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## One hundred years of State Secessions

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### Introduction

The basic idea behind this short paper is to analyze secessionism in the last century. First, we will address the practicalities of secession –definition, when they occur and some practices that underlie all secessions and attempted secessions. This will be followed by a historical background –the role of nations and nationalism and the principle of self-determination, ie: Wilson’s Fourteen Points and Lenin’s and Stalin’s views. Then we will look at the theories that try to explain secession and the legal implications involved. We will further describe most of the secessions or attempted secessions since the beginning of the XXth century to conclude with some basic considerations on the popularity of secessionism since the early 1900s. The study of decolonization is not the object of this paper.

### Practicalities of secession

Throughout the text we will use Pavkovic’s definition of secession: “Secession is the creation of a new state by the withdrawal of a territory and its population where that territory was previously part of an existing state” (Pavkovic with Radan 2007, 5). We will also use his definition of host state as meaning the existing state and seceded state as the new state which results from the secession and his understanding that secession is the whole process until the new state is internationally recognized. If this does not happen, ie: the secession fails, we will use the term attempted secession (Pavkovic with Radan 2007, 5).

Also following Pavkovic, we can define that when a territory secedes, the host state and its institutions cease to be operational in the seceded state and are thus replaced by the institutions of the seceded state. Pavkovic also identifies that a new state can be created from an existing state or it can be transferred from the host state to an existing state, normally a neighbouring state. The process of secession if successfully completed, implies changes in sovereignty and jurisdiction from the host state to the new seceded state. But for the process to be complete, the new state (this also applies if the seceded state is incorporated into a neighbouring state) must be internationally recognized by the host state, other states and international organizations, the United Nations being the ultimate arbiter to grant recognition by admitting the new state as a member (Pavkovic with Radan 2007, 8-11).

Pavkovic recognizes that all secessions and attempted secessions share the following elements: “1) a bounded territory within an existing state, 2) a population within that territory, 3) a political movement targeting and supported by that population which has proclaimed the independence of a new state based on that territory and 4) a political movement which has attempted to gain

recognition of that independence by other states and international organizations” (Pavkovic with Radan 2007, 33).

Pavkovic assigns particular importance at the national identity shared by the secessionist movement members (Pavkovic with Radan 2007, 44). Anthony D. Smith of the ethno-symbolist school which we will use in this section and the next for definitions of nation, nationalism and identity defines national identity as “the continuous reproduction and reinterpretation by the members of a national community of the pattern of symbols, values, myths, memories and traditions that compose the distinctive heritage of nations and the variable identification of individual members of that community with that heritage and its cultural elements” (Smith 2010, 17-20).

Pavkovic also analyses the means by which most secessionist movements try to achieve secession. They do it mostly by gaining support among the population, mobilizing and persuading them. The mobilization aims at trying to find answers to a set of problems/grievances expressed by the mobilized population. These sources of grievances usually have to do with 1) unequal distribution of power and resources which

discriminate the group that tries to secede, 2) the harm that the host state or dominant groups produce to the group trying to secede and 3) foreign rule over the group. Finally, Pavkovic discusses how to achieve secession: the idea that the target group has been living in a foreign state against their will and has been subjected to a set of grievances. The secessionist discourse is normally transmitted by educational channels, word of mouth, rallies, demonstrations and protest marches and eventually the use of violence. For Pavkovic the use of violence by secessionist movements is the consequence of: a) suppression of secessionist movement by host state which provokes a response among secessionists, b) prohibition by the host state of political activities carried by secessionist groups and c) violence is considered a better method to achieve secession (Pavkovic with Radan 2007, 45-61). And he further analyses the four conditions that must be met for a violent secession: a) the readiness of the host state to use force to suppress the secession, b) the readiness of the secessionist group to use violence to achieve its means, c) the opposition of a minority and concentrated group in the seceding state to the secession of the territory, and d) the existence of violent groups which are not controlled by the host state or the

secessionists (Pavkovic with Radan 2007, 67) and the three conditions that must be met to avoid violence: a) that both host states and secessionist states are parliamentary democracies, b) that the secessionist states be part of a federal regime (or similar), and c) that the host authorities do not want to use force to suppress secession (Pavkovic with Radan 2007, 88-9). When Pavkovic analyses the dissolution of the Soviet Union and Yugoslavia in 1991, he pinpoints to four sources of mass violence in these two cases: a) the intention of the host state to control the territory of the seceding state by military force, b) the attempt of the secessionists to provoke the host state and to dispute the host state control in the seceding state by a campaign of violence, c) conflict among ethnic groups in the seceding territory, and d) when the secessionists try to provoke international intervention in the conflict (Pavkovic with Radan 2007, 163).

### Historical background

It is important to notice that in the last one hundred years, all secessions or attempts at secession took place in multinational empires, states or federations, where there are distinct

nations, different from other nations in the same host state (Pavkovic with Radan 2007, 13-14). Also, in the case of conflictive secessions, the support of an outside power for a seceding state is important, the so called principle of “Might makes right” as the cases of Bangladesh supported by India, of Kosovo supported and recognized by the West and Abkhazia and South Ossetia recognized by Russia show.

For the definition of nation, we will use the ethno-symbolist theory of Anthony D. Smith. Smith defines a nation as “a named and self defining human community whose members cultivate shared memories, symbols, myths, traditions and values, inhabit and are attached to historic territories or homelands, create and disseminate a distinctive public culture and observe shared customs and standardized laws” (Smith 2009, 28-30).

In the last one hundred years, nationalism seems to have played a key role in successful secessions or attempted secessions (Pavkovic with Radan 2007, 17). Smith defines nationalism as “an ideological movement for attaining and maintaining autonomy, unity and identity on behalf of a population deemed by some of its members to constitute an actual or potential nation” (Smith 1991, 73). For Smith, nationalism is an active movement inspired in the ideology

and symbolism of the nation. The doctrine of nationalism assumes that a) humanity is divided into nations, each of them with its history, character and destiny, b) the nation is the only source of political power, c) loyalty to the nation takes precedence over any other loyalty, d) in order to be free, human beings must belong to a nation, e) nations need autonomy and free expression and f) peace and justice can only be built with a plurality of free nations. Nationalism is a doctrine of the nation not the state (Smith 2009, 61-63).

Besides national ideologies, the creation of new states is also underpinned by the principle of self-determination (Pavkovic with Radan 2007, 19).

The principle of self-determination appeared in the international scene in World War One. “America’s entry into the war made total victory technically possible, but it was for goals which bore little relation to the world order Europe had known for some three centuries and for which it had presumably entered the war. America disdained the concept of balance of power and considered the practice of Realpolitik immoral. America’s criteria for international order were democracy, collective security and self determination –none of which had

undergirded any previous European settlement” (Kissinger 1994, 221). President Woodrow Wilson of the United States announced his famous Fourteen Points, a sort of statement of principles for peace that was to serve for future peace negotiations, on 8th January 1918, before a joint session of the United States Congress. Of all the concepts, the autonomous development of the people of Austria-Hungary (point 10), the adjustment of colonial claims (point 5), the future of the Ottoman Empire (point 12), the evacuation of Belgium (point 7), the creation of an independent Poland (point 13) and the creation of a League of Nations (point 14) were particularly important. Of all of Wilson’s ideas, the principle of self-determination was the most relevant. It was not clear even for the United States delegates at the Peace Conference after the war what the president wanted to say. It was not evident what President Wilson meant for “autonomous development”, “the right of those who submit to authority to have a voice in their own governments”, “rights and liberties of small nations”, “a world made safe for each peace loving nation which like our own wishes to live its own life, determine their own institutions”. Did Wilson want to indicate the extension of democratic self government or that peoples who

consider themselves a nation had their own state? (DerGhougassian and Torres 2014; MacMillan 2003, 11). A careful reading of the Fourteen Points do not allow us to answer these questions. Point 5 maintained the need for a free and impartial adjustment of all colonial claims based on the principle that government claims must have equal weight as the interests of the peoples involved, but Wilson did not pretend to open all colonial claims. He was only interested in the German colonies. This point also assumed the colonial powers had to act as trustees not as masters. Points 7, 10, 12 and 13 referred to specific points like the evacuation of Belgium, Austria-Hungary and its successor states including the creation of Czechoslovakia, the future of the non Turkish nationalities of the Ottoman Empire and the recreation of Poland in Polish inhabited lands. The project of Wilson replaced the old imperial territories with smaller states. Some of the proposed states did not see the light, like Greater Armenia and Kurdistan in former Ottoman territories due to Ataturk and Soviet Russia’s expansionist policies (DerGhougassian and Torres 2014; MacMillan 2003, 427-455). Vladimir Lenin, from the other ideological spectrum, started to discuss the principle of

self-determination at the end of the XIX century. During the London Congress of the Second International in 1896, the principle appeared in the final declaration: “This Congress declares that it stands for the full right of all nations to self-determination and expresses its sympathy for the workers of every country now suffering under the yoke of military, national or other absolutism. This Congress calls upon the works of all these countries to join the ranks of the class-conscious workers of the whole world in order to jointly fight for the defeat of international capitalism and for the achievement of the aims of the International Social Democracy”. This resolution of the Congress of the Second International clearly establishes a link between self-determination and class struggle, without being absolutely clear about its reach. Paragraph nine of the program of the Social Democratic Workers Party of Russia adopted in the Second Party conference in 1903 in London affirms the right of all nations which are part of a state to self-determination but is unclear about its implementation. When asked about it, Lenin explains that the right of self-determination is the right of each nation to secession and to form an independent state. But he later restricted it when he said that each claim to self-determination did not stem from

the recognition of the right of self-determination but that the same had to be subject to the principle of class struggle. In September 1913, the Central Committee of the Social Democratic Workers Party of Russia approved a resolution on the National Question written by Lenin which in points 4 and 5 state:

4. “The Social Democratic Workers Party must unconditionally support the rights of the nations oppressed by the Czarist monarchy to self-determination, ie: to secession and formation of an independent state.
5. The question of the right of nations to self-determination (ie: that the State Constitution gives a guarantee that the question of secession can be decided in a completely free and democratic manner) should not be confused with the question of the expediency of the secession of this or that nation. The latter question must be resolved by the Social Democratic Workers Party in each individual case completely independent of the perspective of the interests of the entire social development and of the interests of the class struggle of the proletariat for socialism”.

After Lenin, Stalin in 1913 defines the right of self-determination as “The nation can order itself as it wishes. It has the right to enter into federative relations with other nations. It has the right to secede completely. The nation is sovereign and all nations have equal rights” (DerGhougassian and Torres 2014; Asenbauer 1996, 127-9).

### Theoretical Framework

Before we embark in the general descriptions of the different theories of secession, we must clarify that there is not a single theory that can apply to the different secessions that have occurred since the beginning of the XXth century, as all cases are unique. Theories can be classified into explanatory theories which explain why secession occurs and normative theories which discuss the moral, ethical and political principles that underlie secessions.

Among the explanatory theorists, Donald Horowitz (1985) links secession to ethnic groups. For him ethnic conflicts are the result of “group apprehension” and considers four paths to secession: “a) backward group in backward region, b) advanced group in backward region, c) advanced group in advance region” and “d) backward group in advance region”. He also

identifies three universal conditions for secession: when a state is ruled by a military or dictatorial regime or an ethnic group, when an ethnic group suffers violence, or if another group tries to assimilate the group that might secede. He also predicts that backward groups in backward regions and in advance regions will try to secede earlier than advance groups and he also advances that backward groups in backward regions will attempt to secede more often than other groups.

Mark Beissinger (2002) tried to explain the fall of the Soviet Union and he cited three causes: a) structural conditions (the Soviet federal structure and the role of the nationalities in the constituent units of the federation), b) institutional constraints (state repression) and c) what he calls “events”. Beissinger defines events as “occasions which disrupt the normal boundaries of an ongoing order”. For Beissinger the events in the Baltics created a “tide of nationalism” which led to a change in the national identity and the Soviet institutions and facilitated “the persuasive influence” of such events on other republics, in part due to the elimination of the threat of repression. For Beissinger, “secessionist mobilization emerged in the Soviet Union as a transnational tidal force”.

Among normative theorists, Allen Buchanan (1991, 2003) considers that in their declaration of independence in the early 1990s, the Baltics were restoring their independence lost in 1940, and as such their independence was a remedy for past injustices (1991). Also, he considers that two specific uses of force, ie: conquest and genocide and one particular interest, ie: basic human rights justify secession if the host state fails to protect basic human rights or uses force. Secession is thus a remedy. Also, secession is justified if a host state does not fulfill a previous agreement regarding autonomy for the state that wishes to secede.

For Yael Tamir (1993), a main function of the state is to reaffirm the national identity of the group in the state. If national minorities are not supported by state institutions, they have a right to secede.

Pavkovic (2007) proposes the principle of no irreparable harm. “For secessions to be morally permissible, it is necessary that no irreparable harm be caused by the secessionists, ie: killings or forced evictions from homes”.

### Legal Issues

The purpose of this section is to analyze the legal implications of secession under

International Law and domestic Constitutional Law where it applies.

The United Nations Charter of 1945 in Articles 1 (2) and 55 first accepted the “principle of equal rights and self-determination of peoples” as a universal principle for the relations among states and peoples. Afterwards, in 1960, the Declaration on the Granting of Independence to Colonial and Peoples adopted by the United Nations General Assembly accepted the principle of self-determination as a legal right. The United Nations General Assembly Resolution 1541 also passed in 1960 defines that “the achievement of the full measure of self-government –that is the complete independence and freedom can take the following three forms or modes (Principle VI): a) Emergence of a sovereign independent State, b) Free association with an Independent State or c) Integration with an Independent State”. Nevertheless, these resolutions did not clarify the means to manifest the will of the people as stated in the 1960 Declaration. These resolutions and declarations were the basis for the dismantling of the European Powers colonial empires after 1945 (Pavkovic with Radan 2007, 20-21).

The most important document on self-



determination from the United Nations is United Nations General Assembly's Declaration on Principles of International Law Concerning Friendly Relations and Co-operation Among States in Accordance With The Charter of the United Nations (Declaration on Friendly Relations) of 1970 (General Assembly Resolution 2625). Principle 5 of the Declaration covers the following points:" a) the right of peoples to self-determination can be implemented by the establishment of a sovereign and independent State, b) the right of peoples to self-determination has to be read in conjunction with the right of states to maintain and preserve their territorial integrity, and c) a state's right to territorial integrity prevails over the right of any of its peoples to self-determination, provided that state conducts itself in accordance with the principles of equal rights and self-determination of peoples (Pavkovic with Radan 2007, 234-235).

Some state constitutions include or have included the right of secession. Nowadays, only St Kitts and Nevis and Ethiopia do so. St Kitts and Nevis allows for the island of Nevis to secede from the federation. In the case of Ethiopia, the constitution permits secessions according to the procedures set up in the constitution which include a referendum

supported by majority vote (Pavkovic with Radan 2007, 229).

The constitution of the Russian Socialist Federative Soviet Republic of 1918 implicitly recognized the right of self-determination in chapter one, by stating "The Russian Soviet Republic is organized on the basis of a free union of free nations, as a federation of soviet national republics<sup>1</sup>. In the past, the constitutions of the Soviet Union of 1924, 1936 and 1977 in articles 4 for the constitution of 1924, 17 for the constitution of 1936 and 72 for the constitution of 1977 (Unger 1981, 43; Asenbauer 1996, 124) recognized the right of secession. Nevertheless the principle of secession was regulated only by the Law of Secession of 3rd April 1990 which established a very cumbersome process which could last up to five years for a secession of the units of the federation. The Soviet government passed the law with Lithuania in their minds in order to gain time (Carrère d' Encausse 1991, 360-4). When discussing the secession of Nagorno-Karabagh from Azerbaijan in 1991, Otto Luchterhandt maintains self-determination is not only a political principle but a norm of International Law. For Luchterhandt, ethnic groups who live as a minority in a foreign state can claim

the right of self-determination even though it contradicts the principle of territorial integrity, because in his view, where self-determination is concerned there are normal and exceptional cases. In normal cases, territorial integrity takes precedence. In exceptional cases, where the minority is discriminated, self-determination takes precedence (Luchterhandt 1993, 71-2).

In the case of the Socialist Federal Republic of Yugoslavia, the constitution of 1974 –the constitution in force until the dissolution of the federation– did not contain an explicit provision outlining secession but other principles of the constitution seemed to provide a basis for it. The sovereignty of the peoples of Yugoslavia had been the principle providing legitimacy to the federation since its founding in 1945. The concept of state unity was a solid principle in Yugoslav constitutional law and seemed to imply the sovereign right to secede had been forfeited but the constitution did not specify which rights citizens retain implying all rights remained accessible. The collective head of State and the Federal Executive Council of Yugoslavia confirmed that a right to secede under the constitution existed. This right would presumably have to be interpreted by the federal government considering the notion of Yugoslav federalism (Bagwell 1991).

The Constitution of the Union of Burma of 1948 –no longer in force– also included the right to secede (Constitution of Burma 1948).

In the case of Quebec, the Supreme Court of Canada issued a landmark ruling regarding the legality of Quebec's secession from Canada on August 20th 1998. The cabinet of Canada requested for an advisory opinion on three specific questions: 1. "Under the Constitution of Canada, can the National Assembly, legislature of government of Quebec effect the secession of Quebec from Canada unilaterally? 2. Does international law give the National Assembly, legislature or government of Quebec the right to effect the secession of Quebec from Canada unilaterally? In this regard, is there a right to self-determination under international law that would give the National Assembly, legislature or government of Quebec the right to effect the secession of Quebec from Canada unilaterally? 3. In the event of a conflict between domestic and international law on the right of the National Assembly, legislature or government of Quebec to effect the secession of Quebec from Canada unilaterally, which would take precedence in Canada? In its opinion, and in answering the first question, the Court stated that under the

constitution, unilateral secession was not permissible. However if Quebec were to decide in favor of independence, the rest of Canada “would have no basis to deny the right of the government of Quebec to pursue session”. But there would have to be negotiations in order to determine under which terms Quebec could achieve independence bearing in mind the four principles of the Canadian Constitution, ie: federalism, democracy, constitutionalism and protection of minorities.

In answering the second question, the Court stated that “International Law does not specifically grant component parts of sovereign states the legal right to secede unilaterally from their parent state”.

In answering the third question, as the Court saw no conflict between Canadian and International law, it did not answer this question (Pavkovic with Radan 2007, 83-4).

On 22nd July 2010, the International Court of Justice issued its Advisory Opinion, at the request of the United Nations General Assembly on the issue of whether Kosovo’s unilateral declaration of independence was in agreement with International Law. The Court decided that “the adoption of the declaration of independence of 17th February 2008 did not violate general International Law, Security Council resolution

1244 (1999) –on Kosovo– or the Constitutional Framework (adopted on behalf of UNMIK- United Nations Mission in Kosovo –by the Special Representative of the Secretary General) and that consequently the adoption of that declaration did not violate any applicable rule of International Law”<sup>2</sup>.

Kosovo has been recognized by 115 countries since 2008 by November 2018 (with ten withdrawing their recognition) but not by Serbia and is not a member of the United Nations even though there is an ongoing process of normalization with Serbia not yet complete. It is also important to mention the recognition of the independence of South Ossetia and Abkhazia by Russia in August 2008 following the Georgian-Russian war and the recognition by the West of Kosovo’s independence. Both countries are also recognized by Nicaragua, Venezuela, Nauru and Syria (DerGhougassian and Torres 2014 and CIA World Factbook consulted on 19th June 2019).

### Secessions and Attempted secessions in the last one hundred years

We will briefly try to discuss the successful secessions and attempted secessions since the

beginning of the XXth century. This is not a comprehensive list but we are covering the most important ones. We are excluding, for obvious reasons, the independence of former colonies which are not covered by this paper which does not deal with decolonization:

1905: Dissolution of the union between Sweden and Norway. In 1905, after the King Oscar II of Sweden and Norway refused to enact the law of Norway's parliament creating a Norwegian Consular Service independent of Sweden's in May 1905, Norway's government resigned. The King was no longer in a position to appoint a government for Norway. In consequence, the Norwegian parliament proclaimed the end of the Union in June. The Swedish government expressed his interest in dissolving the union –in place since 1814– if the people of Norway agreed. After a referendum in Norway on the dissolution of the Union on 13th August 1905, negotiations between Sweden and Norway at Karsltad, Sweden resulted in the formal end of the Union. Prince Carl of Denmark became King Haakon VII of Norway (Lindgren 1959; Pavkovic with Radan 2007).

1916-1918: Dissolution of the Ottoman Empire. The Hejaz, ruled by the Hashemites, which had proclaimed its independence in 1916, was internationally recognized in 1920. As per the

treaty of Sèvres between the Ottoman Empire and the victors of WWI of 10th August 1920, the Kurdistan was scheduled to have a referendum to decide its future which never took place and Western Armenia –with boundaries set by President Wilson– was to be ceded to the Republic of Armenia to form a single Armenian state. The United (Wilsonian) Armenia was not implemented due to the advances of Ataturk's forces in the Turkish Civil War (1919-1923) and Armenia renounced the Sèvres provisions by the Treaty of Alexandropol between Armenia and the Grand National Assembly of Turkey of 3rd December 1920. Thrace (up to Chatalja), the islands of Imbros and Tenedos and the islands of the Sea of Marmara were ceded to Greece; Turkey later recovered these territories by the Treaty of Lausanne of 1923 signed between the Grand National Assembly of Turkey and some of the signatories of Sèvres. Yemen seceded in October 1918. Palestine and Mesopotamia became British mandates and Syria and Lebanon French mandates. The Hashemite Kingdom of Iraq in Mesopotamia was established in 1921 under British protection. Turkey became a republic in 1923 after the abolition of the sultanate in 1922. The Ottoman caliphate was abolished in 1924

(MacMillan 2003).

1917-1918: Secessions from Russia. Following the revolutions of February 1917 (Old Style) which overthrew the monarchy and October 1917 (Old Style) which brought the Bolsheviks to power, Finland seceded in December 1917, Lithuania in February 1918, Estonia in February 1918 and Latvia in November 1918. The Transcaucasian Federation was created in April 1918 to be dissolved in May 1918 and replaced by the independent republics of Georgia, Armenia and Azerbaijan. Azerbaijan was occupied by the Soviet troops in April 1920, followed by the occupation of Nagorno-Karabagh and Armenia later in the year and Georgia in 1921. Parts of Ukraine briefly seceded between 1918 and 1921. Poland was reconstituted in 1918. The Soviet Union was officially created in December 1922 by Russia, Ukraine, Byelorussia and Transcaucasia –formed by Armenia, Azerbaijan and Georgia– (MacMillan 2003).

1918: Independence of Iceland. A Danish-Icelandic committee in July 1918 proposed a Union treaty between Denmark and Iceland – until then part of Denmark with home rule. Iceland became a constitutional monarchy with the King of Denmark Christian X as King of Iceland. The personal union between the

kingdoms was dissolved when Iceland became a republic in 1944 (Lee 1990; Pavkovic with Radan 2007).

1918: Dissolution of Austria-Hungary. At the end of the war, Emperor Karl I of Austria who was also King Karl IV of Hungary issued separate proclamations for Austria and Hungary in November 1918 and left Austria for Switzerland in March 1919. The Ausgleich (Compromise) of 1867 formally came to an end. German Austria became a republic in November 1918 and Hungary also became a Democratic Republic in the same month –the monarchy was restored in Hungary in February 1920 but without a King with Miklos Horthy serving as Regent. Both Austria and Hungary lost territory. In October 1918, Bohemia and Moravia until then part of Austria and Slovakia (Upper Hungary) and Carpathian Ruthenia until then part of Hungary plus the Lower Austrian territories around Feldsberg and Gmünd formed Czechoslovakia. Austrian Silesia was divided between Czechoslovakia and a reconstituted Poland. The Kingdom of Galicia and Lodomeria –part of Austria– became part of the new Poland. Bukovina which was part of Austria was given to Romania. Austrian South Tyrol, Trentino, the Carinthian Canal Valley

around Tarvisio, the Austrian Litoral (Goriza and Gradisca, Trieste and Istria) and some Dalmatian Islands went to Italy. Austria lost Dalmatia, Carniola (Slovenia), Lower Styria, the Carinthian Meza Valley and Jezersko which joined with Croatia-Slavonia –until then part of Hungary–, and the Austro-Hungarian province of Bosnia-Herzegovina to form the State of the Slovenes, Croats and Serbs. This short lived and unrecognized state joined Serbia which had just annexed Montenegro to create the Kingdom of the Serbs, Croats and Slovenes –Yugoslavia as of 1929– in December 1918. Hungary had also to cede Transylvania to Rumania, Vojvodina, Banat, Backa and Baranja to Serbia, Medimurje to Croatia, Fiume to be disputed by Italy and the new Kingdom of the Serbs, Croats and Slovenes and Burgenland to Austria (MacMillan 2003).

1922 Irish Free State from the United Kingdom. It was established in December 1922 under the Anglo-Irish Treaty of December 1921, thus ending the Irish War of Independence. The Free State was created as a Dominion within the British Commonwealth and consisted of 26 out of the 32 counties of Ireland. Northern Ireland, created in 1921 by the Government of Ireland Act of 1920, opted out of the Free State in 1922. In 1931 by the Statute of Westminster, the Parliament of the United Kingdom had no

further legal jurisdiction over the Free State. The Free State ceased to exist with the passing of a new constitution in 1937. The last remaining links with the British monarchy came to an end in 1949 when Ireland became a republic (Coogan 1990).

1933: Attempted secession in Western Australia. In April 1933, Western Australia held a referendum alongside state elections. The electorate voted to secede from the Commonwealth of Australia. The Western Australian government sent a delegation to London to ask the British Parliament to overturn the act that had created the Commonwealth of Australia. The British House of Commons refused (Musgrave 2003).

1960-1963 Attempted secession of Katanga from the Congo (and also South Kasai 1960-1962). Katanga seceded from the Republic of Congo-Léopoldville –renamed Democratic Republic of the Congo in 1964– in July 1960 under Moïse Tshombe. The new government did not control the whole province but it had the support of Belgium and Belgian troops even though the new state was not recognized by Belgium. In 1960, at the request of the Congolese government of Patrice Lumumba, the United Nations Security Council adopted Resolution 143 requesting Belgium to remove

its troops from the Congo and for the United Nations to provide military assistance. In 1960, Lumumba was deposed by Joseph Mobutu meanwhile clashes continue in Katanga. The United Nations increased its operational strength in Congo. In January 1963, Tshombe conceded defeat and Katanga was reintegrated in the Congo (Gondola 2002).

1967-1970: Attempted secession of Biafra from Nigeria. Biafra formed by Nigeria's Eastern Region mostly populated by ethnic Igbos seceded from Nigeria from May 1967 to January 1970. The new state was recognized by Gabon, Haiti, Ivory Coast, Tanzania and Zambia. The ensuing war which resulted in the deaths of over two million Biafran civilians due to a Nigerian blockade ended with the surrender of the Biafran government and its reintegration into Nigeria (Pavkovic with Radan 2007).

1971: Secession of Bangladesh from Pakistan. East Pakistan, part of Pakistan since the partition of British India in 1947 seceded from Pakistan in 1971 after a brief liberation war with Indian support to form the new State of Bangladesh. The Bengalis proclaimed the independence of Bangladesh in March. India joined the war on the Bengali side in December 1971. Pakistan surrendered<sup>3</sup>.

1991: Dissolution of the Soviet Union. The

gradual process of the dissolution of the Soviet Union began with the elections for the new Congress of People's Deputies in March 1989. Gradually the union republics of the Soviet Union began to proclaim their sovereignty, ie: Estonia in November 1988 followed by Lithuania in May 1989 and Latvia in July 1989. Lithuania in March 1990, after local elections, proclaimed the restoration of the independence lost in 1940. Russia proclaimed its own sovereignty in June 1990. Following the failed attempts of Gorbachev at creating a new union of states that would replace the Soviet Union and the attempted coup d' état of August 1991, most of the Soviet republics proclaimed their independence. Latvia proclaimed its independence, followed by Estonia, Moldova, Armenia, Azerbaijan, Belarus, Tajikistan, Uzbekistan, Turkmenistan, Kazakhstan, Kyrgyzstan and the Ukraine. Georgia had proclaimed its independence in April 1991. The independence of the Baltics was recognized by the Soviet Union in September 1991. In December 1991, the leaders of Russia, Belarus and Ukraine (Yeltsin, Shushkevich and Kravchuck) in Belavezha, Belarus, declared the dissolution of the Soviet Union. Gorbachev resigned at the end of

December and the Soviet Empire came to an end. Some republics or regions also proclaimed their independence: Nagorno-Karabagh proclaimed its independence from Azerbaijan in September 1991, Transnistria from Moldova in September 1990, Abkhazia from Georgia in July 1992 and South Ossetia from Georgia in December 1991. Abkhazia and South Ossetia have received recognition from Russia and their allies since 2008 (DerGhougassian and Torres 2014; Suny 2011).

1991: Dissolution of Yugoslavia. Following multiparty elections in the autumn of 1990, Slovenia and Croatia proposed transforming Yugoslavia into a loose confederation of six republics. Rejected by Serbia, in June 1991, Slovenia and Croatia proclaimed their independence. Amid violent confrontations, the international community pressured Slovenia and Croatia to place a moratorium on their independence. The Serbs in Krajina, Croatia created their own republic not recognized by Zagreb. Macedonia proclaimed its independence in September 1991. In October, Slovenia and Croatia restated their independence at the end of the moratorium. Their independence was internationally recognized in January 1992. Bosnia-Herzegovina organized an independence referendum in February 1992 rejected by the

Serb population. Following Bosnia-Herzegovina declaration of independence in March 1992, the Serbs of Bosnia-Herzegovina proclaimed their own independence and war started in Bosnia. In April Serbia and Montenegro proclaimed the Federal Republic of Yugoslavia, later the Union of Serbia and Montenegro (2003) from which Montenegro withdrew in 2006 after a referendum. The war in Krajina, Croatia ended in 1995 with a Croatian victory and in Bosnia-Herzegovina in 1995 with the partition agreements of the Dayton Accords (Pavkovic with Radan 2007).

1993: Dissolution of the Czech and Slovak Federation. In 1992 Czech and Slovak negotiators set up a formal legal framework for the dissolution of the federation. The dissolution was effected on January 1st 1993<sup>4</sup>.

1993: Secession of Eritrea. Following thirty years of war, Eritrea's war of liberation ended in 1991 with the victory of the Eritrean People's Liberation Front. Following a referendum, Eritrea seceded from Ethiopia in May 1993<sup>5</sup>.

1996: Attempted secession from Nevis from St Kitts and Nevis. Nevis held a referendum to secede from the federation in 1998. Even though a majority of the island population voted for independence, a two third majority



would have been needed in order for the referendum to succeed<sup>6</sup>.

1996-1999: Chechnya attempted secession. Following the disintegration of the Soviet Union in 1991, an independent movement, the Chechen National Congress, was formed led by Dzhokhar Dudayev. It tried to obtain the recognition of Chechnya as an independent nation. This was opposed by President Yeltsin of Russia. The First Chechen War lasted from 1994 to 1996. After a ceasefire, the Russians withdrew and Chechnya enjoyed de facto independence. A second war started in August 1999 and led to the Russian reconquest of Chechnya in 2000 (DerGhougassian and Torres 2014).

Quebec attempted secession. The government of Quebec organized referendums in 1980 and 1995 to decide on their relationship with Canada. In the first referendum, the government wanted a mandate to negotiate sovereignty-association. In 1995, the government of Quebec wanted to declare independence after offering a partnership to the government of Canada. In both cases, the separatists were defeated (Pavkovic with Radan 2007).

Tamil Eelam attempted secession. The Tamils wanted to have an independent state in northern and eastern Sri Lanka in the areas inhabited by the Tamils. Tamil Eelam was not internationally

recognized, even though most of the territory was under effective Tamil control for most of the 2000s. The Liberation War launched by the Tamil Tigers in 1983 ended with their defeat in 2009 and the reintegration of their territory into Sri Lanka (Pavkovic with Radan 2007; CIA World Factbook consulted on 19th June 2019).

2008: Kosovo secession. Kosovo autonomous status in Yugoslavia granted by the 1974 constitution was abrogated in 1989. The interethnic tensions between the Kosovar majority and the Serbian government grew worse in the 1980s. In 1992, Kosovo Albanians proclaimed their independence, only recognized by Albania. With the status of Kosovo unresolved, the Kosovo Liberation Army started a guerilla warfare in 1996 seeking the separation of Kosovo from Serbia and its union with Albania. In 1998, international pressure forced Serbia to sign a ceasefire and withdrew its forces from Kosovo. Fighting resumed and the Rambouillet accords of 1999 were rejected by the Yugoslav (Serbian) delegation. After NATO bombing of Yugoslavia in 1999, Belgrade withdrew its troops and a United Nations interim administration was established. Kosovo declared its independence

in February 2008. By November 2018, its independence has been recognized by 115 countries, 10 of which later withdrew recognition, but not by Serbia (DerGhougassian and Torres 2014 and CIA World FactBook consulted on 31st May 2019).

2011: Secession of South Sudan. After more than fifty years of intermittent warfare with the Muslim North, and a Comprehensive Peace Agreement signed in 2005, South Sudan proclaimed its independence in 2011, following a referendum (CIA World Factbook consulted on 19th June 2019).

2014: Scotland attempted secession. For the first time since the coming into force of the Treaty of Union in 1706 ratified by England in 1706 and Scotland in 1707 which created the Kingdom of Great Britain, a Scottish parliament and government was established in Edinburgh in 1999. In a referendum in September 2014, Scotland voted to remain in the United Kingdom. The possibility of another referendum has increased due to the Brexit process. The withdrawal of the United Kingdom from the European Union was approved in the June 2016 referendum in the whole United Kingdom, but was rejected in Scotland (Torres 2018).

2017: Catalonia attempted secession. Following a referendum in October 2017 which favored

independence –the referendum was declared illegal by the Spanish authorities– the Parliament of Catalonia proclaimed in the same month the independence of Catalonia from Spain. This led to the intervention of the local government by the Spanish government in Madrid which imposed direct rule until May 2018 when autonomy was restored. Catalonia had already proclaimed a republic before becoming an autonomous region in republican Spain in April 1931 and a Catalan state within a Spanish federal republic in October 1934. Catalonia's autonomy suspended by the Franco regime was restored in 1977 with the first statute of autonomy approved in 1979 (Torres 2018).

Kurdistan: Kurdistan is divided between Turkey, Iraq, Iran and Syria. An attempt to create an independent Kurdistan contemplated in the Treaty of Sèvres of 1920 in Ottoman Turkish territory failed, due to the nationalist campaign of Ataturk. The autonomous region of Kurdistan was created in Iraqi Kurdistan in 1991, following the Gulf War. Kurdistan played an active role in the overthrow of Saddam Hussein's regime in 2003. The Iraqi constitution of 2005 recognized the Kurdish autonomous region. An independence referendum was held in September 2017 but it

was not recognized by Iraq. The results favored independence, which was not declared by the local authorities<sup>7</sup>.

North Cyprus secession from Cyprus. The island has been divided since 1974, when following a failed coup attempt backed by Athens, Turkey invaded the North, which proclaimed its independence, recognized only by Turkey, in 1983. The attempts to reunify the island have failed so far<sup>8</sup>.

Faroe Islands and Denmark. The archipelago enjoys home rule within the Kingdom of Denmark since 1948. In March 2001 an independence referendum was cancelled after Denmark announced a pro-independence result would lead to a halt in annual subsidies. A referendum on a constitution that could have paved the way for independence from Denmark scheduled for 2018 was postponed<sup>9</sup>.

East Timor secession from Portugal and Indonesia. A former Portuguese colony, it briefly declared independence in 1975 following a civil war and a change of government in Portugal. In 1975, Indonesia invaded and occupied East Timor, killing a quarter of the population during the invasion and occupation. Following more than 20 years of conflict with separatist groups, and a change in government in Indonesia, East Timor voted for independence in September

1999. The UN took over administration of the territory. East Timor became independent in May 2002<sup>10</sup>.

Somaliland secession from Somalia. A former British protectorate which became part of Somalia in 1960, it proclaimed independence from Somalia after the overthrow of Somali dictator Siad Barre in May 1991 after several years of struggle with the central government of Somalia. Its independence has not been internationally recognized<sup>11</sup>.

## Conclusions

In the last one hundred years secessionism has become fashionable due to the collapse of empires, the mobilization of ethnic minorities, and the persistence of secessionist movements. In many conflictive cases, the support of an outside power in favor of the seceding state seems to be vital. It seems that the rigidity of the international community which only agreed to recognize new states if there was an agreement with the host state has been relaxed in recent years as the dissolution of Yugoslavia and the international recognition of Slovenia and Croatia, the recognition of Kosovo by the West, and the Russian recognition of

Abkhazia and South Ossetia seem to indicate.

It is also necessary to clarify that no single theory applies to all cases, each secession case is unique and there seems to be a certain lack of momentum in secessionism in the last few years following the failed referendum in Scotland in 2014, the not application of the referendum of Iraqi Kurdistan in 2017 and the failure of Catalonia's independence in 2017.

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