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ARTICLE

Declarations of Independence after the Cold War: Abandoning grievance and avoiding rupture

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Abstract

Declarations of Independence (Dols) tend to employ the grievance topoi as a means to legitimize their demands for statehood. We find, however, that after the end of the Cold War a new subgenre of Dols emerged, which deploys topoi not referring to grievances against the host state. These Dols focus on commitments the secessionist state makes towards existing states. We analyse four Dols, that of Slovenia, Croatia, Abkhazia, and Kosovo using Wodak et al.'s Critical Discourse Analysis and Wendt's categorization of state identity. Our findings show that these secessionist states pledge to adhere to the internationally recognized norms of democracy, rule of law, and human rights and put forward a discourse of “belonging” to a family of states defined by these norms. They call therefore for international recognition based on their commitment to socialization avoiding the rupture with the host state and the issue of breach of territorial integrity.

KEYWORDS

commitment topos, Declarations of Independence, grievance topos, international recognition, unilateral secession

1 | INTRODUCTION

Secessionist attempts are usually driven by nationalism and the desire to create a state, where a nation will not be governed by another one or its members; this state then will “belong” to this nation. The desire of “having a state of

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our own," a "homeland," mobilizes the process of nation-state formation, set in motion by leaders of nationalist movements (Özkırımı, 2010). Declarations of Independence (Dols) have become an indispensable part of this process. Resonating with both Anthony D. Smith's "elite proposals" and Andreas Wimmer's "compacts," Dols present and forge an image of the aspiring state that speaks both to the population of the emerging nation-state, and to other established states from which international recognition is sought (Smith, 2009, p. 31; Wimmer, 2012, p. 3).

Dols, as elite proposals and compacts, have followed certain patterns across time. Armitage (2007) in his analysis of the 1776 U.S. Declaration of Independence¹ notes that the U.S. Declaration of Independence brought about a new genre of political writing, marked by a "generic promiscuity," combining the elements of (a) a declaration of independence, (b) a declaration of rights, and (c) a political manifesto made up by "a list of grievances [...] that publicly explained to the world the grounds for a revolutionary action" (p. 15).

In the declaration of rights, the 1776 U.S. Declaration states the principles which justify, that is, legitimize, the creation of the new state. As Armitage notes, in more recent declarations, these are universal human rights, including the right to self-determination. The grievances—harms and injustices committed by the host state and its agents—listed in the manifesto segment of the 1776 U.S. Declaration, indicate that the host state (Great Britain) had lost the authority to govern over the people of the colonies, whom they had systematically harmed. The list of grievances here—and in many subsequent Dols—aims to delegitimize the rule of the host state and to propose the new state—declared to be independent—as the appropriate remedy to those grievances (Nardin, 2015, p. 100).

The 1776 U.S. Declaration created a blueprint for Dols that secessionists would replicate for centuries; Armitage (2007) offers a long list of subsequent Dols, which were in one way or another modelled on the 1776 U.S. Declaration. By stating a grievance against the host state, a Dol is offering a reason for rejecting its rule as unjust, harmful, and constraining. The need for this nation to create its own state thus arises as the only possible remedy for these grievance(s). The general scheme of argumentation can be represented as follows: "X is a harm or injustice committed by the host state against the population of this territory; this is a harm or injustice that no legitimate state should be (or is) allowed to commit; hence, the host state is not the legitimate state of the population/territory in question." Following the model used in Critical Discourse Analysis, such schemes of argumentation are here called "topoi" (Wodak et al., 2009, pp. 33–41). The above is then the general form of the grievance topos.

Kartsonaki (2020, pp. 38–41) identifies the following six types of reasons for a nation to reject the rule of the host state: occupation, past abuses, threats of physical safety/acts of genocide, discrimination/exclusion, violations of agreements, and last resort (when all other means have failed to resolve the conflict). All these (except the "last resort" reason) fall under a category of grievance, that is, harm or injustice committed against this particular nation by the host state. As Kartsonaki's essay indicates, the discursive strategy of delegitimization of the host states in recent unilateral Dols is dominated by the grievance topos.

However, not all Dols deploy the grievance-dominated strategy. In the present article, we identify four Dols—of Slovenia (1991), Croatia (1991), Abkhazia (1999), and Kosovo (2008)—which deploy topoi that do not refer to any grievance against the host state. Instead, they focus on the commitments of the new state, which define its identity/ies. The general form of the commitment topos can be presented as follows: "X is the state of Y which is committed to the relations Z with other states/international organizations, and to the political/legal system W, and belongs to the family of states/nations E; therefore, it deserves international recognition by other (similar) states/international organizations." This topos refers to the identities (here marked by Y, Z, W, and E) of the state X which can be further elucidated using Wendt's (1999) classifications of state identity.

In Wendt's classification, there are four types of state identity: corporate, type, role, and collective identity. Corporate identity (here marked Y), analogous to the personal identity of an individual, is "constituted by the self-organizing, homeostatic structures that make actors distinct entities" and serves as a platform for other identities (Wendt, 1999, p. 225). Type identity (marked here by W) refers to social qualities of states and often corresponds to "regime types" and "forms of state;" thus, "democratic" is a type identifier (Wendt, 1999, p. 226). Role identity (marked here by Z) is based on a state's relation to other states, often, but not exclusively, through its foreign policy (Wendt, 1999, p. 227). Collective or shared identity (marked here by E) builds on type identity but

involves identification with other states: it is an identity explicitly shared through identification with other states (Wendt, 1999, p. 229).

Wendt's classification only pertains to state identity; however, in cases of secessionist attempts, national identity is inextricably connected to state identity and in particular its corporate identity. Dols often tie the secession-seeking state to a freedom-seeking nation, whose corporate identity is shaped by the reinterpretation of a historical narrative that would situate this nation in its rightful place and form, that is, that of a nation-state. In this article, we use Wendt's classification only as a heuristic device for analysis of the commitment topoi; the paper does not address the separate question of what state or national identity actually is and how it could be best captured.

We argue that there is a subgenre of Dols, which employs the commitment topos, instead of the grievance one, in order to legitimize the secessionists' claim to international recognition. Such Dols systematically avoid to mention any rupture with the host state; that is, they avoid denouncing the host state and even offer to cooperate with it in order to achieve stability and prosperity. Rupture then is defined as denunciation of, and severance of relations with, the host state by the breakaway region.

The commitment Dols shift the attention from the host state to the new one. They do not highlight the violations the host state carried out against the freedom-seeking nation, but bring forward, to varying degrees, what Smith defined as nationalism's "key motifs" of autonomy, unity (both territorial and social), national identity, authenticity (in terms of uniqueness of origins, history and culture), historical attachment to a territory (the homeland), dignity, continuity of identity, culture and historical ties with this particular territory they claim, and destiny. Through these elements in Dols, nationalist leaders forge the commitments and identity of the new state and situate it in the wider international society from whose members they seek recognition. These commitments, the pledge to honour them, and the identity they attribute to the new state are the elements that legitimize the secessionists' claims to independent statehood.

2 | SECESSION AND DECLARATIONS OF INDEPENDENCE

In recent literature on (unilateral) secession, scholars have explored at length various moral aspects of secession from different theoretical points of view. Prominent theories around the morality of secession include, for example, remedial theories with main representative Buchanan (1991, 2004); choice theories or primary-right theories, developed, among others, by Wellman (2005), Beran (1984), and Gauthier (1994); and nation-orientated theories, advanced by Moore (1998), Miller (1997), and Margalit and Raz (1990). Beyond the mainstream theoretical and normative approaches to secession, Brando and Morales-Gálvez (2019) tried to combine remedial and primary secession theories and Sanjaume-Calvet (2020) developed a realist theory of secession proposing that secession could be viewed as a political option. Furthermore, Dalle Mulle and Serrano (2019) proposed an instrumental approach to secession, where independence is promoted as a means to improve social well-being, economic prosperity and democratic governance.

On practical terms, scholars including Bartkus (2004), Beissinger (2002), and Bishai (2004) have inquired why secessionist demands emerge, while Butt (2017) focused on why some states respond with violence, while others employ concessions. Rodon and Guinjoan (2018) and Hierro and Queralt (2020) developed individual-level approaches focusing on the identity, the social interactions and the professional occupation of the individual in order to explain public support for, or rejection of, secession.

Secession has also been extensively researched by international law scholars (among others, Cassese, 1995; Falk, 2002; Sterio, 2018). Secession remains a grey area in international law being neither legal nor illegal as there is no applicable law either in favour or against it (Crawford, 2006; ICJ, 2010). Therefore, secession-related legal decisions such as the opinion of the International Court of Justice on Kosovo's Declaration of Independence and the ruling of the Supreme Court of Canada regarding the Quebec Case have been scrutinized seeking for answers on when, whether, and how secession might be permissible in international law (Christakis, 2011; DelleDonne & Martinico, 2018; Leslie, 1999; Wilde, 2011).

The politics of recognition and nonrecognition of secessionist attempts have also been compellingly researched (Coggins, 2014; Fabry, 2010; O'Mahoney, 2017). Coggins (2014) has shown how important the support of great powers is for the attainment of international recognition and has also explained why some great powers support some secessionist movements, but oppose others. Furthermore, the importance of administrative units in the emergence and survival of secessionist movements have been researched by Roeder (2007) and Florea (2014, 2017), respectively. In the same vein, Griffiths (2015, 2017) examined the importance of first line administrative units for the acquisition of international recognition. In addition, Newman and Visoka (2018) in their joint article, as well as Visoka (2018) in his individual research, offer an alternative bottom-up approach towards recognition, which sheds light on the efforts of the contested state towards this end, rather than the typical approach of how systemic factors affect external recognition.

Moreover, the importance of international recognition as a status in international politics has drawn significant attention (among others, Bartmann, 2004; Caspersen, 2015; Paquin, 2010). Furthermore, there is a vast literature on when a state comes into existence from both international relations and international law perspectives (e.g., Crawford, 2006; Dugard & Raič, 2006; Grzybowski, 2019; Vidmar, 2012b). There has also been an emerging literature on “engagement without recognition” examining how contested states navigate the lack of recognition in their foreign policy (Bouris & Fernández-Molina, 2018; Ker-Lindsay, 2018; Ker-Lindsay & Armakolas, 2020).

Amidst this plethora of secession-related studies, scholarly work on how secessionists promote their claims in their Dols remains limited. Pavković (2020) discusses the secessionist appeal to the will of the people and the right to self-determination in several post-1945 Dols. From an international law point of view, Vidmar (2012a) discusses the question of the legality of some recent Dols and their impact on international recognition of new states, without however analysing their content. In addition, the Kosovo Dol in 2008 sparked some attention from an international law perspective as well (among others, Muharremi, 2008; Sevastik, 2008). Nevertheless, a systematic analysis of Dols as statements of intent that investigates the rhetoric employed for legitimizing secession is missing.

This article attempts to fill this gap in the research on the rhetoric and tactics of secessionists in their striving for external recognition from other states and international organizations. We acknowledge that secession and international recognition are multifaceted processes; the abundance of secession-related literature is indicative of the complexity of these issues. It is important, though, to analyse Dols as constitutive parts of the recognition process. As Knotter (2020) explains, the *act* of declaring independence is a part of a ritual with communicative, transcendental, and communitarian purposes. We further substantiate Knotter's argument by offering a content analysis of the texts of Dols in the context of their communicative strategies aiming at international recognition. Through Dols, secessionists escalate their demands to statehood level, and Dols are the tools with which they legitimize their claims and may attribute a certain type of identity to their aspiring state.

In what follows, we provide a historical context for the analysis, showing how the end of the Cold War and the collapse of the communist regimes contributed to the emergence of the commitment topoi in Dols. Then we outline and analyse the commitment topoi in four Dols (Slovenia, Croatia, Abkhazia, and Kosovo). We present the commitments proclaimed in these Dols and examine how the new states' projected identities correspond to Wendt's categorization. We note their similarities and find that this type of Dols resembles manifestos of liberal democracy and international cooperation. All of them pledge to adhere to the internationally recognized norms of democracy, rule of law, and human rights and put forward a discourse of “belonging” to a family of states defined by these norms as well as by region, history, and language. They call for international recognition based on their commitment to socialization avoiding any mention of the rupture with the host state and the controversial issue of breach of its territorial integrity.

3 | THE ABANDONMENT OF GRIEVANCE: THE HISTORICAL CONTEXT

In this article, we make no attempt to explain how and why these Dols abandoned the grievance-dominated discursive strategy and replaced it with the commitment strategy. The historical context in which this shift took place

is however quite unique: at the end of the Cold War and the consequent collapse of Soviet mono-party socialism and its putative commitment to overthrow capitalism, the global politics ceased to be characterized by competition among sharply opposed political ideologies, economic and state systems. The liberal democratic discourse of human rights, rule of law, multiparty political regimes, and nonviolent relations among states and peoples came to dominate political programs and governments' self-presentation (Carothers, 2004; Zanotti, 2005). In this context, acceptance of the liberal democratic discourse, as defining the commitment and identity of states, came to be a prime source of legitimacy for the new states seeking membership in the society of states.

Political and coercive oppression and denial of political and civil rights to citizens were common grievances advanced, at least by political dissidents, against the mono-party Communist-ruled regimes. Following their collapse in 1989–1990, these grievances came to be associated with the collapsed political system(s). Once the system was abandoned and transformed into a multiparty system in the (former) federal units of the Soviet Union (USSR) and Socialist Federal Republic of Yugoslavia (SFRY), the grievances associated with the old system were no longer relevant. The first two Dols—that of Slovenia and Croatia—were issued in June 1991 long after the League of Communists of Yugoslavia was effectively disbanded in January 1990 and multiparty putatively liberal democratic systems were established in these federal units. In 1992, Slovenia and Croatia gained widespread international recognition and UN membership. The third Dol, that of Abkhazia, was issued in 1999, years after the Communist Party of the USSR and of Georgia (the host state) had been dissolved. Abkhazia, however, is only recognized by a handful of states, including Russia, Venezuela, Nicaragua, and Syria. The Kosovo Declaration in 2008 did not identify the host state from which Kosovo is gaining independence; one could argue that its independence was in effect declared from the UN interim administration—an agency which took over the administration of Kosovo in 1999 and against which the Kosovo secessionist authorities had no grievance. Kosovo, being supported by influential sponsor states, has managed to achieve widespread international recognition. But due to the opposition of two UN Security Council members (Russia and China) and its (former) host state (Serbia) as well as other UN members, it has failed to achieve uncontested statehood and UN membership (Kartsonaki, 2018).

These four Dols were selected as “pure” examples of the subgenre of commitment Dols. They only deploy a comprehensive set of commitment topoi and as they list no grievance against the host state, they are clearly distinct from those Dols which are dominated by grievance topoi. The commitment topoi deployed in each of the four Dols, while clearly different from each other, exemplify all four of Wendt's types of state identity. Therefore, their commitment topoi appear to offer a comprehensive outline of the new states' identity, which is thus meant to legitimize its recognition by other states and international organizations.

4 | THE COMMITMENT DECLARATIONS OF INDEPENDENCE

The following analysis is presented in the chronological order of the issuance of these four declarations. We focus on statements regarding the commitments the ruling authorities of these secessionist states make towards existing states. We analyse how these commitments correspond to Wendt's categorization of state identities and how they shape the emergent states' projected identity. We identify common patterns that we further elaborate on the next section of the article.

4.1 | Slovenia

If the 1776 U.S. Declaration marked the birth of a subgenre of declarations dominated by grievance topoi, the 1991 Slovenian declaration possibly marks the birth of a new subgenre dominated by commitment topoi. The preamble of the Slovenian Declaration on Independence,² issued on 25 June 1991, lists several normative and legal principles on the basis of which the inhabitants of Slovenia decided, through a plebiscite, to “form their lives in a stand-alone (*samosvojna*) and independent state which will no longer be associated with SFRY” (Slovenia Declaration, 1991).

While listing the principles on which the new state has been created, the declaration lists no grievance against the old state, the SFRY. It notes, however, that Slovenia's joint proposal with Croatia to form a “union of sovereign states” of the Yugoslav republics met with no response and led to the Slovenian assembly's constitutional act on the independence of Republic of Slovenia (Slovenia Declaration, 1991, Preamble).

4.1.1 | Corporate identity

As the Preamble of the Declaration makes clear, the Republic of Slovenia is the state of Slovene people and its inhabitants, who had the right to vote in the plebiscite regarding its independence. The Preamble thus finds the corporate identity of the state in being a state of a distinct and unique group of inhabitants—the Slovene people.

4.1.2 | Role identity

Its role identity, as an international actor, comprises first, its aspiration “to become a member of the United Nations Organization, to join the process of OSCE, the Council of Europe, the European Community and other associations of states” and to respect the foundation documents of these and other organizations. Second, being a stand-alone (*samosvojna*) and independent state “should be understood as a condition for entering new integrations within former Yugoslav and within the European frameworks.” Third, Slovenia wants to realize these associations with other sovereign states “through agreements, in a peaceful way, through negotiations and dialogue” (Slovenia Declaration, 1991, #2).³ Fourth, the Republic of Slovenia expects “to strengthen economic, cultural, political, financial and all other relations [with the international community]” and also expects [other] “states [to] actually recognize it in accordance with international law” (Slovenia Declaration, 1991, #2). This is a multifaceted commitment to cooperate with, and integrate into, the existing state associations, to strengthen *all kinds* of relations with other states in a negotiated, mutually agreed and peaceful way. The expected reward or response to this commitment is recognition of the new state and its independence.

4.1.3 | Type identity

Slovenia is defined, broadly, as a state respecting the rule of law, human rights, and democracy. More specifically, it is “a rule-of-law and social state with a market economy which is adapted to [the demands of] the environment.” In this state, the following will be respected: “the rights of men and civil liberties [...] the European achievements of industrial democracy, above all, social-economic rights, the rights of the employed to participate in decision-making, trade union rights, the inviolability of property.” In the state, a “multiparty parliamentary democracy” will be secured and “political or any other beliefs will never be a ground for any inequality or differentiation.” The state will commit itself to “peace and non-violent resolution of all disputed questions in internal and external affairs” (Slovenia Declaration, 1991, #5). Similar to the role identity, the type identity is here defined at the level of specificity which is not matched by any other declaration: no other declaration commits the declaring state to such a broad set of specific socio-economic rights, including some rights which are not listed in the Universal Declaration of Human Rights of 1948.

4.1.4 | Collective identity

Slovenia commits to “the cooperation, on an equal footing, with all nations and citizens of Europe [which is a place of] free and equal people, regions, nations and states” (Slovenia Declaration, 1991, #5). This final clause of the

declaration implies that Slovenia and the Slovene nation belong to the European family of free and equal nations and states. In short, the commitment to the cooperation with the citizens and nations of Europe also results in Slovenia sharing a common European identity.

As a result of its acts and its declaration on independence, this state is proclaimed to be a subject of international law and thus an independent state (Slovenia Declaration, 1991, #2, #4). Slovenia is a fully socialized state, committed to (broadly defined) liberal democratic institutions and practices, multifaceted cooperation with other states, and is a member of the European family of states. In response to all of these qualities, Slovenia expects other states to recognize its independence, that is, its status as a subject of international law.

4.2 | Croatia

Unlike the Slovenian declaration, the Croatian DoI, which was issued on the same day as the Slovenian one, does not refer to any general or legal principles such as the right to self-determination. However, the Constitutional Decision on the Sovereignty and Independence [Stand-Alone Status] of the Republic of Croatia, issued at the same time as the declaration, refers to specific articles of the Croatian Constitution as well as the national right to self-determination (Croatia Decision, 1991).

4.2.1 | Corporate identity

The corporate identity of the Republic is based on a historical narrative regarding the Croat nation's ancient legal tradition and the self-consciousness of its own identity, narrated in article I (#1) of the Declaration. The “ancient legal tradition” of the Croat nation spans 13 centuries, during which the Croat nation

defended its national state and thus the nations to the west of the frontiers of its homeland; the Croat nation was ruled by its own Croat national rulers and the Croat Diet (*Sabor*), either as stand-alone (*samostalan*) [state] or in personal and treaties-based unions and juridical-state alliances with other nations, but always vigilant in preserving its ancient identity and sovereignty (Croatia Declaration, 1991, #1).

The 1991 DoI therefore directly refers to an often expressed claim of historic and continuous Croatian statehood, which was either materialized with Croatia as an independent state or through a voluntary union with other states. This speaks directly to the historical narrative of Croatia entering the medieval kingdom of Hungary voluntarily through a personal union, rather than occupation, and also affirms its voluntary inclusion in the Habsburg Empire (Bellamy, 2003). The Declaration also highlights the role of the Croatian Diet (*Sabor*) as an autonomous legislative body, which preserved “the Croat state identity throughout its history which makes the Croat nation one of the oldest state-making historical nations of Europe” (Croatia Declaration, 1991, #1). Thus, the 1991 DoI is but a stage in the history of the statehood of Croatia. This narrative shapes the corporate identity of Croatia, as presented in its DoI, and provides the platform for the most recent state-making act and for the expression of its collective identity.

The current stage of state making, the Declaration states, has been preceded by a period of “an imposed centralized and totalitarian constitution of SFRY” during which Croatia could not promote nor protect its political, economic, cultural, and other interests. As a result, the aspiration to “disassociate from the Yugoslav state community” grew ever stronger (Croatia Declaration, 1991, #2). At that time, the constitution of SFRY was no longer operational and this statement was offered as a historical account of the processes that led to the DoI. The DoI also claims that Croatia is facing attempts by “organized outlawry and terrorism”, instigated from outside, to breach the territorial integrity and to prevent the implementation of the will of the Croat nation and the citizens of Croatia. In

response, the Croat nation “together with all the citizens who consider the Republic of Croatia its homeland” is determined to “defend by all its powers (*svim snagama*) its independence (*samostalnost*) and territorial integrity against any aggression” (Croatia Declaration, 1991, #2). This part of the Declaration also implicitly reflects a historical narrative of victimization and subjugation of the Croatian nation to foreign forces (Žanić, 1994). Croatia's new leaders, then, through the DoI present themselves as defenders of the Croatian nation against this mistreatment, bringing out another aspect of its corporate identity, that is, the resoluteness of the Croat nation to defend both the independence and the territorial integrity of its state.

4.2.2 | Role identity

The role identity of Croatia has been constructed exclusively in relation to other republics of the SFRY. Croatia recognizes the independence and international legal status of all former republics of the SFRY, but by proclaiming independence it does not “wish to sever relations with other republics, nor does it wish to disrupt economic, trade and financial relations or activities” (Croatia Declaration, 1991, #5). Like Slovenia, Croatia proposes an association of sovereign states out of the republics of the former SFRY and maintains that such a voluntary community would be beneficial to all republics provided that the principles of international law are observed, “especially those on which the European Community is founded and being built.” These principles can “ensure peace, prosperity and international respect for the future association of sovereign states, prior to their entry into the European Community” (Croatia Declaration, 1991, #5). Hence, the declaration suggests that the proposed association of states created out of Yugoslavia should be modelled on the European Community since these states will eventually accede to the European Community.

Unlike the Slovenian declaration, the Croatian one does not specify what relations Croatia will develop with states other than those of the former Yugoslavia or international organizations, except that Croatia will accede to the European Community. As a result, the declaration presents Croatia as a socialized and cooperative state within the regional ex-Yugoslav framework but not within a global framework.

4.2.3 | Type identity

Similar to Slovenia, Croatia presents itself as a democratic, social state based on the rule of law. The highest values of its constitutional orders are “freedom, equality, national equality, peace-making, social justice, respect for human rights, pluralism, inviolability of property, the protection of natural and human environment, the rule of law and a democratic multiparty constitution.” The Serbs and all other national minorities are guaranteed respect “for all human and civil rights” including freedom of speech, the cultivation of their national language and culture, and freedom to form political organizations (Croatia Declaration, 1991, #3).

4.2.4 | Collective identity

In the historical narrative in article I, the Croat nation is described as one of the oldest state-making nations in Europe. The Croatian state, through its state-making nation, has become part of the European family of states many centuries ago, and at the time of the declaration in 1991, it is ready to enter the European Community, the principal organization of European states, as an equal member. Its collective identity is thus resolutely European.

The declaration, in # 4, announces that “the presuppositions for the recognition of the Republic of Croatia as a subject of international law” have now been met and that the President and the Government of Croatia “will take all

the necessary steps” for [gaining] the recognition. In other words, the Declaration enables other states to recognize Croatia's independence on the basis of its listed commitments. The Declaration also identifies the qualities of the new state, primarily its collective identity, which makes it a ready candidate for accession to the European Community.

4.3 | Abkhazia

On 12 October 1999, the People's Assembly of Abkhazia issued in Russian the Act On State Independence of the Republic of Abkhazia (Abkhazia Act, 1999). Like the two declarations discussed above, this, much shorter, Act lists no grievances against the former host state, Georgia. But unlike the previous two declarations, the largest segment in the Act is taken up by a description of the referendum on the Constitution of Abkhazia held on 3 October 1999, which, according to the Act, 97.7% of the voting citizens approved: “In this way, the people of Abkhazia confirmed its determination to build [a] sovereign, democratic, rule-of-law state – a subject in international law which should be recognized by the international community” (Abkhazia Act, 1999). The referendum led the deputies of the People's Assembly to state: “Based on the will of the people, once again we confirm and declare the State Independence of the Republic of Abkhazia” (Abkhazia Act, 1999).

Apart from the will of the people, the Act also appeals to the right of self-determination: in its final sentence the Act calls for international recognition of the Republic “built by the people of Abkhazia on the basis of the right of nation[s] to free self-determination” (Abkhazia Act, 1999).

4.3.1 | Corporate identity

The corporate identity of Abkhazia, similar to that of Croatia, is constructed according to the historical narrative with which the Act begins:

Abkhaz statehood has a 1200 years long history. Throughout the centuries the Abkhaz people (*narod*) struggled for its independence. Since the start of the breakup of the USSR, the people of Abkhazia have intensified their struggle for the recovery of their lost State independence [...] The rupture of state-legal relations between Abkhazia and Georgia, resulting from the initiative of the government of Georgia, and followed by the Abkhaz-Georgian war in 1992-1993, led de jure and de facto to the independence of Abkhazia (Abkhazia Act, 1999).

The DoI by referring to 1200 years of historical statehood reflects the predominant view in territorial incompatibilities that the longer an ethnic group inhabits a territory, the stronger its claim over it (Kemoklidze, 2016). The DoI implicitly refers to the historical narrative that Abkhazia was formed as a kingdom as early as in the 8th century, which was voluntarily united with several Georgian kingdoms in the 10th century. According to the narrative, this kingdom was conquered by the Mongols in the 13th century, but Abkhazia managed to remain an independent principality until 1810, when it was incorporated in Russia, independently from Georgia (Chirikba, 1998; Souleimanov, 2013). The narrative ends with the recent “rupture” from Georgia which resulted in Abkhazia's independence. The “rupture” is here presented as a historical event which in fact ended the long struggle for independence by achieving its principal historical objective. In this narrative, Georgia by (allegedly) initiating a war with Abkhazia has not harmed it. On the contrary, it thereby helped Abkhazia gain the independence it was struggling to achieve for a long time. Abkhazia's corporate identity is thus defined by its long history of presence on this land and its struggle for independence, whose latest stage was the war with Georgia and the de facto independence that followed.

4.3.2 | The role identity

Abkhazia intends to form relations with other states following the principles of equality, peace, good neighbourliness, respect for the territorial integrity and sovereignty, noninterference in internal affairs, and “other universally recognized principles of political, economic and cultural cooperation among states” (Abkhazia Act, 1999). In short, the Republic of Abkhazia, as an independent state, is committed to cooperation, in a wide spectrum of areas, with other states of the world on the basis of equality. Abkhazia is therefore a cooperative and socialized state.

4.3.3 | Type identity

The people of Abkhazia, through its constitution, confirmed by the above referendum, are committed to the creation of a democratic and rule-of-law state in which “the rights and liberties proclaimed in the Universal Declaration of Human Rights, the International Covenants on economic, social and cultural rights, on civil and political rights, and other universally recognized international legal acts” are upheld (Abkhazia Act, 1999). Its identity, as a democratic and rule-of-law state, is thus validated by reference to several international acts on human rights.

4.3.4 | Collective identity

Drawing on the results of the referendum and the repeated commitments to the specific regime type, human rights' observance and international cooperation, in the last sentence of the Act, the signatories appeal to “the UN, the OSCE and all the states of the world” to recognize the independence of the state of Abkhazia (Abkhazia Act, 1999). As in the previous declarations, the commitment to a particular set of state identities is expected to elicit recognition of independence by other states and international organizations. In this case, the principal purpose of the Act appears to be the appeal for international recognition, as the actual independence from Georgia has, according to the Act, already been achieved in 1993.

4.4 | Kosovo

The Declaration of Independence of Kosovo, issued on 17 February 2008, refers in its preamble to “the conflict and violence [...] that disturbed the conscience of all civilized people” (Kosovo Declaration, 2008, Preamble). Apart from this rather vague mention to violence, no grievance is listed in the declaration. In its first article, the declaration states that it “reflects the will of our people” and is consistent with the recommendations of the UN Special Envoy Martti Ahtisaari (Kosovo Declaration, 2008, #1).

4.4.1 | Role identity

The signatories of the declaration, described as the “democratically elected leaders of Kosovo” (referred throughout the declaration as “we”), commit the independent Kosovo first to the implementation of the Ahtisaari plan and then to all resolutions of the UN Security Council including the resolution 1244 (1999) (Kosovo Declaration, 2008, #3, #5, #13). Further, Kosovo pledges to cooperate with the UN and the NATO military “presence” in Kosovo and with the International Tribunal for the former Yugoslavia (Kosovo Declaration, 2008, #5, #9). Kosovo will also “abide by the principles of the United Nations Charter, the Helsinki Final Act, other acts of the Organization on Security and Cooperation in Europe, and the international legal obligations and principles of international comity that mark the

relations among states” and will respect the sovereignty and territorial integrity of other states and refrain from the threat of use of force (Kosovo Declaration, 2008, #8). Committed to peace and stability, Kosovo will contribute to reconciliation in the region and seek new links of regional cooperation (Kosovo Declaration, 2008, #10). Likewise, Kosovo desires good relations with all its neighbours and will “contribute to relations of friendship and cooperation with the Republic of Serbia, while promoting reconciliation among our people” (Kosovo Declaration, 2008, #11). Kosovo will also seek membership in international organizations through which it will also seek peace and stability. In line with its European identity, it will seek membership to the European Union and, possibly, NATO (Kosovo Declaration, 2008, #6).

In article 5, the deputies invite and welcome an international civilian presence to supervise the implementation of the Ahtisaari Plan, and a European Union-led rule of law mission. They also invite NATO to retain the leadership role of the international military presence in Kosovo, and further commit to full cooperation with these “presences.” Kosovo role identity is, hence, defined in terms of its commitment to peace and stability in the region, to the reconciliation of its peoples, its commitment to full cooperation with a number of international organizations, and to the adherence to their principles. Kosovo is thus defined as a socialized, cooperative, and peace-oriented state which stands out by its readiness to accept the presence of international organizations, including military ones, on its territory.

4.4.2 | Type identity

In article 2, Kosovo is declared to be: “a democratic, secular and multi-ethnic republic, guided by the principles of non-discrimination and equal protection under the law” in which the rights of communities will be protected, in accordance with the Ahtisaari Plan. Further, in the future Constitution, the protection of human rights and fundamental freedoms, as defined by the European Convention on Human Rights and the Ahtisaari plan will be guaranteed (Kosovo Declaration, 2008, #4). Kosovo's identity is therefore defined by reference to democracy and rule of law as well as protection of human rights and the rights of minorities.

4.4.3 | Collective identity

Collective identity is defined in article 6 by reference to the concept of European family: “For reasons of culture, geography and history, we believe our future [i.e. the future of Kosovo] lies with the European family.” Consequently, Kosovo will seek membership in the EU and will implement the reforms necessary for the “Euro-Atlantic integration.” Unlike the previous three declarations, the Kosovo DoI does not proclaim Kosovo a subject of international law ready for international recognition, nor does it explicitly request such recognition. Instead, in the last sentence the signatories appeal to all states “to extend to us their support and friendship” (Kosovo Declaration, 2008, #12). The Kosovo authorities issuing the declaration apparently coordinated international recognition with their principal outside sponsors (Visoka, 2017, p. 48). As a result, the United States, the United Kingdom, Turkey, and other states recognized its independence the day after it declared independence and within a month more than 60 states followed suit. Hence, there was no need to specifically appeal for international recognition within the declaration.

5 | MANIFESTOS OF LIBERAL DEMOCRACY AND INTERNATIONAL COOPERATION

The template that the commitment declarations follow differs considerably from the one Armitage identified in the 1776 U.S. Declaration. We found that commitment Dols,⁴ instead of presenting a list of grievances, make a variety

of pledges, including commitments to a specific political system, a set of citizens' rights and a wide spectrum of cooperation with other states, as well as membership in international and regional organizations. These commitments appear to shape the identities of the new states. In this respect, a declaration of commitments appears to resemble more of a political programme than the political manifesto of grievances which Armitage found in the 1776 U.S. Declaration. In addition, these declarations all contain a declaration of independence but, unlike the 1776 U.S. Declaration, their interpretation of their independence does not always suggest a rupture with the former host state. In a sense, these declarations are declaring independence without declaring rupture with the host state; in some cases, they suggest that independence should be understood as a mere change of status.

5.1 | Democracy, rule of law, and human rights: The internationally recognized norms

All prospective states are defined in these declarations as democratic and rule-of-law states respecting the human rights of all of their citizens. The Croatian, Slovenian, and Kosovo declarations also guarantee a variety of rights—including civil and political rights—to minorities. The Croatian and Slovenian declarations also define their political systems as “multiparty” and include the inviolability of property among the wide variety of socio-economic and political rights protected in their states. While these are absent from the Kosovo declaration, the latter defines the new state as “secular.” The Abkhazian declaration makes no particular mention to minorities' rights, but it pledges to respect human rights in general. The inclusion of minority protection rights as well as a wide range of other rights and values may be at least indirectly a consequence of the proclaimed collective identity of Slovenia, Croatia, and Kosovo as European states, and the intention and/or expectation to join the European Community/Union. Some of these rights are found in the European Convention on Human Rights which is currently part of the EU legal framework.

The construction of type identity thus appears to be influenced by the international norms accepted by a large number of states and/or international organizations from which recognition is sought. The same could be said of the role identity in all of those declarations. In this respect, the Kosovo declaration stands out from others in its often-repeated commitment to implement—both in its forthcoming Constitution and its policies—the internationally designed Ahtisaari Plan.

In almost all of the declarations, the role identity of the new states is constructed by reference to their adherence to the (allegedly) universal international norms of respect for sovereignty and territorial integrity and the rejection of the use of force in international relations as well as to the adherence to the founding documents of the UN and other relevant international organizations. The only exception is the Croatian declaration which makes no commitments regarding general interstate relations (except for the European Community) but is exclusively concerned with the relations with the former federal units of Yugoslavia. Croatia commits to cooperate with these emergent states and to respect the above international norms.

5.2 | The discourse of belonging: International organizations

All the above declarations commit the new states to seek membership in a variety of international organizations, including the appropriate regional organizations such as the European Community. The longest list of international organizations to be joined is found in the Slovenian declaration; the Croatian one mentions joining the European Community, as a matter of course, but does not make an explicit commitment to seeking membership to it. The Abkhazian one makes no mention of any regional organization, but it does mention the OSCE and the UN. The Kosovo declaration commits to good relations with *all* its neighbours including Serbia and also commits to work towards reconciliation with the peoples of its former host state. The Croatian declaration's insistence on cooperation and respect for the sovereignty of the former Yugoslav republics may be also viewed as an effective commitment to good relations with its neighbours, since Croatia's neighbours are these former republics.

Another feature of the Kosovo declaration that stands out from the others is its invitation to the missions of international organizations in Kosovo. These invitations serve to assert the sovereignty and independence of Kosovo: they are now being issued on behalf of a sovereign and independent state to the missions which were placed in Kosovo when it was not yet an independent state. No Dol prior to the Kosovo one contains an invitation to international organizations and/or to outside military forces to establish a “presence” in the seceded state.

All declarations present their states to be internationally cooperative and fully socialized. The scope of their intended international cooperation may differ but the commitment to international cooperation is present in all, situating their nations in their rightful social, political, and geopolitical context.

5.3 | The discourse of belonging: Geography, history, and language

Collective identity constructed in the declarations depends on the states' putative geographical position and its primary language of communication. Those in the Balkans make their European identity clear in various ways: the clearest is perhaps found in the Kosovo declaration in its statement that Kosovo belongs to the European family. Abkhazia's Act leaves its collective identity undefined, but if the original Act has been issued in Russian—as it appears from the facsimile reproduced by its diplomatic mission in Transnistria—one could argue that the language of the Act suggests a Russophone collective identity.

Corporate identity is constructed either according to a historical narrative of the nation appropriating the state or by reference to the people or nation which “wills” the independence. A historical narrative linking the achievement of independence to the long history of statehood, or the striving for independence, forms a part of the declaration of Croatia and Abkhazia. The Croatian declaration speaks directly to the historical narrative of possessing a state for a very long time and that its current independence is a result of a long historical process. In the Abkhazian Act, the historical narrative also emphasizes the longevity of Abkhaz statehood and that its independence is a result of that long struggle. Slovenia's and Kosovo's declarations refer only to the will of the people whose independence is being declared and not to its history. The people in Slovenia are named as Slovenes, but the people in the Kosovo declaration are not named, probably because the appellation of the people and the name of the state do not match, as the majority of the people in Kosovo call themselves Albanians. In spite of this, the state of the unnamed people still belongs to the people, whose “will” the declaration is alleged to express.

6 | THE ABANDONMENT OF GRIEVANCE

How is the breakaway from the host state presented in these four commitment declarations? In the case of Slovenia, the Dol proposed both “a mutually agreed disassociation (*razdruživanje*)” of the SFRY and immediate negotiations regarding new forms of cooperation among the emergent states, including the creation of a confederation (Slovenia Declaration, 1991, #1). While this met no response, the Republic is still ready to “immediately start negotiations about [...] the creation of an association of sovereign states in the region of the former SFRY” (Slovenia Declaration, 1991, #3).

Slovenia is thus offering a mutually agreed disassociation into sovereign states and at the same time a mutually agreed association of the same sovereign states. This move appears to be a change of status—of a nonsovereign member to a sovereign member of an association. The declaration also implies that the SFRY no longer exists as a state: the SFRY is referred only as “the former SFRY.” The declaration, therefore, does not “dissolve the Political Bonds” with a former host state for the reason that the host state is no longer a single state. The declaration implies that the state has already been “disassociated” into separate states and proposes to connect the separate, sovereign states into a new association, albeit not into a new state.

In the case of Croatia, the declaration states that the constitutions of both the 1946 (Federal People's Republic) and the 1974 (Socialist Federal Republic) of Yugoslavia "granted the Republic of Croatia the right to self-determination and secession" (Croatia Declaration, 1991, #4). The Republic of Croatia has in the past realized its sovereign rights with other republics of the SFRY. Now, however, it is "changing its status and its state-relations with the Socialist Federal Republic of Yugoslavia" (Croatia Declaration, 1991, #4). By promulgating the Constitutional Decision, Croatia "has started the process of disassociation from other republics of [the] SFRY and wants to end this process as soon as possible in a democratic and peaceful manner" (Croatia Declaration, 1991, #4). This Constitutional Decision has also created the conditions for the recognition of Croatia as a subject of international law.

Secession is presented as a process of disassociation from the other emergent states, formerly federal units of Yugoslavia, which should be gradual, peaceful, and democratic. Proclaiming independence has started this process and also made the now independent state eligible for recognition by other states. The disassociation here leads only to a change in the type of political association: the past political association within the SFRY was not that of fully sovereign states, and Croatia and Slovenia are proposing in their declarations that this association should be replaced by another one—an association of fully sovereign, that is, independent states.

The Abkhazian DoI highlights struggle as the instrument through which Abkhazia sought and achieved independence. But this struggle is also described as a long-lasting historical process in which adversaries are not identified. The final stage in this process is described as "rupture" or "break" (*[p]азрыва*) in the state-legal relations with Georgia—but this rupture is said to be initiated by the government of Georgia. Secession from Georgia, therefore, was viewed both as the latest stage of the historical process of the struggle for independence and a result of the rupture with Georgia, initiated by its government; this rupture, the declaration suggests, was not a necessary aspect or result of the Abkhaz people's struggle for independence.

While declaring independence, Kosovo deputies did not specify from which state Kosovo is becoming independent. The preamble declares that "Kosovo is a special case arising from Yugoslavia's non-consensual breakup and is not a precedent for any other situation" (Kosovo Declaration, 2008, Preamble). Further, gratitude is expressed to the world for intervening in 1999 and "thereby removing Belgrade's governance over Kosovo and placing Kosovo under the United Nations interim administration" (Kosovo Declaration, 2008, Preamble). These two statements together imply that the independence of Kosovo is a result of SFR Yugoslavia's dissolution and *not* of Kosovo's secession from Serbia, and that Kosovo's people did not remove Serbia's jurisdiction over Kosovo: the removal was effected by "the world." The declaration neither signals nor refers to any rupture with any state. Moreover, this DoI is described as a clarification of "our status," that is, the status of Kosovo. Therefore, independence in this declaration, as in the case of the Croatian one, is presented as a change of status from that of being under UN interim administration to that of an independent state.

A distinctive feature of the Croatian, Slovenian, and Kosovo declarations is the absence of any reference to a rupture with the host state, the rupture to which the 1776 U.S. Declaration refers by announcing the "dissolving of Political Bonds" with the old state. Instead, these declarations refer to a change or to a clarification of the status of the new states; by proclaiming independence, they have become sovereign subjects of international law. By recognizing their independence, other states and international organizations recognize this new status.

This approach of change or clarification of status avoids the issue of breach of the territorial integrity of the former host state. The only issue addressed by the declaration is the change of status of the new state and not its impact on the former host state. For the purposes of gaining international recognition, the avoidance of the question of territorial integrity of the host state has clear advantages. The states which are expected to recognize them are not thereby expected to agree to the breach of territorial integrity of a UN member state; they are only expected to recognize the changed status of the new state, that is, to recognize the new state as a member of the society of states.

7 | FACILITATING INTERNATIONAL RECOGNITION: CONCLUDING REMARKS

In contrast to the grievance-dominated Dols, the primary purpose of the Dols analysed in this article was not to delegitimize the former host state. Instead, they aimed to legitimize the new one by referring to its newly proclaimed identity: the new state is presented as a socialized and cooperative state that deserves recognition by other states of the same kind. The commitment topoi should make the new state recognizable, legitimate, and thus acceptable and perhaps even congenial to the governments of other states which are expected to recognize its independence.

The grievance-dominated strategy of delegitimization of the host state, such as the one found in the 1776 U.S. Declaration, usually leads to a declaration of rupture with the host state. No such rupture is declared in the Dols which adopt the legitimization strategy deploying commitment topoi: the topoi of the latter kind offer no reason for rejecting the host state's rule and thus they offer no argument for declaring the detachment from, or rupture with, the former host state.

The abandonment of grievance and its replacement with commitment to a new and desirable identity aims to facilitate international recognition of the new states. In advancing grievances against its host state, in their Dols, the secessionists argue that a detachment from the host state would provide the most appropriate remedy to those grievances: the discourse of grievance and appropriate remedy in such Dols already incorporates the discourse of detachment of the territory from the host state.

The commitment topoi which replaces the grievance topoi in the Dols analysed in this paper makes no mention to detachment of territory. These declarations avoid mentioning any rupture with the host state and thus any breach of its territorial integrity. This way they are making a much less burdensome demand on the states which are expected to recognize their independence as they are not demanding these states to agree to the breach of the territorial integrity of a UN member state. The request pertains to the acceptance of a fully socialized state to a society of similarly minded states adhering to the same international norms.

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ENDNOTES

- ¹ Officially entitled "A Declaration by the Representatives of the United States of America, in General Congress Assembled."
- ² Slovenian and Croatian declarations are translated from their originals by the authors. The Abkhazian one is translated from Russian. The official English translation of the Kosovo declaration is used.
- ³ The symbol # followed by a number refers to a specific article or section in the declaration.
- ⁴ In this paper, we are not discussing the statement/declaration of rights or principles which, like the 1776 US declaration, all of these Dols contain. For a discussion of these segments, see Pavković (2020).

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