev noted, Baku would evaluate the recognition of Nagorno-Karabakh as an act of abandoning the negotiation process that lasted for more than 20 years, under the guise of Minsk Group Co-Chairs. It was obvious that Co-Chairs, diplomats and heads of the states would also condemn the recognition of Nagorno-Karabakh by Armenia. This would give a free hand to Azerbaijan, which has an overwhelming military advantage over Armenia.

NKR links to the Pandora DA

Gut 2017 – Arye Gut is a noted expert on the former Soviet Union and the Middle East and the head of the Israeli NGO, International Society Projects ("Impunity engenders crimes: separatism from Nagorno-Karabakh to Catalonia," <https://www.jpost.com/Blogs/News-from-Arye-Gut/Impunity-of-separatism-from-Nagorno-Karabakh-to-Catalonia-515043>) bhh

An intensification of separatist tendencies is a great danger and alarm in the contemporary world. The separatism in the South Caucasus that has begun from the occupation of the territory of Azerbaijan by Armenia has spread to other post-Soviet states, and today it has already begun to reflect itself in Western Europe, in particular in Spanish Catalonia. If you do not study and prevent this process in time, in the near future it can spread itself in other states of the West and the world. Looking at the emergence of separatism in the modern world, we can remind the words of the famous Dutch thinker E. Rotterdam, who called for giving a stable nature to territorial relations between states. He said: "We need to find ways to ensure that the borders of states cease to be subject to change and become stable, because changes in state borders lead to war."

On November 20, the International Forum "Separatism as a threat to international peace and security" was held in Brussels, Belgium, organized by the Congress of European Azerbaijanis and the Nizami Ganjavi International Center with the support of the State Committee for Diaspora Affairs. The forum was attended 200 delegates, including Ali Hasanov, the Assistant to the President of the Republic of Azerbaijan on social and political issues, Nazim Ibrahimov, chairman of the State Committee for Work with the Diaspora, deputies of the Azerbaijan Milli Majlis, members of the European Parliament and parliaments of European countries, as well as deputies of a number of countries suffering from separatism, politicians, former presidents of the International Center Nizami Ganjavi, social and political figures, heads of Azerbaijan Diaspora organizations in Europe, experts, scientists and journalists.

Initiated by Azerbaijan, this International Forum will support the struggle of nations and states whose territorial integrity has been violated, and whose population has been expelled from their homelands," the Azerbaijani President's Assistant for Public and Political Affairs Ali Hasanov has told journalists.

"For many years we have warned Europe and the world that ethnic separatism is not to be played with. If you do, it ultimately leads to conflicts between peoples and states, causes bloody confrontations, and people suffer as a result. For many years, Azerbaijan has experienced every face of this pain – displacement, its peoples' becoming refugees and internally displaced persons, and the killing of thousands of its people, and even its peoples' remaining homeless," the Azerbaijani President's Assistant said.

'Now, after Europe has seen the bitter consequences of this threat playing with ethnic separatism, it supported our right voice. Today's forum is an obvious confirmation of this. Spain's territorial integrity is its national right, the national law of the state and cannot be violated by anyone. This is one of the fundamental principles of international law. I think that as the EU demonstrates unanimous support for the territorial integrity of Spain, it will also adequately react to ethnic separatism, which takes place in

the lives of other nations, and will continue to recognize Azerbaijan's territorial integrity as it has done so far. Ali Hasanov said that the policy of "double standards" currently prevailing in the system of international relations hinders the implementation of a resolute and principled struggle against ethnic separatism.

Potential Generic Negative Ground

The state recognition topic is rare for a high school topic in that it has great negative positions that are based on the topic area and not just the political ramifications of the plan. This section seeks to outline some core negative ground. There are a plethora of generic disadvantages that the negative would have easy access to. The most common negative generics would be disadvantages to legitimizing secessionist movements. The first common argument made in international relations is that US recognition would violate the sovereignty of the country that is seeking control over the proto-state. These authors argue that the United States taking the side of the emerging entity would actually be a violation of international norms. The second common thread with these authors is that such a recognition would embolden other groups to also secede, which could further destabilize areas. Additionally, the negative would have typical core generics like the politics DA based on lobbying efforts within the United States. Outside of core disadvantage ground, negative teams would have access to generic counterplans that would seek to increase engagement with a country while falling short of full on recognition. Finally, negative kritik ground would be ample on this topic. The negative has good links to the neoliberalism kritik, the settler colonialism kritik, and more specific links to criticisms of international relations and the idea of statehood from a western perspective.

Sovereignty DA

Unilateral recognition violates sovereignty, collapses international stability, makes war more likely

Coggins 11 – PhD, Professor of Political Science, International Affairs Fellow at the Council on Foreign Relations and Asan Institute for Policy Studies (Bridget, Friends in High Places: International Politics and the Emergence of States from Secessionism, *Cambridge University Press on behalf of the International Organization Foundation*, JSTOR)//BB

First, unilateral recognition is risky and potentially costly because granting it flagrantly violates the home state's sovereignty. This is not only intervention and a breach of international law, but casus belli. Characteristically, when confronted with possible French or British recognition of the Confederate States of America (CSA), the United States promised war in return.⁷⁶ Furthermore, where a secession attempt is accompanied by a war, recognition effectively internationalizes the conflict, turning a civil war into an international war for the recognizing states.⁷⁷ At a minimum, unilateral recognition is cause for the

home state to sever diplomatic relations with the recognizer, as Beijing routinely does for those who recognize Taiwan as the legitimate government of China. At worst, the home state will seek extensive, military retribution. The potential benefits of any new state's emergence would have to outweigh substantial, concentrated costs. Unilateral recognition also bucks an established consensus over sovereignty, potentially causing a wider conflict with other system members. For Germany, the mere appearance that it unilaterally recognized Slovenia and Croatia caused rancor and recrimination within the European Community.⁷⁸ Acting together, recognition's potential costs are lower and more diffuse. Second, unilateral recognition is ineffective since it does not secure membership for the secessionists. Statehood can be conceptualized as conforming to a threshold model of sorts. Each individual state's recognition increases the chances that the actor will become a state. Recognition decisions mean little in isolation though, only together—and in sufficient quantity—do they constitute membership. Once a certain threshold of recognition has been reached, the secessionists are then endowed with the full rights and responsibilities of a state. The Great Powers are each influential enough to thwart a new state's membership, but they cannot constitute it alone.⁷⁹ Unilateral recognition only implies consequences for the state that has conferred it. Others will continue to uphold the home state's authority. A Great Power truly desiring a secessionist state's emergence would not recognize without the expectation that others would eventually follow, breaching the critical threshold. Finally, the system's organization favors the status quo and distains overlapping sovereignty. This reluctance toward change should encourage coordination over unilateralism. Because the international order relies on exclusive territorial control and nonintervention, recognizing different authorities' jurisdiction over the same territory is destabilizing. Cases of multiple sovereignty like Kashmir and Israel Palestine comprise some of the world's most difficult and dangerous conflicts. State leaders should resist undermining the established order because it is potentially destructive for those directly involved, but also because they derive substantial power and authority from the continued dominance and stability of the Westphalian states system. If Great Power recognition is strategically coordinated, recognition should proceed quickly when the Great Powers' interests align in favor of a state's emergence and a new state should not be born when strong states' interests align against it. Little time should elapse between the first Great Power's recognition and the last, and recognition should become increasingly probable as recognition is granted. Coordination is only unlikely when a single power is strongly invested, usually enough to compel direct military intervention, to realize a particular outcome. In these cases, the Great Powers are not responding to opportunities presented to them, but are actively involved in creating independence or thwarting it on the ground. When powerful states become involved in secession this way, and their interests are not in sync, dangerous international instability and violence becomes more likely.

Pandora DA

Political science scholarship proves that recognition is internationally perceived and emboldens would-be secessionists

Mirilovic and Siroky 15 - *Assistant Prof of Poli Sci @ University of Central Florida, ** Associate Professor of Political Science in the School of Politics and Global Studies at Arizona State University,

*Nikola, *David S., Two States in the Holy Land?: International Recognition and the Israeli-Palestinian Conflict, Politics and Religion, <http://davidsiroky.faculty.asu.edu/PR2015.pdf> --- Jake Justice

We posit two levels at which religion may shape recognition decisions — domestic religious institutions and transnational religious affinities. Religious institutions vary in the degree to which they regulate religious life in a given country. States that heavily regulate religion may do so because of a perceived vulnerability to domestic threats from groups adhering to other religions. When a non-core group that is culturally (ethnically and/ or religiously) distinct successfully challenges another state, extending recognition to the aspiring state may set a precedent and embolden noncore groups at home. Previous scholarly work has found that “demonstration effects” can play a significant role in stimulating secession; that is, one key region’s separatist actions tend to encourage other regions to

behave similarly (Hale 2000). **States that perceive themselves as vulnerable** to non-core groups, both religious and ethnic, **should therefore prefer to keep Pandora's Box closed by withholding recognition from aspiring states** abroad and emphasizing the principle of territorial integrity (Zartman 1966, 109). This claim extends the theory of domestic vulnerability, which argues that **nation-states facing threats from secessionists at home will be less likely to support secessionists abroad, for fear of legitimizing the act of secession and sending mixed signals to domestic audiences and minority groups at home** (Touval 1972; Jackson and Rosberg 1982; Herbst 2000; but see Saideman 1997; 2001; 2002; 2007). While the original "domestic vulnerability" thesis was applied to external support for secessionists, which often takes clandestine forms that the public does not directly observe, recognition is a distinct form of external support that is directly observable to the public in the recognizing state. **Recognition decisions may send a relatively clear signal to domestic audiences** (Coggins 2011; Walter 2006). Applying this argument to the study of international recognition, we theorize that **countries facing such a threat will be less likely to recognize an aspiring state for fear of setting a precedent that would embolden aggrieved groups at home.**

Boundary redrawing is destabilizing and spills over

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Ashley J., 8-18-16, 'Redrawing Boundaries Would Open Pandora's Box', Carnegie Endowment for International Peace, <https://carnegieendowment.org/2016/08/18/redrawing-boundaries-would-open-pandora-s-box-pub-64361> --- jake justice

YOU SPOKE ABOUT STABILITY OF CRITICAL REGIONS. HOW DO YOU SEE THAT PLAYING OUT? Take the broader the Middle East. **We are at a very interesting inflection point** where you see states weakening, societies becoming more and more demanding, and rise of ideologies that are exploiting long-standing societal grievances. There are no easy answers to any of these problems. **The US cannot go in to fix state weaknesses.** The US cannot go over the heads of weak states to satisfy demands of citizenry. And **ideology is fire in the minds of men.** We can't go out there and suddenly change those ideologies. The best your policy can do is cope with the consequences. These challenges are not susceptible to silver bullet solutions. The best we can do is contain the problem. **Resolution will come from internal transformation.** We are entering a phase particularly in the Middle East where challenges are going to be enduring, and I am not even talking of Israel and Palestine. ARE WE BACK TO A TIME OF REDRAWING OF BOUNDARIES? I would hope not. **The problem with redrawing boundaries is that you are then opening Pandora's Box.** There are so many things that are wrong with the post Cold War order. After the UN Charter, the assumption was that whatever the history, we try and start afresh. **If you are going to start redrawing boundaries by force or coercion and it succeeds in one place, then what succeeds in one place opens the door to another...before you know it, you have endless multiplicity to people who have grievances and ambitions.** The US has been very conservative, very cautious in endorsing territorial change. The door you open may not be a door you can close.

Dip cap DA

Recognition requires a significant expenditure of diplomatic resources

Haugevik 18 – PhD, Senior Research Fellow at NUPI, working on International Relations (Kristin, “Special Relationships in World Politics,” Kindle Edition)//BB

A second important sub-category of front-stage recognition practices is statements of recognition. In bilateral, public meetings, heads of state and government and other senior government officials will often engage in certain pre-set symbolic rituals.

Rituals and protocol have traditionally played an important role in inter-state diplomacy, not least when political leaders meet in person. As Christer Jönsson and Martin Hall note, such rituals and practices often serve to strengthen the feeling of 'we-ness' between two states, by signalling to other states the importance and value of that particular relationship (2003:204–205).

State visits and official visits invoke the strictest set of ceremonial practices, and hence also tend to be highly demanding on financial resources, time, the bureaucratic system and on the participants themselves.

Other types of visits, typically referred to as 'unofficial visits' or 'working visits', tend to be more loosely organized, and shorter in duration. The scholarly literature on diplomatic ceremony, symbolism and rites when state representatives meet is relatively modest (but see Jönsson and Hall 2003:204–206, 2005:39–66; Neumann 2012). In the context of IR scholarship, a rare reflection on the topic is offered by Nicholas Greenwood Onuf (2012), who sees ceremonial practices as a chief part of the international interaction between states: Summit meetings and state visits are not simply or even chiefly public demonstrations of pomp and power. Like fathers, heads of governments welcome each other into an old and exclusive club. Even after they come to know each other personally, they treat each other as honorary strangers, unconditionally due to the beneficence of the household during their brief times together. Assisting them are retinues of ministers and functionaries who also stand in for their heads on lesser occasions. Like sons, diplomats present their credentials, attend ceaseless rounds of diplomatic receptions, and await the summons of their surrogate fathers while they live the lives of pampered hostages. (Onuf 2012:158) As Jönsson and Hall point out, diplomatic rituals can help to ease communication, signal feelings, reduce conflict and strengthen a particular relational identity between the two states in question (Jönsson and Hall 2003:204–205).

Arguably, such public rituals can also serve to strengthen the two states' relational identity in the eyes of outside observers, in what Ringmar calls the 'external recognition circle' (Ringmar 1996). When top-level representatives of two states that routinely refer to one another as 'friends' and 'special partners' meet on the front stage of the international political scene, the pomp and circumstance surrounding the visit, and the ritual activities engaged in, are expected to reflect this specialness. Official meetings between heads of state and heads of government are often followed by a joint press conference or press availability. There is also likely to be a photo opportunity, for example of the two leaders shaking hands or performing other types of friendly gestures (Cameron 2005:44). Often, these occasions will also include the reciting of a specific narrative about the relationship or the use of programmatic catchphrases such as 'special relationship'. As argued by Bronislaw Malinowski, such ritualistic commitment to a specific representation of the other can be seen to have a phatic function — the utterance itself becomes an act of recognition, a 'type of speech in which ties of union are created' (Malinowski 1989 119211:315). A final sub-category of front-stage recognition practices is allocation of diplomatic resources.

Historically, an important and very tangible indication of how much a bilateral relationship is valued and prioritized has been the diplomatic resources dedicated to it. While the size of embassies, their budgets and the number of staff — a matter of 'institutional must be seen to some extent as path-dependent robustness' (Bratberg 2008) over time, such allocations also send signals of recognition and priority (Kinne 2014). In the diplomatic tradition, considerable symbolic value has also been attached to the appointment of diplomatic envoys (Jönsson and Hall 2003:201–202). The ranking of heads of missions within their national systems and the ranks and merits of the diplomatic staff can also be seen as a recognition practice — in line with the assumption that a state will send its highest-ranking and most distinguished diplomats to the countries that are considered most important, prioritized and valued.

Neoliberalism K

Here is a neolib link

Bryan 12 - PhD in Geography from the University of California, Berkeley, Professor @ UC-Boulder (Joe, “Rethinking Territory: Social Justice and Neoliberalism in Latin America’s Territorial Turn,” *Geography Compass*, 6.4)//BB

One of the more curious outcomes of neoliberalism in Latin America has been the trend towards legal recognition of indigenous peoples' and Afro-descendants' collective rights to land and resources. Where such demands were once a hallmark of opposition to neoliberal reforms, their legal recognition has since become a critical site for expanding neoliberal forms of governance (Hale 2005). Through this "territorial turn," states in Latin America now recognize indigenous and Afro-descendant tenure rights to some 200 million hectares of land (Larson et al. 2008; Offen 2003; Pacheco and Barry 2009). This amounts to an area slightly larger than Mexico, nearly all of which is located in forested areas historically regarded as national frontiers. This transfer of land and resources would have once been construed as sacrificing national sovereignty through the loss of territory. Neoliberalism has altered that perspective by recasting the role of the state as coordinating the interests of the private sector and civil society in order to maintain the socio-spatial order necessary for the functioning of markets. Indeed, the World Bank has emerged as one of the most powerful, if unlikely, advocates for recognizing indigenous peoples' and Afro-descendants' collective rights to property (Hale 2005; Offen 2003; Roldán Ortega 2004). Property rights only partially address the broader demands for racial equality and self-determination characteristic of indigenous peoples' and Afro-descendants' claims to territory. The difference is more than semantic. It also preserves an underlying socio-spatial order, perpetuating dominant forms of power and economy while allowing for the continual reorganization of control over land and resources (e.g., Agnew 2005; Watts 2003). The dynamics of the territorial turn challenge conventional notions of territory as something that simply exists. Instead they shift attention to how territories are continually produced and altered through historical processes (Agnew and Oslender 2010). In this regard, indigenous peoples' and Afro-descendants' claims raise a clear epistemological challenge to notions of territory as a natural or immutable basis for the socio-spatial configuration of power relations. Instead, their claims point out how that order has been historically constituted through practices of exclusion frequently justified in racial terms. Indigenous peoples' and Afro-descendants' claims further seek to transform that order according to principles of self-determination and racial equality, affirming territory as an ontological pre-condition for having rights. Their rights to territory are thus construed as an expression of a fully formed set of interests. The partial recognition of those claims under the territorial turn challenges that assumption, suggesting that territory is something that has to be designed and created through legal reforms, titling, demarcation, and participatory mapping. Indigenous peoples' and Afro-descendants' territorial claims do not challenge the existing socio-spatial order so much as they help create it. Recognition of their rights enables the extension of that order rather than fundamentally altering it, as the territorial turn in Latin America makes clear. That dilemma further makes clear that territory is not an object to be measured and recognized. Instead it suggests the ways in which it works conceptually to make space governable, providing a means of linking the political economic importance of control over land and resources with struggles over political authority conceived in terms of the distribution and protection of rights (Elden 2010; see also Watts 2003). Put differently, it shifts attention away from an emphasis on control over territory and towards a consideration of how power works through territory, the political and conceptual work that the term does, and how it shapes prospects for social justice.

Settler colonialism K

There are set-col links

Clark 16 – PhD, school of social work @ U British Columbia (Natalie, "Decolonizing Trauma Studies: Trauma and Postcolonialism," p. 175)//BB

Indigenous critical theorists and activists such as Leanne Simpson, Dian Million and Glen Coulthard, argue that sovereignty and the future health of Indigenous nations will not be found through state recognition, and that the "processes of engagement" including state recognition, and the resulting discourses of healing, can and will replicate the very harms of colonialism (4,28,50). As Leanne Simpson says "We need to rebuild our culturally inherent philosophical contexts for governance, education, healthcare, and economy. We need to be able to articulate in a clear manner our visions for the future, for living as Indigenous Peoples in contemporary times. To do so, we need to engage in Indigenous processes, since according to our traditions, the processes of engagement highly influence the outcome of the engagement itself. We need to do this on our own terms, without the sanction, permission or engagement of the state" western theory or opinions of Canadians" ([50], p. 17). In his seminal essay Subjects of Empire: Indigenous Peoples and the "Politics of Recognition" in Canada, Coulthard engages with the work of Fanon in the context of Indigenous peoples in Canada. Coulthard argues that Indigenous

communities need to be less concerned with the politics of recognition by a settler society, and instead focus on recognizing Indigenous ways and practices, in what he describes as “our own on-the-ground practices of freedom” ([28], p. 444)

Recognition coopts radical indigenous movements

Reinhardt 15 – PhD, Professor of History @ Towson --- review of Coulthard (Akim, “Red skin, white masks: Rejecting the colonial politics of recognition,” *Contemporary Political Philosophy*,” 15.1)//BB

Coulthard switches the usual focus on capital relation to an emphasis on colonial relation. After all, colonialism is an ongoing reality for many Indigenous peoples around the world who continue suffering from state intervention and repression. In critiquing the normative development model, Coulthard wonders, ‘what are we to make of contexts where state violence no longer constitutes the regulative norm governing the process of colonial dispossession, as appears to be the case in ostensibly tolerant, multinational, liberal settler politics such as Canada?’ (p. 15) If neither sheer violence nor the silent compulsion of capitalist forces explain it, then what accounts for the reproduction of capitalist hierarchies that find Indigenous peoples and societies at the bottom? As Coulthard points out: ‘In the Canadian context, colonial relations of power are no longer reproduced primarily through overtly coercive means, but rather through the asymmetrical exchange of mediated forms of state recognition and accommodation.’ In other words, for Indigenous peoples, capitalism is a function of colonialism, not vice versa. By re-working Marx and examining the ‘colonial-settler present’ Coulthard hopes to: move past orthodox Marxism’s economic reductionism; understand the innate injustice of colonial rule on its own terms instead of defining it as a byproduct of capitalism; overcome the overly materialistic and anti-ecological tendencies in Marx’s works by centering dispossession and paying particular attention to place-based Indigenous experiences; and recognize that dispossession, rather proletarianization, has been the dominant process defining the relationship between Indigenous people and the Canadian state. Coulthard also works extensively with the ideas of Frantz Fanon. Coulthard employs Fanonian theory to explain how colonialism made the transition from naked aggression to colonial governmentality, which uses state recognition and accommodation to limit the freedoms of colonized people. As the title of *Red Skins, White Masks* suggests, Coulthard leans on Fanon’s *Black Skin, White Masks* to make the case. Coulthard cites Fanon’s critique of the Hegelian master/slave dialectic to reveal how the liberal democratic politics of recognition and self-determination produces colonial thought, desire, and behavior among the colonized. Instead of an avenue toward freedom and dignity, recognition actually constitutes an arena of power in which colonial relations are produced and maintained. However, Coulthard is more critical of Fanon’s interpretation of culture, via the latter’s writings on negritude, and the limits Fanon placed on its ability to shape decolonization efforts. Through Fanon, Coulthard also discusses how, when state violence is not the main form of enforcement, colonialism relies on Indigenous people identifying, implicitly or explicitly, with asymmetrical and non-reciprocal forms of recognition that are either imposed or granted by the settler state and society. Coulthard is especially critical of the politics of recognition. He opposes Indigenous people’s quest for political and legal recognition from colonial power structures, and he critiques recognition schemes that acknowledge the collective rights and identities of Indigenous peoples only so long as they do not challenge the political and economic fabric of colonialism. Instead, he favors Indigenous people empowering themselves through individual and collective cultural practices that prefigure radical alternatives to colonial power. Thus, Coulthard condemns transitional justice mechanisms, such as reconciliation commissions, state apologies, and commissions of inquiry, noting that Canadian colonialism is not in a transitional phase but is rather ongoing. Such mechanisms insulate colonial abuses by relegating them to past, and thus implicitly support current colonial abuses such as dispossession. Coulthard also takes umbrage with the politics of reconciliation. He shows how since 1969, Canadian colonialism has moved from unconcealed action to a more disguised approach through state recognition and accommodation. All the while, dispossessions of Indigenous people’s lands and self-determining authority continues. And once again Coulthard turns to Fanon as he champions the transformative role of resentment. In the end, Coulthard advocates an Indigenous resurgence paradigm similar to the ones advanced by Indigenous scholars Taiaiake Alfred and Leanne Simpson. Coulthard champions direct action, opposition to capitalism, building through urban as well as rural Indigenous networks, overturning patriarchal norms spawned by colonialism, and ultimately moving beyond the nation state. Other theorists Coulthard considers along the way include Charles Taylor, Nancy Fraser, Dale Turner, Louis Althusser, Seyla Benhabib, Jean-Paul Sartre and Vine Deloria Jr. One of *Red Skin, White Masks*’ strong points is Coulthard’s narration and historical interpretation of Indigenous movements, including those of his own Dene people and the recent Idle No More protests. For example, he shows how Dene successfully challenged capitalism by pursuing political independence before being co-opted by recognition politics. During the

1970s and 1980s, Dene activists used Indigenous approaches and values to resist colonial expansion into their territories and to oppose capitalist extract resources schemes. Yet by the twenty-first century, many of the once radical activists had begun supporting the construction of diamond mines and the Mackenzie Valley Pipeline. An Indigenous struggle that was once informed by the land had transformed into a struggle for the land as recognition politics absorbed activists.

Proposed Resolutional Wordings

The below wordings are in order of the suspected quality of debate that would be created by each potential wording change. The main questions to consider when deciding about potential topic wordings are the agent of action and the potential number of affirmative cases. Each wording has an associated rationale to discuss the pros and cons in regard to those two issues.

Resolution 1

The United States federal government should establish a policy of state recognition of one or more of the following: Iraqi Kurdistan, Palestine, Somaliland, Taiwan (could include others)

Rationale: This version of the resolution would include a list that makes it possible for affirmatives to be limited to a certain set. There are plenty of affirmatives that could be included in the list, but the four listed above are important affirmatives for any balanced topic. In terms of the actual words chosen, the inclusion of “state recognition” is very important. The best term of art evidence for topicality includes this phrase and would limit statehood to issues of secessionist sovereignty instead of, for example, US statehood. The verb form “recognize” might make the resolution a bit easier on the eye in terms of grammar and reading of the resolution, but would not include that term of art which could lead to affirmatives that fall short of formal acknowledgement of a new state.

Resolution 2

The United States federal government should establish a policy of state recognition of at least one proto-state.

Rationale: This version of the topic wording would allow a little bit more affirmative flexibility, while still limiting the topic mechanism to state recognition which allows for stable and core generic ground. It also limits the topic action to states that already have organized and independent structures by using a term of art like proto-state (could be substituted with quasi-state, depending on the literature). There are some drawbacks to this version of the topic. The term proto-state, while well-defined, has a kind of changing nature in international relations literature. Proto-states can range from something as formal as the Republic of China (Taiwan) to groups like ISIL, depending on the literature that you read.

Resolution 3

The United States federal government should recognize one or more of the following: Iraqi Kurdistan, Palestine, Somaliland, Taiwan (could include others)

Rationale: This version of the topic is the most straight forward and easy to explain to audiences in terms of the resolitional wordings. The problem with this wording is that it does not include a term of art to limit the potential affirmative mechanism. The mechanism of the topic is important because it guarantees neg ground which the aff can potentially spike out of with this wording because it might not require the same sort of political mechanism as full on state recognition.

Note: Without a list, the verb recognize has even more of an issue because it is not a term of art, which could lead to the government recognizing a state which is already a state, which could complicate the debate

Resolution 4

The United States federal government should grant state recognition to one or more of the following: Iraqi Kurdistan, Palestine, Somaliland, Taiwan (could include others)

Rationale: This resolution changes the verb away from establish a policy. The benefits to this version of the topic is that the verb grant is not really associated with any branch of government from a preliminary research standpoint. So it does not suffer from any of the agent counterplan problems that were discussed in any of the earlier wording suggestions. It is also a relatively brief topic stem which makes the topic a little bit easier to understand. The downside is that the word grant is relatively unexplored as a verb for debate purposes, so the ramifications in terms of agent debates, counterplan competition, etc are also unknown.

Resolution 5

The United States federal government should grant state recognition to at least one proto-state.

Rationale: This resolution does not include a list which allows for a lot more aff flexibility. It also could lead to smaller affirmatives that are about less predictable states, although solvency advocates would check that aff ground expansion, and the mechanism of recognition guarantees some core negative generics. This has all of the same benefits and drawbacks of the grant state recognition version of the topic that is above.

Resolution 6

The United States federal government grant diplomatic recognition to one or more of the following: Iraqi Kurdistan, Palestine, Somaliland, Taiwan (could include others)

Rationale: All of the benefits of the word grant from resolution 5 also are encompassed by this resolitional phrasing. The main difference here is the term “diplomatic recognition.” Preliminary research suggests that this mechanism is very well defined in the literature. Literature seems to indicate that diplomatic recognition requires the recognizing state to establish diplomatic ties with the new nation. The benefit to this phrase would be forcing affirmatives to take stable and predictable action in

order to generate negative ground. It would raise the floor on what the affirmative is required to do. The downside is that raising that floor would perhaps make some counterplans competitive that would be difficult to beat. The state recognition with no formal ties counterplan could potentially be pretty slayer against a lot of the affs.

Notes on Wordings

The suggestions above are meant to be a starting point for discussions of topicality, but there are a few things that I think should be considered when deciding on topic wording, especially given wording decisions in recent years dramatically changing the scope of a topic

1 – verbs matter. The process of choosing the topic words to be included in this paper was very difficult. The phrase “establish a policy” was originally used. However, this verbiage could be considered difficult. The word policy is largely written to require congressional action, but the formal process of recognition is granted to the president and congress is only responsible for establishing diplomatic ties. The use of verb in the resolution can have clear effects on which actors are deemed relevant and which counterplans compete, so be cautious when changing the verb of the resolution.

2 – the noun/verb distinction between recognize and recognition is one of the most difficult to grapple with in terms of wording. Resolutions that are written with the verb recognize seem considerably more elegant in terms of wordiness and clarity of the topical action on face. However, topicality definitions of the mechanism meant to be outlined by the resolution, that of declaring a new state, are usually associated with the word recognition as opposed to simply recognize. If the recognize form of the resolution is chosen, we will be sacrificing a lot of precision in terms of topicality definitions in order to have a simpler worded topic

3 – the inclusion of a list versus no list is also something that the folks involved in this topic paper grappled with extensively. A list certainly narrows affirmative ground. With a mechanism that doesn’t allow for a lot of aff flexibility, it could limit the number of topical affirmatives. I personally believe that a topic with 5-7 affirmatives is pretty reasonable. However I understand that coaches have recently opted for considerably broader topics.

4 – if a topic without a list is preferable, more research might need to be done into the correct word to use to describe these states. In this paper, proto-state was chosen largely because it is enough of a technical term that definitions were relatively narrow. That being said, other terms could perhaps more accurately capture the essence of the states that are likely to be relevant. Quasi-states, for example, is an unexplored term that has some potential

Definitions of topic words

Establish

Requires law

Merriam Webster 16 (<http://www.merriam-webster.com/dictionary/establish>)

Full Definition of establish

transitive verb

1

: to institute (as a law) permanently by enactment or agreement

Establish means to create

McGarity 3 – Chair of trial and appellate advocacy @ UT (Thomas, “SCIENCE IN THE REGULATORY PROCESS: ON THE PROSPECT OF “DAUBERTIZING” JUDICIAL REVIEW OF RISK ASSESSMENT, 66 Law & Contemp. Prob. 155)

The court found that EPA had erred procedurally, however, when, instead of assembling a separate advisory committee under the Radon Act, it had allowed a special committee of its existing Scientific Advisory Board (“SAB”) to perform the advisory role the Act envisioned. 413 The court found two problems with EPA’s procedural shortcut. First, the Radon Act required EPA to establish a representative advisory committee. The use of the word “establish” suggested that Congress meant for EPA to create a new committee, not borrow an existing standing committee. The second problem was that the Radon Act also provided a role for the existing SAB in reviewing EPA’s broad indoor-air research plan. Had Congress intended for a committee of the SAB to double as the statutory advisory committee, it presumably would have said so in the Radon Act. 414 Although perhaps insufficiently deferential to the agency’s interpretation of its own statute, the court’s statutory analysis was by no means unreasonable.

It’s distinct from maintain

Words and Phrases 5 (v. 15, p. 180)

III. 1937. The word “create” is equivalent to the word “establish.” The words “establish” and “maintain” signify two distinct separate purposes. “Establish” if given the commonly understood meaning of word “create” is not synonymous with “maintain” and the words denote independent purposes.—People ex rel. Gill v. Devine Realty Trust, 9 N.E.2d 251, 366 Ill.418.

It’s not to acquire something already in existence

SC of Nebraska 53 (Adams v. Adams, 156 Neb. 778)

The words set up and establish are substantially synonymous and the ordinary meaning of them is to bring into being, to create, to originate, or to set up. They do not usually refer to something that already exists. The word

establish, in its primary sense, is defined as meaning to bring into being, create, or originate; to set up; but not to acquire something which has already been brought into existence.

Establish can mean maintain or secure

Marlyand Ct of Appeals 1914 (Novak v. Trustees of Orphans' Home, 123 Md. 161)

While the word "establish" most commonly means to found or to bring into being, it may also be used to mean to place upon a **secure foundation** or basis and to **strengthen** that which is already in being.

Establish means create or maintain---can make something existing uniform

Calabresi 7 - Professor of Law, Northwestern University School of Law (Steven, THE UNITARY EXECUTIVE, JURISDICTION STRIPPING, AND THE HAMDAN OPINIONS: A TEXTUALIST RESPONSE TO JUSTICE SCALIA, 107 Colum. L. Rev. 1002)

This means that the term "establish" as used in the Constitution can mean **either** the creation or the designation of an institution; surely the Postal Roads Clause at least permits Congress to designate existing state roads as postal roads (and by the same token the Bankruptcy Clause would surely permit Congress to **pick an existing state** bankruptcy **law and give it uniform nationwide effect**). The same would presumptively be true of the Article III Vesting Clause. Does Article III therefore refer either to courts created by Congress or to state courts designated by Congress as federal tribunals, with all of the startling consequences for the tenure and salary of state court judges that we have described? This might well be the case if Article III, paralleling the Bankruptcy Clause and the Postal Roads Clause, referred simply to courts that Congress might "establish." But the Article III Vesting Clause uses a formulation subtly but importantly different from the uses of "establish" elsewhere in the Constitution: Article III speaks of inferior courts that Congress may from time to time "ordain and establish." This formulation is striking and significant. As a matter of common usage, the word "ordain" would seem to mean to confer a status upon something, or at most to replicate the word "establish." Samuel Johnson's Dictionary is consistent with this intuition: The word "ordain" is defined as "1. To appoint; to decree. 2. To establish, to settle; to institute. 3. To set in an office. 4. To invest with ministerial function, or sacerdotal power." 119 So understood, there would be little or no difference between the word "establish" and the phrase "ordain and establish."

Policy

Specific course of action, by authorities

9th Circuit Court of Appeals 91 (Redman v. County of San Diego, 942 F.2d 1435, Lexis)

As discussed above, a "policy" is defined as a deliberate choice made by officials with final authority over the subject matter at issue. See also Pembaur, 475 U.S. at 481 n. 9 (a "policy" is a "**specific decision . . . designed to carry out such a chosen course of action.**") (quoting Webster's Third New International Dictionary 1754 (1981)); Tuttle, 471 U.S. at 823 (the term "policy" "generally implies a course of action consciously chosen from among various alternatives").

Requires a plan

Echols 9 - United States District Judge (United States District Court for the Middle District of Tennessee, Nashville Division, Ingram v. Hall, 2009 U.S. Dist. LEXIS 12985)

The word "custom" is defined as a "habitual practice or a course of action that characteristically is repeated under like circumstances." See Sims v Mulcahy, 902 F 2d 524, 542 (7th Cir. 1990). The word "policy" means "a **plan** or course of action . . . to influence and determine decisions, actions, and other matters" The American Heritage Dictionary 959 (2d ed. 1982)

Any other definition ignores the context of the resolution

Buckingham 99 - Associate Director (Law), Centre for Studies in Agriculture, Law and the Environment (CSALE), University of Saskatchewan (Donald, "CURRENT ISSUES IN AGRICULTURAL LAW: The Law of the Land: Agricultural Law and its Place in the Languages of Agriculture and Law," 62 Sask. L. Rev. 363, Lexis)

Words matter. Underlying our words are patterns of analysis -- patterns of how we see the world and how we describe its contents. Words betray our world-view, our biases, and our professional training. Words, though tools of communication, are blunt instruments, at times leaving individuals who attempt to use them in utter confusion as to what is meant. Furthermore, words carry different meanings in different disciplines. When they are "borrowed" from one discipline to be used in another, equivocation often results. Take the word "policy" for example. The Concise Oxford Dictionary [374] defines "policy" as "a course of...action adopted...by a government, party...etc." and "prudent conduct". 18 **In the political context, a policy might be more like a plan.** In a legal context, a policy might more likely be a vague and poorly articulated rule or regulation. In a familial context, a policy might be a general pattern of conduct for family members.

Interdisciplinary research is especially prone to linguistic, and hence, analytical difficulties. This seems to be particularly the case in new areas such as environmental studies, where a multiplicity of disciplines appears able to contribute elucidation on the subject.

'Policy' requires Congress---any other agent ignores clear constitutional divisions

Koch 6 - Dudley W. Woodbridge Professor of Law, William and Mary School of Law. B.A., University of Maryland, not *that* Charles Koch (Charles, "FCC v. WNCN LISTENERS GUILD: AN OLDFASHIONED REMEDY FOR WHAT AILS CURRENT JUDICIAL REVIEW LAW", Administrative Law Review vol 58, Hein Online)

Of these, Judge McGowan's opinion, in particular, provides a theoretically sound and useful framework. Judge McGowan focused the Circuit's disagreement on the "reading of the [a]ct" in which judicial authority is dominant. 8 Thus, he selected the battleground advantageous to [BEGIN FOOTNOTE] 3. See FCC v. Sanders Bros. Radio Station, 309 U.S. 470, 475 (1940) (stating that Congress wished to allow broadcasters to compete and to succeed or fail based on the ability to offer programs attractive to the public). 4. FCC v. WNCN Listeners Guild, 450 U.S. at 589. 5. Id. at 591. In the broad sense, "policy" decisions are those that advance or protect some collective goals of the community as opposed to those decisions that respect or secure some individual or group rights. See also Ronald Dworkin, Hard Cases, 88 HARV. L. REV. 1057, 1058 (1975), reprinted in RONALD DWORKIN, TAKING RIGHTS SERIOUSLY 81-130 (1977) (exploring the distinction between arguments of principle and policy); HENRY M. HART, JR. & ALBERT M. SACKS, THE LEGAL PROCESS: BASIC PROBLEMS IN THE MAKING AND APPLICATION OF LAW 141 (William N. Eskridge, Jr. & Philip P. Frickey ed., 1994) ("A policy is simply a statement of objectives."). Here the term "policy" means such decisions assigned to the agency and policies made by legislators are embodied in the statutory language and hence are not "made" either by the agency or the courts, but are derived through the various techniques of statutory interpretation. 6. FCC v. WNCN Listeners Guild, 450 U.S. at 592-93. See, e.g., Ronald M. Levin, Identifying Questions of Law in Administrative Law, 74 GEO. L.J. 1 (1985) (scrutinizing the difference between questions of law and other questions, such as policy). 7. WNCN Listeners Guild v. FCC, 610 F.2d 838, 838 (D.C. Cir. 1979). 8. Id. at 842. The Chevron doctrine makes no change in this fundamental principle. See, e.g., Great Plains Coop. v. CFTC, 205 F.3d 353, 356 (8th Cir. 2000) (using the Chevron opinion as supporting the conclusion that "statutory interpretation is the province of the judiciary"); Antipova v. U.S. Att'y Gen., 392 F.3d 1259, 1261 (11th Cir. 2004) (explaining that the court reviews "the agency's statutory interpretation of its laws and regulations de novo However, we defer to the agency's interpretation if it is reasonable and does not contradict the clear intent of Congress"). See generally 3 CHARLES H. KOCH, JR., ADMINISTRATIVE LAW AND PRACTICE § 12.32[1] (2d ed. 1997) (offering many more examples). [END FOOTNOTE] the court. He nonetheless noted that an administrative decision under delegated policymaking authority would be subject only to hard look review, which he properly characterizes: "[The Commission] must take a 'hard look' at the salient problems." 9 That is, the court must assure that the agency took a hard look, not take a hard look itself. "Only [the Commission], and not this court, has the expertise to formulate rules welltailored to the intricacies of radio broadcasting, and the flexibility to adjust those rules to changing conditions And only it has the power to determine how to perform its regulatory function within the substantive and procedural bounds of applicable law." 0 In other words, the court must assure that the agency is acting within its statutory authority and, once it determines the agency is acting within delegated policymaking authority, the court is largely out of the picture. Upon crossing this boundary, the judicial job is limited to assuring that the policy is not arbitrary by determining

whether the agency took a hard look. The basic review system is revealed as Judge McGowan continues: "[The prior case] represents, not a policy, but rather the law of the land as enacted by Congress and interpreted by the Court...." He properly noted that this distinction not only implicates the allocation of decisionmaking authority between a reviewing court and an agency, but between both and Congress: This court has neither the expertise nor the constitutional authority to make "policy" as the word is commonly understood That role is reserved to the Congress, and, within the bounds of delegated authority, to the Commission. But in matters of interpreting the "law" the final say is constitutionally committed to the judiciary Although the distinction between law and policy is never clearcut, it is nonetheless a touchstone of the proper relation between court and agency that we ignore at our peril.

Only Congress establishes policy

Lillebo 6 – member of the triple-nine society, high-IQ society which selects members at the 99.9th percentile using a number of IQ and academic aptitude tests, Head of Blue Ridge Journal, italics in original (H Paul, "The American President", October 2006, <http://www.blueridgejournal.com/brj-president.htm>)

What is "executive power"? Unfortunately, the Constitution does not give a real job description of the presidency, and does not define "executive power". In fact, the Constitution doesn't define any of its terms; that's one of the major difficulties in interpreting it. We know that many words and phrases did not mean quite the same to those who wrote the Constitution in 1787 as they mean to us today. (And the Supreme Court can't agree to what extent we're bound by what was once meant, or are free to choose more modern meanings.) But, in general, the phrase "executive power" must mean – as it does in the business world today – authority necessary to execute policy or instruction from those who are established to formulate policy. In business, "those" are the company's board of trustees, the governing board. Under the U.S. Constitution, the "board" is the U.S. Congress, which sets national policy by passing laws, and implements them by more or less specific instructions to the President in the annual budget appropriations and in laws and resolutions. It's important to keep in mind that while *authority* to exercise "executive power" is established for the President in the Constitution, the details that turn this authority into power are delegated by Congress. Thus, by and large, *"executive power" is delegated power*. The President executes national policy; he does not have authority to establish policy, except to the extent that he is given policy latitude in the laws and resolutions passed by Congress. The national policy maker, both for internal and foreign affairs, and indeed the implementer, is Congress. We hire the President to execute the instructions of Congress. (Having said this, we recognize that over the years the executive power of the President has, in more and more areas, and to a degree hardly anticipated by the authors of the Constitution, become *de facto* policy-setting power. We'll get back to this below.) "Commander in Chief" has traditionally been a military designation, though just how the founders intended the "CinC" to relate to the military in the 1780s is unclear. (They clearly had General Washington in mind as future President when they wrote the Constitution.) The usual current interpretation is that the President remains a civilian and does not take a dual civilian/military role. Nevertheless, it's clear that the "CinC" acts under the orders and authority of Congress: Congress has a constitutional mandate to determine the size and composition of the armed forces, to make the regulations for their organization and their employment, and can by budgetary and legislative means stop any military plans and activities. Without budgetary authorization and general orders from Congress, the Commander in Chief cannot employ the armed forces. Thus "CinC" is not a policy-making position, except within the latitude granted by directives of Congress. [For background: The U.S. military has traditionally had several CinC's (pronounced "sink") commanding major theaters of operation. The admiral or general in charge of all forces in the Pacific, for example, has had the designation "Commander in Chief Pacific", or "CinCPac" in military shorthand. (I'm told by a naval officer friend that these designations were recently changed by Secretary Rumsfeld to emphasize that only Mr. Bush is "Commander-in-chief". The military brass now have to be satisfied with being just "Commander".) The President as "Commander in Chief of the Army and Navy" (we could call it "CinCArmNav") has in effect the highest military designation, in charge of the Chiefs of Staff of the various services. But, like the other (former) CinC's, the President in his role as "CinCArmNav" works under orders, in this case from Congress.] And that's that. Those are the constitutional powers of the President, adding only the shared or trivial powers listed at the end of this essay. As we see, except for the limited "veto" power, the President depends on the Congress to establish policy, both in his "Executive" and in his "Commander in Chief" roles.

Recognize

Recognize in the context of the resolution requires full statehood by international law

Lauterpacht 44 – Sir Hersch Lauterpacht QC was a prominent British international lawyer and judge at the International Court of Justice (June 1944, The Yale Law Journal, “Recognition of States in International Law,” <https://digitalcommons.law.yale.edu/cgi/viewcontent.cgi?article=4335&context=ylij>)

Principles of the Recognition of States. To recognize a community as a State is to declare that it fulfills the conditions of statehood as required by international law. If these conditions are present, existing States are under the duty to grant recognition. In the absence of an international organ competent to ascertain and authoritatively to declare the presence of requirements of full international personality, States already established fulfill that function in their capacity as organs of international law. In thus acting they administer the law of nations. This rule of law signifies that in granting or withholding recognition States do not claim and are not entitled to serve exclusively the interests of their national policy and convenience regardless of the principles of international law in the matter. Although recognition is thus declaratory of an existing fact, such declaration, made in the impartial fulfillment of a legal duty, is constitutive, as between the recognizing State and the new community, of international rights and duties associated with full statehood. Prior to recognition such rights and obligations exist only to the extent to which they have been expressly conceded or legitimately asserted by reference to compelling rules of humanity and justice, either by the existing members of international society or by the community claiming recognition.

To recognize in the context of statehood means to acknowledge formally as entitled to treatment as a political unit.

Dictionary.com N/D <https://www.dictionary.com/browse/recognize>

verb (used with object), rec-og-nized, rec-og-niz-ing. to identify as something or someone previously seen, known, etc.: He had changed so much that one could scarcely recognize him. to identify from knowledge of appearance or characteristics: I recognized him from the description. They recognized him as a fraud. to perceive as existing or true; realize: to be the first to recognize a fact. to acknowledge as the person entitled to speak at a particular time: The Speaker recognized the congressman from Maine. to acknowledge formally as entitled to treatment as a political unit: The United States promptly recognized Israel. to acknowledge or accept formally a specified factual or legal situation: to recognize a successful revolutionary regime as the de facto government of the country.

Grant

Grant is to permit as a right or privilege

1a: to consent to carry out for a person : allow fulfillment of

grant a request

b: to permit as a right, privilege, or favor

luggage allowances granted to passengers

Granting in terms of the resolution is a declaratory act

Worster 09 — William Thomas Worster is a lecturer and senior of international law at the Bynkershoek Institute, Hague University. Cum laude of Leiden University, JD Chicago-Kent College of Law. (“Law, Politics, and the Conception of the State in State Recognition Theory” Boston University Internal Law Journal, vol. 27, no. 1, April 2009, pp. 115-171)

Many commentators have held that state practice clearly favors the declaratory model, that is, that the entity exists as a state before recognition,(FN27) "The better view is that the granting of recognition to a new state is not a 'constitutive' but a 'declaratory' act; it does not bring into legal existence a state which did not exist before.... The primary function of recognition is to acknowledge as a fact something which has hitherto been uncertain."(FN28)

The US can grant standing through legislation

Visoka et al. 19 — Gëzim Visoka is Assistant Professor of Peace and Conflict Studies at Dublin City University, Ireland. John Doyle is Executive Dean of the Faculty of Humanities and Social Sciences and Director of the Institute for International Conflict Resolution and Reconstruction at Dublin City University, Ireland. Edward Newman is a Professor of International Security in the School of Politics and International Studies at the University of Leeds, UK. The specific "RECOGNITION OF STATES IN INTERNATIONAL LAW" chapter was written by Peter Radan. ("Routledge Handbook of State Recognition", September 26, 2019. Chapter 4 "Recognition of states in the international law", pp. 47-58.)

Although Article 3 of the Montevideo Convention on the Rights and Duties of States of 1933 (Montevideo Convention 1933) stipulates that a territorial entity's status as a state is independent of recognition by other states, without such recognition the continued viability and survival of a territorial entity as a state is unlikely to be maintained. However, while an unrecognized state continues to exist, some states, such as the United Kingdom, Australia, and the United States of America (USA), have enacted legislation that grants standing to appear before their courts to private corporations established pursuant to the laws of the unrecognized state. In passing such legislation these states have, in effect, drawn 'a distinction between recognition as an artifact of international relations and recognition as an influence upon private law'

State recognition

State Recognition requires that an entity have a permanent population, defined territory and government

Stephen 13, (Temitope Stephen works at the University of East London Law and Criminology Research Group), "SELF DECLARATION OR SELF DETERMINATION; A COMPARATIVE OF KOSOVO AND TURKISH REPUBLIC OF NORTHERN CYPRUS," May 30th 2013, University of London School of Law, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2272023

There are variants of recognition such as de facto or de jure that are applicable to a state or government seeking recognition. The purpose, circumstances and the organisation from which they seek such recognition will determine the status they are accorded. The conditions for seeking recognition from the United Nations, States and other international organisations will be analysed to determine if state recognition is an international obligation or a choice which other states exercise. The Montevideo treaty sets out the requirements which an entity wanting to be recognised as a state must possess as follows; "The state as a person of international law should possess the following qualifications: a permanent population; a defined territory; government; and capacity to enter into relations with the other states".¹ It is argued that, the application and interpretation of the above stated requirements have been applied in most cases depending on the purpose for which the claim for recognition is been made. Roselyn Higgins confirms the flexibility of the application of the criteria for recognition and expresses concern that the criteria has remained unchanged despite the constant changing conditions in the political situations of International law. Higgins argues that; while the concept of what constitutes a state has a certain undeniable core, the application of the component elements will also depend upon the purpose for which the entity concerned is claiming to be a state, and the circumstances in which that claim is made.² It is argued that recognition may also be used as a tool for conflict management depending on the entity doing the recognition and the purpose they want to achieve. A well known example is

the European Union strategy for recognising the defunct states of former Yugoslavia republic. Caplan argues about the use of recognition for conflict management, where he captures the war situation in Slovenia and commented thus; "once fighting had erupted there, an opportunity was created for the use of recognition as a means of preventing the extension of the war to Croatia."³ It is argued that the use of conditional recognition as a means of conflict management is a clear departure from the traditional requirements listed in the Montevideo treaty, therefore a reflection of the changing situation in the international political situations, which suggests that other factors can be considered for recognition of an entity seeking to become a state, as a more creative and proactive approach for recognition based on factual situations are now been used as stated in the Croatia situation mentioned above. It is argued, Admission into the membership of international organisations will depend on the requirements needed for example, only entities recognised as a State can be admitted into the full membership of the United Nations, even though non members' states can be invited to appear before the Security Council in matters affecting the maintenance of world peace, or allowed to have observers status in the General Assembly meetings. Also, specialised agencies like the World Health Organisation may deal with any entity claiming to be a state for health purposes, just like the Islamic Organisations for example, may accept a state into their membership once they fulfil the religious requirement to be recognised as one like the Turkish Republic of Northern Cyprus that has been admitted as a member of the Islamic organisation. State recognition and self determination has been argued to be, two sides of the same coin and this is so because, whenever people feel marginalised or feel their interest are not well attended to in any constituted state, they try in most cases to create and seek recognition for another independent state who may serve their interest. A well known example is the Turkey Army invasion of 1974 which supported the Turkish people in Cyprus to secede and seek recognition for The Turkish Republic of Northern Cyprus State because, the political arrangement at independence no longer takes care of the interest of that part of Cyprus. Fabry confirms this position where he argues that "for the last 200 years, recognition of states has been tied to the idea of self determination of peoples. In fact, recognition and self determination have been two sides of the same coin."⁴

State recognition includes acknowledgement and commitment

Boczek 5 – PhD, Professor of Political Science (Boleslaw, "International Law: A Dictionary," p 105)//BB

116. Recognition of State. A unilateral discretionary act of political decision making by the government of a state⁽¹²⁷⁾ acknowledging that an entity meets the qualifications for statehood required by international law, with parallel commitment to treat that entity as a state with all the consequences envisaged by international law for the status of international legal person⁽⁸⁵⁾.

It is both declaratory and legal

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According to Kelsen, recognition is comprised of two distinct acts: a political and a legal act: "[p]olitical recognition of a state or a government is an act which lies within the arbitrary decision of the recognizing state" and "can be brought about either by a unilateral declaration of the recognizing state, or by a bilateral transaction.⁶ This kind of expression of willingness does not constitute any legal obligation, Kelsen says, and concludes that, "[T]he political act of recognition, since it has no legal effect whatsoever, is not constitutive for the legal existence of the recognized state,"⁷ and thus the political act of recognition is declaratory. The legal act of recognition, Kelsen explains, is still a rather confusing matter in international law: "[I]t is the same] when the question arises whether or not in a concrete case the fact "state in the sense of international law" exists, whether or not a certain community fulfills the required conditions of being a subject of international law, i.e. of having in its relations with other states the rights and obligations stipulated by general international law; this implies equal rights and obligations stipulated by general international law; this implies equal rights and duties of these states towards the community in question."⁸ This establishment, Kelsen concludes, according

to which a state in the sense of international law exists, represents what he **termed** as **"the legal act of recognition,"**⁹ and **would be analogue to the constitutive doctrine of State recognition.**

State Recognition can be declaratory or constitutive

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International law is dominated by two competing theories of state recognition, with the "declaratory" view currently in prominence but possibly just beginning its decline in favor of the "constitutive" view. However, if indeed the constitutive view is gaining ground, then its slow and partial re-emergence is forcing us to rethink the nature of the state in international law. The constitutive theory states that recognition of an entity as a state is not automatic. A state is only a state when it is recognized as such and other states have a considerable discretion to recognize or not.

Moreover, only upon recognition by those other states does the new state exist, at least in a legal sense.

Some practice in contemporary situations may evidence the application of the constitutive theory rather than the declaratory. Numerous classical scholars have weighed in support of the constitutive theory, and many modern scholars are beginning to reexamine the constitutive theory, considering whether it provides a firmer foundation for the determination of statehood status.[1] The declaratory theory

looks to the purported state's assertion of its sovereignty within the territory it exclusively controls to determine if it can access the international plane. It is the opposite of the constitutive theory in that it holds that recognition is almost irrelevant because states have little to no discretion in determining whether an entity constitutes a state. The status of statehood is based on fact, not on individual state discretion.

The majority of contemporary scholars and commentators favor this theory.[2] There is considerable support for the argument that recognition is irrelevant for whether a state exists as such or not. The Montevideo Convention of 1933 states: "The political existence of the state is independent of recognition by the other states."[3] The International Court of Justice has held in the Genocide Convention case that it adheres to the declaratory view, in

the sense that the failure to maintain effective control over territory does not extinguish the legal entity in the eyes of the United Nations.[4] It has also held in the South West Africa cases that the state as an entity with rights and obligations does not cease to exist. This opinion on the declaratory theory was also supported by the Arbitration Commission of the European Communities Conference on Yugoslavia, chaired by Robert Badinter, discussing the independence and status of states of the successor to the S.F.R. Yugoslavia.[5] Furthermore, many national courts have recognized international rights in states that accrued before international recognition of the entity as a new state, suggesting a rejection of the notion that the state did not exist before recognition.[6] Many commentators have held that state practice clearly favors the declaratory model, that is, that the entity exists as a state before recognition.[7] On the other hand, we have the alternate view which is that states only exist upon recognition and there is support for this perspective, although we may need to read between the lines to see it. Some authorities who claim to support the declaratory view appear to also endorse the constitutive theory in practice. The Badinter Commission initially adopted declaratory language but seems to have applied a constitutive approach to balance major tensions between the various European states.[8] Milenko Kreća, the ad hoc Judge in the Genocide Convention case implied in his critical dissent that the Court was applying the constitutive theory.[9] The Permanent Court of International Justice, the predecessor to the International Court of Justice, appeared to endorse the constitutive theory in two opinions: the Lighthouses case, where effectiveness was disregarded for the fiction of continued sovereignty of the Turkish Sultan,[10] and the Rights of Nationals of the United States of America in Morocco case, regarding the continued sovereignty of Morocco although under the French Protectorate.[11] Also the International Criminal Tribunal for the former Yugoslavia, the International Court of Justice's neighbor in The Hague is also supportive of the constitutive theory. In the Čelebići case, the I.C.T.Y. held that the conflict within the former Yugoslavia was only of an international nature after international recognition of the independent statehood of Croatia and Bosnia and Herzegovina.[12] In the Tadić case also at the I.C.T.Y., Judge Li, in a separate opinion, criticized the majority for applying the constitutive theory. Judge Li argued that the conflict should have been seen as international from the moment of Slovenia's and Croatia's declarations of independence, not because of

recognition by others.[13] In addition to these decisions of international tribunals or commissions, the act of recognition seems to increasingly be attributed with constitutive effect within the international legal system. States such as Croatia, Eritrea, and Central and Eastern European states arising from Woodrow Wilson's dismemberment of the Habsburg and Ottoman Empires, have survived extinction or been revived from extinction by the international community.[14] Bosnia-Herzegovina and Croatia arguably did not fully satisfy the criteria for declaratory recognition, so the recognition of those entities as new states may have had constitutive effect despite the supposed intended application of the declaratory theory.[15] For some microstates, their relatively recent admission to the U.N., as well as recognition by other states, may have clarified their position in international law, crystallized their rights, and assisted in their constitution, regardless of the intended effect of their recognition.[16] We can also see situations where the existence of emerging states was blocked by other, more powerful states, which would only be possible if statehood was in the control of existing states.[17] Also, we can see situations where states, that had lost all factual qualification as such, were maintained as essentially legal fictions by the international community. This suggests that recognition both constitutes and maintains the legal personality of other states whose reality would suggest that they no longer existed, or existed in a fictitious state.[18] Although this finding is usually argued because of the illegality of the occupation of the state, if statehood was truly declaratory, then the ending of effective control and independence would necessarily mean the extinction of the state. These cases are significant because they evidence that entities only receive international rights and obligations when they are recognized by other states as states. It is commonly observed that "only states sit on the United Nations Security Council, only states petition the International Court of Justice and only states participate in the Nuclear Non-Proliferation Treaty regime." [19] Recognition of statehood changes the range of actions available to an entity and also changes the expectations of the international community regarding the behavior of the new state. It would appear that the support for the declaratory theory is partly legal and partly the more politically correct position. The constitutive theory does still attract some legitimacy, possibly partly due to the way it appears to be applied surreptitiously by tribunals. The difficulty with the either/or approach is that there is an interrelation of the two sides of the question. **The declaratory theory concentrates on the internal factual situation and the constitutive theory concentrates on the external legal rights and duties.** They both miss a portion of the analysis. Furthermore, the two sides of the issue interact between themselves. By having rights a collective group may become more cohesive and may begin to have an internal political dialogue. **Recognition alone does not create the internal factual situation of statehood, but may help to inspire such coalescence.** Nationalism is not unknown in many apparently highly artificial states. However, recognition of the factual situation merely acknowledges facts and does not mean there are necessarily international rights, although it can lead to it. **Every act of recognition must necessarily contemplate both aspects,** but generally one will be the predominant legitimizing force (though it could conceivably change retrospectively). When we choose between the recognition theories proposing the existence of the state prior to or only following recognition, we are choosing to concentrate our definition of the state on one of these two aspects of the state and, from that source, derive the other. It is to this conclusion that the re-emergence of the constitutive theory leads us.

Diplomatic recognition

'Diplomatic recognition' requires the entry into diplomatic relations – that's distinct from state recognition

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Much confusion has been generated by the use of the word "recognition" to describe entry into diplomatic relations. The two concepts should be clearly distinguished, although the latter may correctly be called "diplomatic recognition" or "political recognition." Recognition of a state implies the acceptance by

one state of another into the legal framework of international law. The recognized state becomes a creature of that international law, capable of holding rights and duties under it. Recognition of a government is acceptance of it as the lawful agent of that state. The establishment of diplomatic relations is, however, only the creation of formal means of communication between the governments of two states. Abstention from diplomatic intercourse may imply political and possibly total nonintercourse between two states, but it need not imply nonrecognition. The breach of diplomatic relations can imply nonrecognition only when the government in one of the states has never been recognized by the government in the other, and even then the nonrecognition is only at the governmental and not at the state level. If a changing policy occasions the breach, but there is continuity of personnel administering the states involved, governmental recognition clearly continues. Entry into diplomatic relations is certainly not required by positive international law. Indeed, for most states the entry into direct diplomatic relations with every other state would be a practical impossibility. For the major powers and for those having regular dealings with one another, regular diplomatic communication is certainly desirable, but even in its absence communication between states is usually possible. This can be by informal negotiations carried on by commissioners, 2 or by conferences at third capitals or at international assemblies, 73 or through the use of the good offices of some third state. 4 At worst diplomatic nonintercourse causes serious inconvenience. It is a situation which should be avoided as far as possible, especially by the major powers, but it cannot be described as illegal.

Proto-state

Proto-states have military and non-military functions and occupy a given territory – they have all of the qualities of a statehood except recognition

Szekely 16 – Dr. Ora Szekely is an assistant professor in the department of political science at Clark University in Worcester, Massachusetts. ("Proto-State Realignment and the Arab Spring" Middle East Policy Council, Volume XXIII Spring Number 1, 24 March 2016 <https://mepc.org/journal/proto-state-realignment-and-arab-spring>)

PROTO-STATE ACTORS **Proto-state actors occupy a conceptual space somewhere between states and nonstate actors.** Hamas and Hezbollah are only two examples; others include the FARC in Colombia, the POLISARIO in Western Sahara and the PLO. While many such organizations have political wings that engage with the existing government more or less on its own terms (running in elections or even serving in parliament), they may also perform other functions that challenge the authority or even the legitimacy of the state itself. However, though they possess many of the practical characteristics of a state, they lack the authority and recognition afforded to the government, even if that government is less capable of governing the territory to which it lays claim.¹ While such groups are often referred to as "states within a state," **"states without a state" is probably more accurate. They are defined here as nonstate organizations that have assumed a plurality of the functions of the state in a given territory and conduct their foreign relations independently from that state, challenging its legitimacy to govern a given territory.** The "functions of the state" that proto-state actors perform include a wide range of activities, **the most obvious being military.** The presence of an armed militia clearly poses a challenge to the state, defying the Weberian benchmark for state sovereignty, a monopoly over the legitimate use of force. The armed wings of some proto-state actors are quite large and well equipped, resembling or surpassing the militaries of small states. Perhaps more important, at least in distinguishing proto-state actors from simple militias, is that these organizations also perform a range of nonmilitary functions. While many militias also include charitable wings that provide services on a limited scale to local constituents, for proto-state actors these institutions can even include infrastructure maintenance, education, medical care and road safety.² They may have highly functional bureaucracies and strong administrative capacities, sometimes rivaling those of the state whose authority they have supplanted. Because many proto-state actors see themselves as "states in waiting," their foreign policy is often highly developed. The PLO, for instance, had its own delegation to the

United Nations from 1974 to 1988 (when this function was transferred by the PLO itself to the newly declared, though not established, state of Palestine). Rather than seeing themselves simply in relation to their state adversary, they construct their foreign policies in response to both broad regional dynamics and the demands of domestic public opinion. The position of the adversary state is relevant, of course, but is not the only factor shaping their foreign-policy preferences. The foreign-policy decisions that Hamas and Hezbollah both made in the context of the Arab Spring demonstrate that proto-state actors make foreign policy much the way that states do: in response not just to local political imperatives, but also to larger regional and global political pressures.

Proto-states are distinct from militias and warlords – they must have services and policy

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Within this definition, we might identify several types of warlords. A more sophisticated type of warlord may develop some form of partial legitimacy and transform his dominion into a ‘protostate’, that is a structure featuring some sort of civilian administration and providing at least some services, such as education, policing, electricity and other supplies, public transport, etc. The least sophisticated warlords, especially in remote and isolated areas, may never go beyond purely military organisation, living off the region they control and providing the local inhabitants with little in exchange, except possibly for some security from other warlords and bandits. Whatever legitimacy he might have, therefore, will always be precarious at best. Others may develop what have been called “political complexes”, which could be described as structures, which, beyond the purely military aspect, include economic and political interests.⁵ Indeed, the main issue in the debate on warlordism in Afghanistan is whether the warlords are susceptible to developing into a more benign type of ruler, maybe within the context of an embryonic state, playing the role of ‘regional leader’ or ‘vassal’ of a central ruler. A degree of legitimacy would in this case derive from the recognition coming from the central government. Eventually, the warlords would be completely absorbed into the national-feudal structure and cease to be considered warlords altogether.

Proto-states have a defined structure that includes agriculture of their territory, a militia, and trade ties

Merz 8 – Andrew A. Merz is a post-graduate candidate at the United States Naval Academy (“COERCION, CASH-CROPS AND CULTURE: FROM INSURGENCY TO PROTO-STATE IN ASIA’S OPIUM BELT” Naval Post Graduate School Thesis June 2008 <https://apps.dtic.mil/dtic/tr/fulltext/u2/a483480.pdf>)

The main research question leads to several significant sub-questions. The most important are: What is the definition of a proto-state? How do geography and sociocultural characteristics of the population particular to the Golden Crescent and Golden Triangle contribute to the formation of proto-states? What role does the opium business play in the formation of proto-states? What are the similarities and differences between these proto-states and conflicts in which they formed? And, what can we learn from comparisons across the two different regions? The power of the states based in Kabul, Islamabad and Naypyidaw does not extend to certain areas controlled by fiercely independent ethnic groups traditionally organized in a feudal or tribal manner. Historically speaking, neither the British Empire nor any kingdom or empire predating it ever exercised sustained control of these areas either. The 60-year old international boundaries that cut arbitrarily through these areas, created when the British left, are for the most part just lines on a map. At different periods since the colonialists’ departure, the tribes and fiefdoms of these areas have been involved in sustained conflicts. This study argues that the economics (in particular the drug economies) of these wars, fought on one side by armies (“insurgents” to the limited states based in the aforementioned cities) from these tribes and fiefdoms, created “proto-states” in both regions. More specifically, politically mobilized armies, with certain tribal, ethnic and feudal characteristics, built these entities based (to a significant extent) on capital from the taxation of opium production and transportation. To best “farm” the opium trade in this manner, insurgents needed to control the cash-crop producing territory. Being able to lay down the law and be recognized as the legitimate coercive force in a defined territory is at the

very base of state building. Viewed from a long historical perspective, it is not far-fetched to say that the areas commonly called Afghanistan, Pakistan and Burma are still in the midst of a kind of “warring states” period (with Burma probably further along in the process). 4

By adopting this state-building perspective, moreover, one can begin to identify the basic elements of these opium-belt “proto-states,” to provide a definition. Farmers are the human capital. Militias provide both the means of coercion and extraction. (Sometimes farmers and militiamen are one in the same.) Tribal structure provides lines of communication, trade contacts, and sometimes-hierarchical organizational structure. Landowners and militia leaders (who may also be tribal leaders, religious leaders, warlords or a combination of the three) provide the capital and management. This will be the working definition for the proto-state.

Bibliography/References

9th Circuit Court of Appeals 91 (Redman v. County of San Diego, 942 F.2d 1435, Lexis)

Ahmed, Qanta 2019 – (“U.S. Must Align With Kurds, Remake the Middle East” Morning Consult January 18, 2019 <https://morningconsult.com/opinions/u-s-must-align-with-kurds-remake-the-middle-east/>)

Amble, John 2014 – (“Fixing Somaliland’s Recognition Problem” War on the Rocks, April 30, 2014, <https://warontherocks.com/2014/04/fixing-somalilands-recognition-problem/>)

Aziz, Sardar and Kirmanj, Sherko 2018 – (“Chapter 8: Iran’s regional hegemony and Kurdish independence,” October 10 2018, *Federalism, Secession, and International Recognition Regime*, <https://www.taylorfrancis.com/books/e/9780429448423>)

Beauchamp, Zack 2018 – (“Why are the US and Israel so friendly?” Vox, 11/20/2018, <https://www.vox.com/2018/11/20/18080080/israel-palestine-us-alliance>)

Berlin, Alexander 2009 – (“RECOGNITION AS SANCTION: USING INTERNATIONAL RECOGNITION OF NEW STATES TO DETER, PUNISH, AND CONTAIN BAD ACTORS,” *U. Pa. J. Int’l L.*, 31.2, Lexis)

Bernard, Andrew 2017 – (“Who’s Afraid of an Independent Kurdistan?,” *American Interest*, <https://www.the-american-interest.com/2017/09/26/whos-afraid-independent-kurdistan/>)

Blanchard, Ben 2020 – (“U.S. increases support for Taiwan, China threatens to strike back”, Reuters, March 26, 2020, <https://www.reuters.com/article/us-taiwan-usa/us-increases-support-for-taiwan-china-threatens-to-strike-back-idUSKBN21E0B7>)

Boczek, Boleslaw 2005 – (“International Law: A Dictionary,” p 105)

Branch, Michael 2013 – (“Rants from the Hill: Most likely to secede,” High Country News, June 3, 2013, <https://www.hcn.org/blogs/range/rants-from-the-hill-most-likely-to-secede>)

Bryan, Joe 2012 – (“Rethinking Territory: Social Justice and Neoliberalism in Latin America’s Territorial Turn,” *Geography Compass*, 6.4)

Buckingham, Donald 1999 – (“CURRENT ISSUES IN AGRICULTURAL LAW: The Law of the Land: Agricultural Law and its Place in the Languages of Agriculture and Law,” 62 Sask. L. Rev. 363, Lexis)

Calabresi, Steven 2007 – (THE UNITARY EXECUTIVE, JURISDICTION STRIPPING, AND THE HAMDAN OPINIONS: A TEXTUALIST RESPONSE TO JUSTICE SCALIA, 107 Colum. L. Rev. 1002)

Carpenter, Ted 2017 – (“America Can’t Afford to Support an Independent Kurdistan or Taiwan,” National Interest, 10-3-2017, <https://nationalinterest.org/blog/the-skeptics/america-cant-afford-support-independent-kurdistan-or-taiwan-22586>)

Carter, Jimmy 2016 – (“Jimmy Carter: America Must Recognize Palestine,” *New York Times*, Proquest)

Chan, K.G. 2020 – (“US should diplomatically recognize Taiwan: Bolton”, The Asia Times, July 9, 2020, <https://asiatimes.com/2020/07/us-should-diplomatically-recognize-taiwan-bolton/>)

Clapham, Chris 2015 – (“Long Walk to Statehood: Why Somaliland Deserves International Recognition” *Georgetown Journal of International Affairs*, <https://www.georgetownjournalofinternationalaffairs.org/online-edition/long-walk-to-statehood-why-somaliland-deserves-international-recognition>)

Clark, Natalie 2016 – (“Decolonizing Trauma Studies: Trauma and Postcolonialism,” p. 175)

Coggins, Bridget 2011 – (“Friends in High Places: International Politics and the Emergence of States from Secessionism”, *Cambridge University Press on behalf of the International Organization Foundation*, JSTOR)

Daly, John 2009 – (“The Palestinian Struggle and the Lakota Nation's secession from the USA,” Another World is Possible, November 25, 2009, <http://www.a-w-i-p.com/index.php/2009/11/25/the-palestinian-struggle-and-the-lakota>)

Echols, Robert 2009 – United States District Judge (United States District Court for the Middle District of Tennessee, Nashville Division, *Ingram v. Hall*, 2009 U.S. Dist. LEXIS 12985)

The Economist 2015 — T.G. is an anonymous author for the Economist. (“Why Somaliland is not a recognized state” The Economist, November 1, 2015. <https://www.economist.com/the-economist-explains/2015/11/01/why-somaliland-is-not-a-recognised-state#>)

Felter, Claire 2018 – (“Somaliland: The Horn of Africa’s Breakaway State,” Council on Foreign Relations, February 1, 2018 <https://www.cfr.org/backgrounder/somaliland-horn-africas-breakaway-state>)

Fukurai, Hiroshi 2020 – (“The State Constitution v. the National Constitution: Original Nations’ “Sovereignty-Building” Asian Journal of Law and Society, Volume 7, Issue 1 February 2020 , pp. 39-60, <https://www.cambridge.org/core/journals/asian-journal-of-law-and-society/article/state-constitution-v-the-national-constitution-original-nations-sovereigntybuilding-projects-in-asia-north-america-and-beyond/CA5EE7AAAAE695B1B3F3D35786D6AA3B/core-reader>

Giustozzi, Antonio 2003 – (“RESPECTABLE WARLORDS? THE POLITICS OF STATE-BUILDING IN POST-TALEBAN AFGHANISTAN” crisis states programme development research centre at London School of Economics September 2003 <http://eprints.lse.ac.uk/13311/1/WP33.pdf>)

Goldberg, Ilan 2020 – (“Recognizing the state of Palestine is the only appropriate response to Israeli annexation,” *The Washington Post*, 07/02/20, <https://www.washingtonpost.com/opinions/2020/07/02/recognizing-state-palestine-is-only-appropriate-response-israeli-annexation/>)

Gut, Arye 2017 – (“Impunity engenders crimes: separatism from Nagorno-Karabakh to Catalonia,” The Jerusalem Post, November 24, 2017, <https://www.jpost.com/Blogs/News-from-Arye-Gut/Impunity-of-separatism-from-Nagorno-Karabakh-to-Catalonia-515043>)

Harutyunyan, Sargis 2019 – (“Karabakh Official Buoyed By Trump’s Golan Move,” Radio Free Europe, March 27, 2019, <https://www.azatutyan.am/a/29845422.html>)

Haugevik, Kristin 2018 – (“Special Relationships in World Politics,” Kindle Edition)

Ibrahim, Azeem 2020 – (“The United States Should Recognize Taiwan as an Independent Nation”, The National Interest, May 9, 2020, <https://nationalinterest.org/blog/buzz/united-states-should-recognize-taiwan-independent-nation-152611>)

Kazimov, Seymur 2019 – (“Proposals to include Nagorno-Karabakh in peace talks raise red flags in Azerbaijan,” OC Media, March 27, 2019, <https://oc-media.org/proposals-to-include-nagorno-karabakh-in-peace-talks-raise-red-flags-in-azerbaijan/>)

Koch, Charles 2006 – (“FCC v. WNCN LISTENERS GUILD: AN OLDFASHIONED REMEDY FOR WHAT AILS CURRENT JUDICIAL REVIEW LAW”, Administrative Law Review vol 58, Hein Online)

Lauterpacht, Hersch 1944 – (“Recognition of States in International Law,” The Yale Law Journal, June 1944, <https://digitalcommons.law.yale.edu/cgi/viewcontent.cgi?article=4335&context=yilj>)

Lillebo, H Paul 2006 – (“The American President”, Blue Ridge Journal, October 2006, <http://www.blueridgejournal.com/brj-president.htm>)

Lynch, Edward 2017 – (“Trump has another shot to help Catalonia score independence,” *The Hill*, 12/30/17 <https://thehill.com/opinion/international/366860-america-has-a-second-chance-to-help-catalonia-win-independence>)

Mammadov, Farhad 2018 – (“America's Double Standard on Nagorno-Karabakh,” The National Interest, March 16, 2018, <https://nationalinterest.org/blog/the-buzz/americas-double-standard-nagorno-karabakh-24944>)

Martin, Will 2017 – (“A Catalan split from Spain could be even worse than Brexit,” Business Insider, 10/02/17, <https://www.businessinsider.com/catalonia-split-spain-economic-impact-ing-2017-9>)

Marlyand Court of Appeals 1914 – (Novak v. Trustees of Orphans' Home, 123 Md. 161)

McGarity, Thomas 2003 – (“SCIENCE IN THE REGULATORY PROCESS: ON THE PROSPECT OF "DAUBERTIZING" JUDICIAL REVIEW OF RISK ASSESSMENT, 66 Law & Contemp. Prob. 155)

Mehmeti, Ermima 2016 – (“Recognition in International Law: Recognition of States and European Integration - Legal and Political Considerations,” European Journal of Interdisciplinary Studies January-April 2016 Volume 2, Issue 2 http://journals.euser.org/files/articles/ejis_jan_apr_16/Ermira.pdf)

Merriam Webster 2016 – (<http://www.merriam-webster.com/dictionary/establish>)

Merz, Andrew 2008 – (“COERCION, CASH-CROPS AND CULTURE: FROM INSURGENCY TO PROTO-STATE IN ASIA’S OPIUM BELT” Naval Post Graduate School Thesis June 2008 <https://apps.dtic.mil/dtic/tr/fulltext/u2/a483480.pdf>)

Mirilovic, Nikola and Siroky, David 2015 – (“Two States in the Holy Land?: International Recognition and the Israeli-Palestinian Conflict,” Politics and Religion, Religion and Politics Section of the American Political Science Association, 2015, <http://davidsiroky.faculty.asu.edu/PR2015.pdf>)

Morrison, Fred 1967 – (“Recognition in International Law: A Functional Reappraisal”, 1967, The University of Chicago Law Review, Vol. 34:857, <https://chicagounbound.uchicago.edu/cgi/viewcontent.cgi?article=3544&context=uclev>)

Mustafayeva, Najiba 2016 – (“Armenia’s recognition of Nagorno-Karabakh could trigger a war”, Euractiv, May 17, 2016, <https://www.euractiv.com/section/armenia/opinion/armenias-recognition-of-nagorno-karabakh-could-trigger-a-war/>)

Nelson, Elizabeth 2016 – (“POWER AND PROXIMITY: THE POLITICS OF STATE SECESSION,” Proquest Dissertations)

Pegg, Scott 2017 – (“Twenty Years of de facto State Studies: Progress, Problems, and Prospects,” *Oxford Research Encyclopedia of Politics*, DOI: 10.1093/acrefore/9780190228637.013.516)

Reinhardt, Akim 2015 – (“Red skin, white masks: Rejecting the colonial politics of recognition,” *Contemporary Political Philosophy*,” 15.1)

Rivkin, David and Casey, Lee 2011 - (“The Legal Case Against Palestinian Statehood,” *Wall Street Journal*, Proquest)

Sargent, Sarah and Melling, Graham 2015 – (“The Exercise of External Self-Determination by Indigenous Groups: The Republic of Lakotah and the Inherent Sovereignty of American Indigenous Peoples,” *Sri Lanka J. Int'l & Comp. L.* 49 (2015))

Simon, David 2017 – (“Why The U.S. Should Support Kurdish Independence,” *Forbes*, September 27, 2017, <https://www.forbes.com/sites/realspin/2017/09/27/why-the-u-s-should-support-kurdish-independence/#407516cd3a08>)

Stephen, Temitope 2013 – (“SELF DECLARATION OR SELF DETERMINATION; A COMPARATIVE OF KOSOVO AND TURKISH REPUBLIC OF NORTHERN CYPRUS,” May 30th 2013, University of London School of Law, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2272023)

Supreme Court of Nebraska 1953 – (Adams v. Adams, 156 Neb. 778)

Szekely, Ora 2016 – (“Proto-State Realignment and the Arab Spring” Middle East Policy Council, Volume XXIII Spring Number 1, 24 March 2016 <https://mepc.org/journal/proto-state-realignment-and-arab-spring>)

Tellis, Ashley 2016 – (“Redrawing Boundaries Would Open Pandora’s Box”, Carnegie Endowment for International Peace, August 16, 2016 <https://carnegieendowment.org/2016/08/18/redrawing-boundaries-would-open-pandora-s-box-pub-64361>)

Toosi, Nahal and Seligman, Lara 2020 – (“Trump seizes a new cudgel to bash China: Taiwan”, Foreign Policy, May 21, 2020, <https://www.politico.com/news/2020/05/21/trump-cudgel-china-taiwan-274160>)

Torosyan, Hayk 2019 – (“SOME ASPECTS OF STATE-BUILDING PROCESS IN THE REPUBLIC OF ARTSAKH (NKR)”, Вестник РАУ № 2, 2019, 51-68, [https://science.rau.am/uploads/blocks/0/7/701/files/Vestnik_2019_izmenennyy\(1\).pdf#page=51](https://science.rau.am/uploads/blocks/0/7/701/files/Vestnik_2019_izmenennyy(1).pdf#page=51))

Visoka, Gezim, Doyle, John and Newman, Edward 2019 — (“Routledge Handbook of State Recognition”, September 26, 2019. Chapter 32 “Somaliland”, p. 430-443.)

Visoka, Gezim, Doyle, John, and Newman, Edward 2019 — (“Routledge Handbook of State Recognition”, September 26, 2019. Chapter 4 “Recognition of states in the international law”, pp. 47-58.)

Words and Phrases 2005 (v. 15, p. 180)

Worster, William 2015 – (“William Worster: Sovereignty – Two Competing Theories of State Recognition,” Exploring Geopolitics, 8-5-2015, https://exploringgeopolitics.org/publication_worster_william_sovereignty_constitutive_declaratory_statehood_recognition_legal_view_international_law_court_justice_montevideo_genocide_convention/)

Worster, William 2009 — (“Law, Politics, and the Conception of the State in State Recognition Theory” Boston University Internal Law Journal, vol. 27, no. 1, April 2009, pp. 115-171)