Secession and its diverse definitions

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Abstract

Like many other social and political phenomena, secession has been a subject of the inquiry of separate and often unrelated disciplines. This diversity of approaches to secession yielded different and sometimes incompatible definitions of secession. In view of this, the very concept of secession appears to be contested. One of the most influential legal definitions (by James Crawford, 2006) restricts the concept of secession to the withdrawal of territory which is opposed by the functioning host state. Mutually agreed withdrawal of territory or a withdrawal which is opposed by a disintegrating state, according to this definition, would not count as secession. A social scientist, Michael Hechter (1992) restricts secession only to the cases in which the host state retains its continuity as a state following the territory’s withdrawal. In his view, there are only a few genuine secessions – for example, that of Norway in 1905 and Irish free State in 1922. In contrast, a political scientist, John Wood (1981), maintains that every case of secession is a case of disintegration, even when the host state maintains its previous identity. This paper discusses the reasons for restricting the concept of secession only to specific kinds of withdrawal of territory. For the purposes of comparative study of secession it is useful to impose only minimal restrictions on this concept. Thus in this paper I argue that for this purpose it is sufficient to exclude only those withdrawals of territory which do not result in the creation of a new state, that is, which only result in the changes of inter-state borders (irredenta). Therefore, for purposes of comparative inquiry into secessions, it is argued here, secession is best defined as a withdrawal of territory from an existing state which results in the creation of a new state, regardless of other consequences that this withdrawal may have on the host state.
Definitions and their differences

Definitions of secession found in legal and political science literature often sharply differ. Some legal scholars and political scientists define secession so narrowly as to allow only one or two cases of secession *sensu stricto*. These scholars seem to imply that since secession is such a rare phenomenon, there is no point in comparative study of secession; what at first sight may appear to be a comparative study of secessions is, on their view, a study of phenomena of different kinds which do not require a systematic comparative study of secessions *sensu stricto*. Moreover, these definitions suggest that, in view of the rarity of secession, there is no point in searching for general principles for moral or normative justification or assessment of secession. In this essay I would like to argue that this restrictive approach to the definition of secession does not yield a fruitful approach to the study of the creation of new states and to their normative assessment. While the more permissive approach to definition is certainly more fruitful in both respects, I shall argue that some permissive definitions of secession offer too broad definitions to be useful for comparative study of secession and that they fail to provide any basis for normative assessment of secession.

The definitions of secession to be discussed in this paper focus not on the change of government or regime on the seceded territory but on the withdrawal of territory and sovereignty from an internationally recognized state. This is, indeed, what all definitions of secession have in common: they agree that secession involves at least the withdrawal or detachment of territory and its population from the jurisdiction of an established state; in this process, it is generally agreed, the established state loses the sovereignty or the capacity to exercise its sovereignty over the detached territory. As we shall see, the definitions of secession to be discussed here differ in their view on:

1. The means which are used to effect the withdrawal or detachment. The difference in these means is confined to the use of force or the threat of the use of force or its absence. No other differences are considered relevant to the definition of secession.

2. The effect of the withdrawal on the territorial integrity of the state from which the withdrawal is made. The difference here is between the detachments that breach in the state’s territorial integrity and detachment of territories which are not considered to be part of the state’s core territory.
The effect on the legal and political identity of the state from which the withdrawal is made. The difference is between those states which retain their previous legal/political identity after the withdrawal and those which change their identity and/or simply disappear.

The UN Charter of 1945 and all subsequent UN resolutions prohibit (a) the use of force in inter-state relations - except in self-defense (the UN General Assembly Resolution 1514 (1960) apparently extended self-defense to the cases of the defense of the right to self-determination of colonial peoples) and (b) any breaches of the territorial integrity and political unity of UN member states. The UN documents pointedly neither prohibit nor allow the use of force and the breach of territorial integrity for the purposes of secession (as distinct from decolonization); the word ‘secession’ and its possible cognates is absent from the UN documents. In the world in which secessions do happen, it has been left to the scholars to debate not only the question of what detachment of territory from a state counts as secession but also the question of whether the means and the effects that the UN rules out in inter-state relations are allowed in the cases of such attempts at territorial detachment or not. One way of addressing the latter question is to construct classificatory concepts or categories other than that of secession and to subsume most of the territorial detachments under these non-secession categories. Thus, one can argue – as it has been in the case of former Yugoslavia (SFRY) – that the detachments in question were in fact part of the dissolution of state which lead to the disappearance of states (see points 2 and 3 above). Any violent conflict occurring in these cases would be categorized as internal (intra-state) and not inter-state use of force (see point 1 above). Neither the dissolution nor disappearance of states nor, of course, any internal use of force (as in civil wars) are barred by the UN Charter. The new UN doctrine of Responsibility To Protect prohibits only the intentional use of violence against innocent civilians. Another way of minimizing the occurrence of secession is to treat some detachments of a state’s territory (for example, that of East Timor from Indonesia) as instances of (perhaps belated) decolonization which do not threaten the territorial integrity of UN member states (point 2 above). Within the UN legal framework, these are regarded not as secession but as legally required exercises of the right of self-determination of colonial peoples.

Let us for a moment avert our scholarly gaze from detachment of territories and the means and effects thereof. Let us instead look at the secession as a political process and as a political
outcome. What do the supporters of secession want to achieve, apart from (or in addition to) the independence of the territory that they claim from the state in which they live at present, the state which we shall call (without any prejudice) their ‘host state’? They want to be ruled by or governed a different group of people – usually those who belong to the same national group as they do. They may also want have a different apparatus of government, including a different legal order, from that of the host state; the desired difference may not be a difference in kind but only in the nomenclature, institutional structure and staff of the new apparatus. Moreover, they want to have a different political life, the life from which the political parties and politicians from the host state will be excluded. In short, they want a different ruling elite and a different institutional and political regime. If so, they want to achieve a change of governing elite and a change of institutional political and legal system/ regime by detaching the territory on which they live from the host state. Secession can be thus regarded as a process which, if successful, leads to the change of the governing elite and the political/legal regime similar to other processes which lead to such change without any detachment of territory. Viewing secession as a political process of this kind allows us to raise the following two related questions:

(1) How are people mobilized to support or demand such a change? and
(2) How is the demand for this kind of change related to the demand for the detachment of territory?

It is quite possible that the demand for the detachment of the territory is an instrument for effecting the change of elites and regime, in particular when there is no other way of achieving the latter two changes but by detaching the territory for the host state. In relation to that, one can also ask how one can effect the desired change of elites and regimes without detaching the territory or at least without causing the harmful consequences that such a detachment often brings about. These questions are obviously not addressed by legal scholars or normative theorists; they are, however, addressed by political scientists interested in comparative study of secessions. As we shall see in the last section of this essay, the difference in the questions they raise about secession may, at least to some extent, explain the difference in their definitions of secession.
Definitions of secession: the contest

Restrictive approaches. James Crawford’s approach to secession is probably the best known example of a restrictive definition of secession: ‘...attempts at secession – which may be defined as the creation of a State by the use or threat of force without the consent of the former sovereign -...' (Crawford, 2006, p.375).

Many others scholars, including social scientists, restrict secession to the detachment of territory ‘without the consent’ of the host state, i.e. the former sovereign (for a comprehensive list see Anderson forthcoming ). As Radan (2008) and Anderson note, the definition of secession here is made contingent on a specific process of detachment or withdrawal. There are a variety of reasons for taking such a restrictive approach. For Crawford, the cases in which the sovereign consents to or agrees with a detachment of a territory are unproblematic from the point of international law and international practice of recognition of states: if and when the host state consents such a withdrawal of territory, it recognizes the independence of the newly created state and other states are free to – and they do – follow suit. Likewise, the recognition by the host state appears to be necessary for the admission of newly created state, as a member state, to the United Nations, the exclusive club of sovereign and independent states. In this sense, detachments of territory and creation of new states on these territories with the consent of the host state (‘former sovereign’) pose no problem for international law and practice and hence are not deemed to be secessions: secessions are only those problematic cases of detachments to which the host state at least initially does not consent. Political scientists such as Heraclides (1991) who offer similar definitions to Crawford’s probably find the above unproblematic detachments of territory lacking in many features of the ‘abrupt and unilateral’ separations which they prefer to study. The latter ‘abrupt and unilateral’ that is, non-consensual secessions are characterized by a protracted political conflict escalating quite often to violence which is a favourite subject of study by Heraclides and many other social scientists. Hence only those – and not the unproblematic ones – qualify as secessions.

Indeed, the absence of consent of the host state is usually associated with the use or threat of force: in demanding or proclaiming independence, without the consent of the host state, the secessionists are implying that they will consider any use of force against their emergent state as aggression against which the use of force is, in turn, justified. In this sense, any demand or proclamation of independence implies the right to use force to defend it. In demanding or
proclaiming independence, the secessionists are claiming the status of the sovereign state which thereby gains the right of self-defense against those who are challenging its sovereignty. In turn, in withholding consent from a detachment of territory, the host state, as a legal sovereign, is retaining the right to use force on that territory and to prevent its detachment. In granting consent to a detachment, the host state is giving up its sovereignty over the territory and thereby losing any right to use force on that territory. Granting consent to a detachment in this sense makes the detachment so unproblematic as to look like ceding or relinquishing of the territory; if so, one could further argue that such voluntary cessation of territory is categorically or conceptually different from its (involuntary) secession (Haverland 1991, p. 255).

Yet as Radan (Pavković with Radan 2007, p. 7) pointed out, divorce is a legal termination of a marriage, whether one or both partners consent to it. Why would the termination by mutual agreement or consent belong to a different category from the termination with only one partner consenting? The analogy of divorce, widely used in discussion of secession, is usually quite misleading (see Aronovitch 2000). But in this case this analogy is not meant to tell us anything about secession but only about a restrictive approach to defining secession.

The absence of consent is not sufficient conceptually to differentiate a detachment of territory from a similar detachment, leading to the creation of a new state, which has, at some point prior or after the formal proclamation of independence, gained the consent of the former host state. By asking whether a state has been created through secession we are not, *eo ipso*, asking whether its detachment has gained consent of the host state or not. Thus we are not making a conceptual or categorical mistake if we say that Montenegro or Iceland or Norway were created by way of secession. In none of those cases are we thereby implying that the host state has withheld consent from the creation of the new state. This would be, as it were, a question for additional information about how the secession took place.

*Permissive approaches.* Permissive definitions are often advanced in response to the restrictive ones and thus tend to be all inclusive. Peter Radan (2008) thus defines secession as

Secession is the creation of a new state upon territory previously forming part of, or being a colonial entity of, an existing state (Radan 2008, 18).

Glen Anderson (forthcoming) defines it similarly as ‘[t]he withdrawal of territory (colonial or non-colonial) from part of an existing state to create a new state’. A major difference
between these two is that Anderson’s definition assumes that colonies are parts of existing states. For the present purposes the difference is of no importance because both definitions regard decolonisation as a form of secession.

Even more inclusive definitions of secessions are found in legal scholarly literature. Christine Haverland has, for example, defined secession as’ the separation of part of the territory of a State carried out by the resident population with the aim of creating a new independent State or acceding to another existing state’ (2000 p.254).\(^1\) According to this definition, secession does not need to aim at the creation of a new state: a transfer of territory from one state to another also counts as secession. Transfer of territory to another state in which the resident population is often is often called ‘irredenta’. In short, according to this inclusive definition (endorsed by a number of legal scholars, such as David Raic), secession includes cases of irredenta (for a comprehensive list of the scholars who endorse this kind of definition see Anderson forthcoming).

The aim of Haverland’s inclusive definition is to differentiate detachments of territory in which the resident population is involved as an alleged agent of the detachment from those in which the resident population is not so involved. In this way the detachments of this kind are differentiated from various kinds of annexation of a territory of one state by another state in which the population is not involved, for example, through sovereign purchase of territory (practiced up until late 19th century) or border adjustment. In the latter cases, the former sovereign is relinquishing or ceding territory and the resident population is not an agent of this change.

Against so inclusive a definition one can advance at least the following three reasons. First, in the present state system, regulated by the UN Charter and UN documents, if a populated territory is withdrawn from the jurisdiction of a state – with or without the involvement of its population – the territory faces only the following two options: either a new state is created on this territory or the territory falls under the jurisdiction of another state.\(^2\) There is no third option allow this territory to remain outside state jurisdiction of some kind: there is no option of *terra nullius* except for some unpopulated regions of the Antarctic which are not and have not been under sovereign jurisdiction of a state. These are the two only outcomes irrespective of the agent which allegedly carried out the withdrawal. In this sense, the agent of the withdrawal appears to be irrelevant.
Second, the resident populations, the alleged agents of the withdrawal in both the cases of secession and of irredenta, appear to belong to two different types of agency. In order to withdraw territory from a state and create a new state, the resident population (or rather its representatives) do not need to seek approval or acceptance of any third party. No third party needs to act in order at least to attempt to withdraw a territory in order to create a new state. In order to transfer territory to another state, another party, that is, the receiving state, has to act too, so as to approve and accept the transfer. Thus the agent of the withdrawal in the cases of irredenta are both the resident population and the receiving state or its authorities.

Third, the two outcomes – the creation of a new state and the transfer of territory – have hugely different legal and political consequences and are consequently regulated in fundamentally different way. The creation of a new state introduces a new apparatus of government and a new formally independent player in the international state system. Since the transfer of territory only changes the state jurisdiction over the territory, the only change, apart from the state jurisdiction, is the change of borders. All this suggests that the inclusive definition which regards irredentism as a form of secession may not be of much use for purposes of comparative study of either legal or political aspects of secession.

Yet for Radan and Anderson, the advocates of a (moderately) permissive definition, a key feature of the creation of a new state is another kind of transfer – the transfer of sovereignty from the previous host state to a new state. It is this transfer of sovereignty that in effect creates the new state and completes the process of secession. In other words, once the new state takes over the sovereign powers previously exercised by the former host state and its take-over is recognized by other states, the process of secession, as they define is, is completed. The focus on the transfer of sovereignty and its creative outcome – the new state - leads these two theorists to discount any other features of secession as irrelevant to the definition of secession. The transfer of sovereignty to a new state occurs both in the case of a former overseas colony and in the case of a territory which forms a part of the bounded territory of a state. From this Radan and Anderson infer that secession includes decolonisation – the creation of new states out of former overseas colonies.

Their view sharply differs from the doctrine of decolonisation as stated in the UN General Assembly Resolutions 1514 and 1515 and the subsequent UN conventions and resolutions. The UN doctrine limits the creation of new states only to the territories which are recognized as ‘non-self governing territories’ and which are, in fact, separated from the host state not
only ethnically but geographically – that is, by a sea or ocean. Moreover, any withdrawal of a territory which constitutes the integral territory of a member state by force or by the threat thereof is explicitly prohibited by the UN Charter and the above resolutions; this, at least in principle prohibits the breach of the territorial integrity of UN member states by force or the threat thereof. The distinction between territories belonging to the integral territory of a state and territories geographically separated from the state (in the way described above) is, however, of no consequence for Radan and Anderson’s definition of secession: secession is a process, characterized by a transfer of sovereignty to a new state, which can lead either to a breach of the territorial integrity of a state or to a withdrawal of its sovereignty from a geographically separated territory onto which the host state has imposed its jurisdiction at any time in the past. In other words, as long as the outcome is the creation of a new state, neither the status of the new state prior to its creation nor its impact on the territorial integrity of its previous host is of relevance to their definition of secession.

From this it would follow that the unification of two or more states which results in a new state would, according to their definition, also count as secession. When two or more existing states transfer their sovereignty to a new state thereby creating a new state and cease to exist as states, these states, according to Radan’s definition at least, have seceded. In the cases of unification of two or more independent states, each state is withdrawing sovereignty from itself (as a whole) and transferring it to a new unified state. In the cases of decolonisation, one state, the colonial power, is withdrawing sovereignty from its colony – a territory over which it exercises sovereignty – and transferring it to a new state on the territory of the colony. According to Anderson’s definition, colonies are part of the host state; hence, the host state is transferring sovereignty from one part of itself to a new state. The difference between unification of two states and decolonisation is that in the former sovereignty is withdrawn from the territory of a whole state and in the latter only from a part of it.

Overseas colonies are geographically distinct from the territory of the host state. A part of the state (whether a colony or part of its territory) is geographically distinct from the whole state. The two distinctions - colony/host state and part/whole state - are thus (among other things) geographical distinctions. Since according to both Radan and Anderson such geographical distinctions are irrelevant for their definition of secession, unification of two or more states, resulting in the creation of a new state, would count as secession.
Radan and Anderson do not mention unification of states and are apparently not ready to regard unification as secession. For a good reason: to secede is to secede from something and if so a state uniting with another to form a new state would be seceding either from itself or from nothing. Either appears to be absurd. And yet their definition of secession is not sufficient to distinguish secession from unification. In spite of excluding irredenta, their definition fails to exclude another process which is, from a legal and from a political point of few, fundamentally different from secession.

*Continuity versus fragmentation of the host state*

Crawford’s definition assumes that for a secession to take place, it is necessary that a former sovereign opposes it, that is, it is necessary that the host state continue to exist after the secessionists demand or proclaim their independence from it. If there is no sovereign state at that time, the new state is created not through secession from but through dissolution (fragmentation) of the former host state. The demand for the continuity of the former host state greatly reduces the number of secessions: in many cases the end result of the detachment of one or more territorial units is the disappearance of the former host state and, in all these cases, according to Crawford, there is no secession. For example, the host state disappeared not only in the case of the Socialist Federative Republic of Yugoslavia (SFRY) in 1991 but also in the case of the United Kingdoms of Sweden and Norway in 1905: as a result of the withdrawal of Norway the former host state ceased to exist.

The social scientist Michael Hechter further restricts this requirement of the continuity of the host state. According to him, ‘*Pure secession... occurs when a highly effective state permits a secessionist territory to withdraw from its embrace ...*’ (Hechter 1992, p. 277). This occurred only in the case of Norway in 1905 and of the Irish Free State in 1922. According to Hechter, in 1970/71 Pakistan was not a highly effective state and hence the detachment of Bangladesh (its former East Pakistan unit) was not pure secession. In this paper Hechter advocates a rational choice theory of secessions: secessions are, according to his theory, outcomes of a rational choice both of the governments (rulers) and secessionist populations. For a secession to be an outcome of rational choice, the governments (rulers) of a host state need to have a choice of *effectively* countering secessionist demands; only an effective state could provide such a choice. If a state is not (highly) effective, then the withdrawal of its territory is due not to the rational choice of the host state rulers and secessionist
populations but to its weakness, that is, to its lack of capacity to counter secessionist
demands. Detachment of territory from weak states may – and does – lead to their
eventual disappearance (such as in the cases the USSR and SFRY). For Hechter, apart
from the rare cases of rational choice, withdrawal of a territory may be a result of the
weakness or of fragmentation of the host state; the former result may be called
secession (but not pure!) while the latter is a mere fragmentation of the state.

In contrast to Crawford and Hechter, Radan and Anderson do not require the host
state, let alone an effective host state, to continue as a state after its former withdrawn
territory became a new state. Radan (2008 p.31) classifies the withdrawals of territory
leading to dissolutions of the host state (as those above) as ‘dissolving secessions’.
Such a permissive view is shared by another social scientist, John Wood, according to
whom, secession ‘involves the dismemberment of a territorial state’ (Wood 1981 p.
112) which results from a formal withdrawal of member unit or units from central
political authority. In contrast to all of the above definitions Wood maintains that
every case of secession is a case of ‘dismemberment of territorial state’ and of its
‘political disintegration’ (Wood 1981, p. 111). Every such dismemberment of the host
state also involves a political detachment of ‘...loyalties, expectations, and political
activities from a jurisdictional centre’ (ibid). Unlike Radan and Anderson, Wood does
not focus on the transfer of sovereignty to a new state but combines territorial
dismemberment with the political processes which are necessarily involved in the
process of dismemberment. Since in decolonisation of overseas territories does not
involve the dismemberment of state territory, decolonisation does not, necessarily,
count as secession. In all other respects, the scope of Wood’s definition appears to be
equivalent to Radan’s and Anderson’s definitions.

How many secessions are there?

Restrictive definitions, as we have seen, minimize the number of secessions:
 according to Crawford, the only post-1945 secession is the one of Bangladesh from
Pakistan which was both opposed by the host state (continuing to exist after
secession), and was effected by the use of force (that is, by the Indian military).
According to Hechter, this does not count as pure secession since, in his view,
Pakistan, in spite of its ability to control most of the territory of future Bangladesh by
its military forces, was not a highly effective state. For Hechter the only two pure
secessions are those of Norway and of the Irish Free State. For Crawford the former does not count as secession because it was at the end mutually agreed (in spite of both sides threatening to use force against each other); and the latter was regarded at the time as a form of decolonisation (the Irish Free State was initially established a British dominion, the status shared by a number of former overseas British colonies such as Canada and Australia).

According to Radan and Anderson, these three cases and all the other cases involving the creation of new states excluded by Crawford and Hechter, still count as secession. Wood’s definition would allow the detachment of the Irish Free State to be classified either as secession or as decolonisation and possibly as both. The latter was a territorial dismemberment of the United Kingdom of Great Britain and Ireland accompanied by the political processes characteristic of a secession. But the legal status of the new state, agreed by both parties, was that of a former British colony and it comprised the remaining links with the former sovereign similar to some of the former British colonies.

All of the definitions of secession discussed here, except Wood’s, focus on a single feature which serves as their proposed distinguishing mark of secessions. As we can see from the following brief list, these distinguishing marks vary greatly: the use or threat of force (or the implied opposition of the host state), the territory’s population (allegedly) being the agent of in its withdrawal from the host state, the transfer of sovereignty to the new state and the rational choice of the rulers to let the territory go. Only Wood’s definition, apart from requiring the territorial dismemberment, lists several political processes involved in a secession – some of which are also found in non-secessionist contexts. Wood’s definition forms the basis for an analytical framework for comparative study of secession as political phenomena: the outline of such an analytical framework is the principal topic of Wood’s essay. Unlike legal regulation, the comparative study of secession as a political phenomena does not require the exclusion of all non-secession cases from its field of inquiry; it allows that some cases studied as secessions could be studied under a different classification. Cases as the Irish Free State and, more recently, East Timor could be, for example, studied as cases of secession as well as of decolonization. In view of this, it is understandable why Wood’s definition does not focus on a single distinguishing feature as the others do.
As we have seen, Wood does not hold that decolonization is a form of secession. There are significant differences between the political processes involved in decolonization and those in secession. These differences arise from the fact that overseas colonies are generally not regarded as part of the ‘sacralised’ national territory and its inhabitants are not regarded as members of the dominant or majority national group of the host state. In advocating decolonization, inhabitants of a colony cannot be accused of the betrayal of their co-nationals and of attempting to break up their ‘motherland’ or ‘fatherland’. On the contrary, given the subordinate status of colonies and their majority inhabitants to the metropolis, decolonization is obviously an attempt to remove the relation of subordination. This view of decolonization was enshrined in international law by the UN Resolution 1514 (1960) which makes clear that the colonial status is a breach of a fundamental legal right to self-determination. Given the legal and moral condemnation of the European colonial system, many secessionists would attempt to present their status as equivalent to that of colonial peoples; their rhetoric often resembles the anti-colonial rhetoric of the national liberation movements of colonial peoples. Yet in all the cases of post-1945 non-colonial secessions many significant features of the colonial status were lacking.

Take for example the case of the detachment of East Pakistan as Bangladesh from Pakistan in 1970, which in scholarly literature (see Islam 1985) is often regarded as a case of decolonization by force. Bengalis, the natives of East Pakistan, served, as Pakistani citizens, in high administrative and military offices in Pakistan and participated in Pakistani political life. Once the main Bengali party gained a majority in all-Pakistan free elections in 1970, its leader became a prime minister designate with a mandate to form a government of all Pakistan (which he was later prevented from doing). Natives of colonial territories cannot participate in the political life of the metropolitan countries on an equal footing with the dominant national group, nor can their political leaders aspire to the highest offices in the metropolitan countries. Nor do anti-colonial political movements ever aim to take power in its colonial metropolis.

In short in spite of ideological and racial prejudices of their ruling elites and the resulting discrimination of ‘subordinate’ national groups widespread in many modern states (as well as in the pre-1970 Pakistan), in the post-1945 period states did not form and maintain colonial units within their established boundaries. In view of this, a comparative study of secessions (as territorial dismemberments) and decolonization
would be likely to discover many differences between the two; yet such comparative study would not throw much light on the processes of secessions outside the colonial context. It is no surprise that there have been no comparative studies of decolonization and of secession as political processes.4

**Why define secession?**

Legal scholars appear to differ in their views on the possibility of legal regulation of secession. Crawford does not believe that international law is in position to or that should regulate the creation of new states out of existing states by secession. Radan and Anderson – as well as many others – believe that there is an emergent legal prescription in international law and practice which may in time come to regulate secession. Their views are reflected in their definitions of secession. One could perhaps argue that their definitions are constructed so as to provide support for their views on the regulation of secessions.

The theoretical interests and approaches of political science and its practitioners are quite different. Comparative approach to secession seeks to discover the patterns of similarity and difference in secessionist processes; its general aim is to find probable general explanations as to why and how secessions happen. In short, its aim is not to find out the principles regulating international or domestic responses to secession but to attempt to find those factors or conditions that make attempts at secession a likely political response. As Wood and Hechter make clear, no single factor or condition is likely to lead to or trigger a secessionist response and the multiple conditions and factors that do lead to secessions are not likely to be the unique factors characteristic only of secessionist political processes. In view of this, political scientists have no reason to think that secession needs be defined in terms of a single set of characteristics which would sharply differentiate it from any other political process. As Wood has emphasized, secessionist movements’ professed aims often oscillate between separatism – the striving for an increased autonomy from the political centre – and secessionism. Hence secessionism cannot, in practice, be sharply differentiated from certain forms of political separatism.

Political scientists, like legal scholars, have their own theoretical preferences. As we have seen, Hechter’s preference for a rational choice theory (at the time of writing of the article quoted here) clearly shapes his definition of pure secession and his views
on the participants’ role in non-pure fragmentation of states. Wood’s preference for an open-ended and inclusive analytical framework for comparative study of secessions leads him to adopt a much more permissive definition which allows for comparisons among various secessionist and separatist processes.

Most political scientists who study contemporary processes of secession appear to view secession in the same way that Wood does (Siroky 2011). In contrast, broad historical surveys of secession (e.g. Coggins 2011) adopt an even more permissive approach similar to Radan’s and Anderson’s view which regard decolonization as a form of secession. The reason for excluding decolonization may be, as Pavković and Radan (2007, p. 22) pointed out, practical: decolonization, at least as the UN defines it, appears to have been mostly completed and thus belongs to the past. The common ground between the legal and political science definitions of secession are thus to be found in a permissive or inclusive approach to the definition of secession. This does not mean, however, that the debate both among legal scholars and political scientists regarding the right definition of secession will end any time soon.
References

Anderson, Glen (forthcoming) ‘Secession In International Law: What Are We Talking About?’.


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**ENDNOTES**

1 Haverland however notes that ‘[t]oday’s prevailing doctrine defines secession as the separation of part of the territory of a State which originally takes place in the absence of consent of the previous sovereign’ (Haverland 2000, p. 354). Whether or not prevailing, this restrictive definition usually rules out transfer of territory to another state (see Crawford above) which her own definition includes. She fails to note this difference between the ‘prevailing doctrine’ and her own definition.

2 Protectorates and trust territories fall under a *temporary* jurisdiction of states or international organizations which exercise sovereign powers over the territory.

3 This obviously rules out unification of states: these do not involve dismemberment.

4 Michael Hechter introduced the phrase ‘internal colonialism’ to describe the status of neglected and marginalized regions in modern states. But even so he excludes decolonization from his definition of secession and has not attempted to systematically compare decolonization to secession.