

Bootstrapping sovereignty: the placeholder dynamics of contested states from identity documents to international courts

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Abstract

The literature on contested states and other sovereignty claimants, from *de facto* states to governments-in-exile, has explored their predicaments, trajectories, and bids for recognition to grasp whether and how their sovereignty claims stick. In this article, we complement existing research by focusing on actors other than governments and international organizations, including ordinary people, field offices of UN agencies, and international courts, that come to indirectly validate assumptions of sovereignty. Although often for limited purposes, such as requesting and issuing identity documents or delineating jurisdiction in specialized proceedings, these actors presume, bracket, and project states at various scales and sites, with important consequences. Claims to state sovereignty, we argue, have performative effects when picked up in circulating attributions, including unwitting ones. More specifically, functional work-arounds and interim arrangements afford limited *placeholder exceptions* which tend to be reiterated in other situations, leading to *consequential expansions* with knock-on effects. Sovereignty is thus bootstrapped as a self-validating status assumption, as we show with examples from Northern Cyprus and Palestine to the Tamil Tigers and Syrian opposition governments. Bootstrapping can also falter, however, when validations are suspended. These placeholder dynamics help explain how attributions of sovereignty simultaneously challenge, mimic, and rearticulate the statist international (dis)order.

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Introduction

Having fled his home country and living in the unrecognized Turkish Republic of Northern Cyprus (TRNC) with an expired visa, Rishad had a precarious legal status. He averted deportation with papers provided by the United Nations High Commissioner for Refugees (UNHCR) that designated him a “Person of Concern” (Achiri and Klem, 2024: 9–16). This ad hoc category substituted formal refugee status and was based on the UNHCR’s wager that TRNC authorities would accept for all intents and purposes an international refugee law that they could not formally sign off on. After all, while its claim to statehood is internationally rejected, the TRNC is deeply invested in displaying hallmarks of the state (Bryant and Hatay, 2020). One placeholder thus leads to another, weaving a web of assumptions through which authorities and people make do.

At the other end of the imagined scale of world politics, the International Criminal Court (ICC) in The Hague grappled with the disputed status of Palestine as a state. This has been for long a hurdle for launching criminal investigations into alleged international crimes committed in Palestine’s occupied territories. In 2021, a pre-trial chamber determined that the ICC indeed had jurisdiction in the case, essentially because Palestine had been admitted as a state party to the Court in 2015, following the United Nations General Assembly’s (UNGA) grant of “non-member observer state” status in 2012. Moreover, invoking the right to self-determination, the Court reiterated the borders of 1967 as the demarcation of the Palestinian state’s territory (at least for purposes of international criminal law), whether or not this territory was currently under effective and independent Palestinian control (ICC, 2021; Panepinto, 2021). The subsequent investigations and spectacular 2024 arrest warrants by the ICC for the Israeli Prime Minister and Minister of Defense as well as Hamas leaders are based on this construction.

In the cases of both provisional Person-of-Concern papers in the TRNC and Palestinian status at the ICC, actors other than governments either attributed statehood for functional purposes, or afforded a limited placeholder status *instead* of statehood, to maneuver legal ambiguities through these projections. They thus make assumptions that circumvent, but also implicitly draw on and temporarily validate, claims to statehood articulated elsewhere, by disputed governments, ordinary people, third states, international organizations or courts. Status appears here as a contingent, situated performance, linked up with other such performances.

While further distinctions can be drawn between “*de facto*” (Berg and Kuusk, 2010; Dembinska and Campana, 2017; Pegg, 1998), “unrecognized” (Caspersen, 2012), and “contested states” (Geldenhuys, 2009), as well as other “geopolitical ‘anomalies’” (McConnell, 2016: 5) such as governments-in-exile (McConnell, 2016), rebel rulers (Hoffmann and Verweijen, 2019; Mampilly, 2011), and opposition governments (Sosnowski, 2020), they all straddle in one way or another the lines between state and non-state. Moreover, ambiguous status—whether resulting from rejected facts on the ground, as in Taiwan and Somaliland, or from ignored rights under international law, as

in Palestine and Western Sahara—casts people in disputed lands into a “limbo” (Caspersen, 2012: 2; Geldenhuys, 2009: 3; Mälksoo, 2012: 491) between inclusion and exclusion, legality and illegality, home and exile. “Liminality” (Bryant, 2021; McConnell, 2017; Mälksoo, 2012) thus reveals both the particular vulnerability generated and experienced at the edge of the international system, and the creative ways of navigating claims and counterclaims to sovereignty in the gray zone.

We take a deliberately broad approach to contested states or what we call “sovereignty claimants,” partly because we are interested in the performative effects of assertions of statehood and sovereignty in practice, rather than *a priori* analytical distinctions between diverse entities,¹ and partly because the actors whose assumptions and assertions we want to bring to the fore are not primarily the disputed entities themselves. We instead aim to contribute to the thriving research on contested states and other sovereignty claimants by turning to a broader set of seemingly peripheral actors, from individual citizens and migrants to UN agencies and international courts, that do not directly promote or contest particular states but might still come to assume an entity’s status for a variety of practical purposes, from requesting or issuing a residence permit to applying criminal or human rights law.

More specifically, we argue that this pragmatic attribution of status by various actors at multiple sites and under different circumstances involves two interconnected dynamics that facilitate the dissemination of status attributions. First, sovereign claimants acquire *placeholder exceptions* with a limited form of condonance for a particular purpose, a particular locality, or a particular period. Second, such limited forms of attribution may then have knock-on effects by supporting related claims in a process that we call *consequential expansion*. Both mechanisms involve continuous interaction between various actors in everyday situations, not just the sovereignty claimants, parent states, or third governments, but also ordinary people, local NGOs, international organizations, and courts that assume, bracket, and project sovereignty and statehood for their own mundane and variegated ends. The interaction between these two dynamics engenders an accumulation of contingent but interlocking, self-referential assertions, thereby *co-producing* status by validating it across an expanding array of situations and contexts. Taking inspiration from Barnes (1983) and Brilmayer (1989), we use the shoelace terminology of “bootstrapping” (where the end of the lace is flipped around to prevent it from unraveling, thus creating a loop) to grasp the dynamics and effects of these self-referential claims to sovereignty. Of course, these assertions remain prone to failure, change, and contestation. That is, precisely because these claims to legality and legitimacy are interconnected, the abrogation of one specific claim can unsettle other situated assertions. In these dynamics, then, both the force and fragility of sovereignty claims come to the fore.

The article is divided into two parts, the first conceptual, the second empirical. The first part consists of two sections which first sketch four prevalent postulates of statehood and the tensions between them, and then present the mechanisms through which sovereignty claimants and their interlocutors navigate these postulates. This offers a heuristic to grasp how attributions of statehood stretch or shrink liminal status. In the second part, we illustrate our argument in three sections. We draw on a variety of examples, including Northern Cyprus, Palestine, Kosovo, Western Sahara, Nagorno-Karabakh, the Tamil nationalist movement in Sri Lanka, and different entities in Syria. A short conclusion highlights the implications and suggests inroads for future research.

Contested states and international (dis)order

Contested states are “states” that are not where they are supposed to be, to paraphrase Rob Walker (2016: 26, 70). That is, in suspending our expectation about the ordinary political division of the world into distinct states that neatly delineate domestic and international spheres of politics, contested states and other claimants to sovereignty cast doubt on where these fundamental divisions run.

This can be illustrated by briefly revisiting four conventional assumptions about states in the international order—not to erect a conceptual straw man, which we then knock over, but to recall the traditional state imaginary and think through its cracks and contradictions. First, states are usually thought of as *absolutes*: either they exist, or they do not. Of course, states vary greatly in terms of size, prosperity, and power, and there are derivative forms, such as overseas territories, but, irrespective of such differences, being a state is associated with wielding exclusive authority over a defined territory and people, as well as the external recognition by other states. When some of these criteria are not met, the situation is considered an anomaly, which is the starting point for the literature on *de facto*, unrecognized, and contested states (Caspersen, 2012; Geldenhuys, 2009; Pegg, 1998). And even in such exceptional cases, the idea is usually that the contested entity *as a whole* is essentially a state, distinguishing contested states further from other, non-state entities.

Second, states make *law*, and law makes states in international relations. Even if the genealogy of individual states is steeped in violence and usurpation of title, they are held to be the predominant creators of law, domestically and internationally, as well as its primary subjects with defined rights and obligations. By contrast, illegal entities usually cannot bring law into being. This is why states must be legally distinguished from other entities, especially would-be states. Formal recognition of states by other states has received strong emphasis, but whether recognition makes states or merely acknowledges their prior existence continues to be a subject of debate in international law (Crawford, 2006; Grzybowski, 2017). Turning to international law thus offers no definitive solace in determining which entities qualify as states.

Third, the international order is presented as *universal*, that is, without territorial voids (Taylor, 1995). With rare exceptions, such as the Antarctic regime, any stretch of land and adjacent coastal waters is the territory of one state or another. This lends credit to a school map view of the world, where every piece of land has a distinct color, sometimes qualified by dotted lines indicating temporary occupations and unresolved disputes. This understanding of the world as divided into territories is historically recent, and some “non-self-governing territories” designated for decolonization are still struggling for their independence. However, they appear as exceptions to the rule.

Fourth, states are imagined as *permanent*, stretching into an indefinite future. Even if we know that states have historically emerged, morphed, and demised, the legal-political fabric of states implies perpetuity. Constitutions have no expiry date, nor do nations or the state’s entitlement to govern. Temporality, in short, has been spatialized through defined territories, which comprise the international system (Walker, 2016). Any new development is thought to unfold within this overarching and lasting spatial framework.

From a mainstream perspective, any cracks in the representation of states as absolute, legal, universal, and permanent are either marginal anomalies safely ignored or problematic exceptions in need of redress. From a more critical angle, however, they reveal contradictions at the core of the statist international order, its own assumed presence, legality, extent, and endurance. And where there are cracks, there is potential movement and change of perspective.

The underlying “substantialist” (Jackson and Nexon, 1999: 199) notion of the state has been sharply criticized in international theory over the last decades, if not for much longer (Bartelson, 2001). Critics have instead proposed relational (Jackson and Nexon, 1999) and discursive (Schiff, 2008) approaches that emphasize the social construction, contingency, and processual emergence of states (see also Biersteker and Weber, 1996), which inevitably come in different “degrees” (Clapham, 1998) and “types” (Sørensen, 2001). In a similar vein, black-and-white understandings of status have been challenged and sovereignty appears as “a relative concept” (Berg and Kuusk, 2010). The world of formally equal sovereigns is in fact one of stark hierarchies (Donnelly, 2006; Simpson, 2004; Zarakol, 2017), “membership” in international organizations is fluid (Hofmann et al., 2023), contestations of statehood interact with contestations of international order (Knotter, 2024), and recognition is conferred by different institutions and to different degrees (Kyris, 2022; Visoka, 2024).² We also see “engagement without recognition” (Berg and Ker-Lindsay, 2020), which implies *de facto* forms of acceptance and affords space for liminal diplomatic practices (Bouris and Fernández-Molina, 2018; McConnell, 2017). Indeed, “liminality” (Gad and Kristensen, 2025; Loh and Heiskanen, 2020; McConnell, 2017; Mälkssoo, 2012) highlights not only the precarious status of subjects that fall in-between standard categories, but also their potential for creatively navigating and redrawing blurry boundaries.

“Contested states” (Bouris and Fernández-Molina, 2018; Geldenhuys, 2009; Kursani, 2021) appear therefore in various forms as well. Some, like Somaliland and Taiwan, have built up—different degrees of—state institutions on the ground but are internationally completely or largely unrecognized. Others, such as Western Sahara and Palestine, are credited with a right to self-determination and recognized by several third states but remain occupied and denied full independence. We also include sovereignty claimants with more limited forms of territorial control and more fragile claims to legality, such as the Tamil nationalist movement in Sri Lanka and the erstwhile Syrian Interim Government. Autonomous regions such as Greenland also perform statehood in certain ways (Gad and Kristensen, 2025). Even the jihadist would-be caliphate of the Islamic State in Iraq and the Levant (ISIL) has made ambiguous allusions to modern statehood (Lister, 2015). One could also include indigenous entities that project alternative renditions of sovereignty,³ although in this article we focus on articulations of sovereignty in the dominant register of the state and international system. Evidently, there are many differences between these entities, but for the purpose of our analysis it would be a mistake to build a tall ontological wall between these categories, because our central interest lies with the effects of sovereignty as a category of practice. We thus use the term “sovereignty claimant” as a heuristic descriptor for a deliberately broad range of entities on whose behalf claims to sovereignty are being made.⁴

Sovereignty, broadly understood, denotes legitimate rule-making authority over people and territory that does not yield to another, external authority. The degree to which such claimed authority is indeed legitimate or effective is evidently up for discussion. Yet given the assertion of legitimacy, sovereignty claimants strive for some form of validation. In some cases, this comprises a clear ambition to be internationally recognized and be granted full membership in the United Nations. Some sovereignty claimants do not have that ambition, however, and rather seek more limited or implied forms of validation, at the very least from their own subjects of rule. In fact, even prominent contested states, including Taiwan, are not singularly focused on obtaining formal state recognition, and even avoid an explicit declaration of independence. Some status prerogatives can be conferred differently, at least to a degree, under certain circumstances. As we shall argue below, this gray zone of brackets and pragmatic work-arounds is filled with self-perpetuating status claims.

The notion of the sovereignty claimant not only accommodates a wide spectrum of contenders, but by speaking of *claims* it also highlights the double nature of presupposing and aspiring to sovereignty. A claim suggests factual assertion *and* normative entitlement, in an irreducibly performative dynamic of self-validation (Weber, 1998). This is arguably why Max Weber's classical formulation that the state "(successfully) lays *claim* to the monopoly of legitimate physical violence" (Weber, 2004: 33; emphasis added), where "the success of such a claim is only parenthetical" (Kyris, 2022: 294), has haunted subsequent substantialist state theory (see Bartelson, 2001). It captures the paradoxical twist of any attribution of sovereignty, presuming and affirming a status that is only brought about by such presumptions and affirmations.

Contested sovereignty claimants illustrate this precarious creativity particularly well, as they struggle to receive the validation of a status that they claim to already have achieved. Since they typically lack widespread recognition, to which state sovereignty is sometimes problematically reduced, their tactics and practices provide a glimpse at the subtler ways in which sovereignty becomes projected and enacted. The assertions of sovereignty claimants might be internationally widely rejected—most vehemently by the parent or occupying state claiming sovereignty over the same territory—but they are *not* external to the moral, legal, and political technology of the state and the international order. They are anchored in it. This is why sovereignty claimants take on a liminal rather than an excluded position, and why their claims at the same time disrupt and mimic the claims of "parent states" to exclusive and legitimate authority over land and people.⁵

In the next section, we conceptually expand on the above-cited scholarship by highlighting the multi-sited and multi-scalar maneuvering that drives the dynamics of contested sovereignty. More specifically, we complement the usual focus on interactions between claimants, parent states, and third states, as well as the focus on recognition, by exploring the role of a broader set of social actors becoming involved in asserting and presuming states by more tacit means and in more peripheral contexts of validation. This maneuvering around state status involves assertions across the scale from the very "lowest" level (e.g. the everyday practices around legal identity documents) to the very "highest" (e.g. opinions and judgment by international courts)—and links between them. This broader approach, we argue, sheds light on the everyday (dis)order of international

relations and, more specifically, on how the assertions of sovereignty claimants expand and either accumulate or falter over time.

Attributing statehood: placeholder exceptions and consequential expansion

A growing cross-disciplinary literature on contested states highlights the performative character of everyday practices asserting statehood (Bobick, 2017; Bouris and Fernández-Molina, 2018; Bryant, 2021; Bryant and Hatay, 2020; Constantinou et al., 2024; Gad and Kristensen, 2025; Grzybowski and Koskeniemi, 2015; Klem, 2024; McConnell, 2016, 2017; Visoka, 2018; Weber, 1998; Wilson, 2016). We draw on and contribute to this literature on performative sovereignty and contested statehood by broadening the scope of social actors involved and asserting, assuming, or bracketing states in different contexts and by theorizing the entangled relationship between them.

Rival claims to sovereignty and statehood, in both their factual and normative dimensions, provoke reactions not only by those directly prompted to react, first and foremost “parent states” as well as concerned third states and prominent international organizations with the UN at the forefront. Sovereignty claims spill over into other areas of everyday life and international relations, asking other actors from affected individuals to field offices of international agencies to international courts to take position, or find practical work-arounds. Attributions of statehood by these diverse actors serve particular purposes in particular situations, but they do so only because they also resonate beyond such circumscribed settings, via reference to former precedents and broader contexts, thus entangling different actors and junctures. Sovereignty is thereby “bootstrapped” (Barnes, 1983; Brilmayer, 1989) into existence, as a claimed status assumed at one particular instance, repeated elsewhere, and yielding effects that feed back into – self-referential – status assumptions.⁶

We propose two interlocking mechanisms that heuristically grasp these dynamics: *placeholder exceptions* and *consequential expansion*. The first mechanism involves the attribution of clearly delimited state qualities to resolve a specific issue that requires legal, political or administrative redress. It generates an exception to the four postulates above, where an entity is treated in a state-like manner for a very specific reason without apportioning state status to the entity as a whole.

Placeholder exceptions occur both in substantive and temporal form. Functional attribution by international courts is a clear example of the former. Through such attribution, a court treats a contested state as a state in a particular international law setting, say a case of criminal, human rights, or investment law, while eschewing judgment on whether or not it is “really” a state, in the sense of absolute status under general international law (Vidmar, 2021; Worster, 2020). Postulate 1 above is thus bracketed. Similarly, governments and international organizations may engage with a contested state para-diplomatically, without formally recognizing it (Berg and Ker-Lindsay, 2020; Constantinou et al., 2024; Gad and Kristensen, 2025). Their formal stance is that the entity is not a state, but they accept its paperwork, agree to interact with it, and seek forms of collaboration that are normally reserved for states.

The temporal variant of placeholder exceptions comprises interim arrangements. After all, the common rationale of interim institutions is to circumvent thorny questions of status and legality: “this is no government, it’s just a temporary set-up”; “this is no border, just a frontline with some make-do arrangements”; “we do not recognize this entity as a state, we merely engage with it diplomatically for the time being.” Through *placeholder exceptions* the conceptual place of a state is suggested, but it is left open whether or not the sovereignty claimant fully occupies it.

Placeholder exceptions afford the creation of a limited state-like presence: for a specific purpose, for a limited period of time, in an informal manner. But what starts as limited may not remain limited, because state prerogatives connect and grow, and when they do, limits are pushed. That brings us to the second mechanism: *consequential expansion*. The creative and pragmatic assumption that a particular entity is a state for some purposes is not invented on the spot. It evolves through citational practice (Weber, 1998) by a variety of actors, from courts and UN agencies to NGOs and individuals, across different situations and contexts. It replicates previous assertions made elsewhere by others, and pragmatic assumptions in one place yield plausible claims elsewhere. Placeholder dynamics enable the limited acceptance of status claims, institutions, or frontlines as if they referred to a state, but when the specific becomes general and the interim becomes permanent, the institutions appear like governments, frontlines like borders, and functional attributions spill across their bounds because people, things, and issues move.

In other words, limited attributions of state status generate potential knock-on consequences, often with (implied) reference to general notions presented in our four standard postulates above: absoluteness, legality, universality and permanence. It may seem commonsensical that one first establishes a legal foundation to then create the institutions mandated by it, but sovereignty claimants may do the reverse, as did other states in the past: they create *de facto* frameworks, these persist and develop over time, and then they grow—or re-grow—legal roots. Enactments of statehood therefore involve a gradual accumulation of assertions that tie in with each other. This process is thus self-perpetuating, “looping” (Hacking, 1995) or “bootstrapping” (Barnes, 1983; Brilmayer, 1989) a status across different moments and sites with increased commonsensical validation. Official recognition is but one type of such validation, if a particularly stylized one, that might or might not become part of the process in some way or another.

Of course, it is precisely because of the legitimating dynamic of precedents that claims of state status face pushback. Opponents of such projected state entities hold that even a very limited, temporally bound or informal acceptance of their claims will open the floodgates to subsequent claims. Such concessions must thus be avoided at all costs, and formal recognition is presented as ultimate hallmark of sovereign statehood to re-impose boundaries. Contested assertions of statehood therefore always remain precarious. Given the gradual staggering of assertions by sovereignty claimants, the unsettling of one assertion can have knock-on consequences too. Ultimately the self-validating anchor points of the whole legal-political constellation may become unmoored, and the bootstraps come lose again.

Laying the ground: legal assertions in the crumble zones of the international order

This section substantiates the preliminary part of our argument, namely that contested states and other sovereignty claimants are not merely anomalies of the international political order, but reveal competing legal, administrative, and political norms that clash, and thus yield ambiguity, friction, and overlap. The placeholder exceptions that we discuss in the next section thus do not come out of the blue. Sovereignty claimants legitimate their legal and political case by making assertions in the normative arena of both the so-called parent state—or, in some cases, the occupying state—and in international law. We illustrate these points by drawing on selected case examples.

Separatist movements, for instance, typically draw on the norms and assertions of the state that they militate against, turning the legal, political, administrative, and moral technologies of the state against itself. That is, they seek *severance* from the parent state, but in articulating that claim, they often advance countervailing interpretations of the legal precedents, constitutional principles, and notions of popular sovereignty that are *anchored* in that parent state.

Take the Tamil nationalist movement in Sri Lanka. The *de facto* state institutions of the Liberation Tigers of Tamil Eelam (LTTE) that existed from the early 1990s to the late 2000s attracted international attention. By a conventional reading, Sri Lanka is clearly a legitimate, constitutional, democratic, and sovereign state, while the LTTE's self-declared offices lacked legal underpinnings and democratic validation. But if we interpret the LTTE's institutional framework as an articulation of the Tamil nationalist movement more widely, a more complex set of layers and historical cadences emerges. In broad strokes, the movement asserts that the Tamils comprise a nation with a historic homeland and the right to self-determination. The finer line of argument is then anchored in Sri Lanka's constitutional history. With the 1972 constitutional reset (which compounded earlier waves of constitutional tussling), the Sri Lankan government misused its parliamentary majority to impose a new constitutional framework, Tamil nationalists argue. That framework lacked the consent of the Tamil people (as evident from elected Tamil leaders opposing it) and legal validity (as evident in the breach of minority protective clauses of the previous constitution).

To deflect the criticism that these were the views of a small elite, the Tamil nationalist movement sought electoral endorsement from Tamil constituencies in a sequence of political moves. Lacking the political space to hold a formal referendum, the Tamil nationalists declared the 1977 parliamentary elections to serve as a plebiscite where a vote for their party represented a vote for Tamil self-determination, the rejection of the Sri Lankan constitution, and the aspiration for a separate state. Sri Lanka's own legal norms (constitutional clauses) and political institutions (electoral democracy) were thus deployed for separatist ends. This prompted a hostile tit-for-tat dynamic, where the government outlawed the propagation of Tamil separatist ideas and Tamil leaders rejected Sri Lanka's entire legal system as illegitimate. Tamil leaders were tried in a special tribunal on counts of sedition, which then led Tamil leaders to challenge the legality of the court itself, given its anchoring in an illegal constitution. Ironically, the special Sri

Lankan court that had been created to suppress separatist ideas in the end became a platform to propagate them (Klem, 2024; Welikala, 2012).

A similar development occurred in Cyprus, which emerged from the colonial era in 1960 with a bi-communal constitution that encoded distinct legal systems, electoral frameworks and political offices for the Greek and Turkish community. The Turkish Republic of Northern Cyprus (TRNC) is widely considered illegal, as discussed below. But the assertions underpinning this renegade entity carry the marks of the Cypriot constitution. The TRNC was preceded by the Turkish military invasion of 1974, which Turkey legitimized through its mandate as a guarantor power responsible to protect the Cypriot constitution. This resulted in the Turkish Federated State of Cyprus (TFSC), declared in 1975. The TFSC was an explicit articulation of the “Turkish half” of the bi-communal Cypriot constitution, which the Turkish-Cypriot community “upgraded” into a proposed federal system. In doing so, it reasserted the constitutional checks and balances between the two communities that the Republic of Cyprus (RoC) failed to uphold. However, the Greek Cypriot community rejected this idea, leaving only the Turkish-Cypriot half of a proposed federation. Preserving the TFSC as one federal half of a bi-communal system became impractical after a decade, so in 1983, the TFSC was abolished, and the TRNC was created through a unilateral declaration of independence (Bryant and Hatay, 2020).

Rather than adjudicating right and wrong, our point here is to underline that part of the TRNC’s claim to legitimacy is ultimately anchored in the norms of the 1960 RoC constitution, and some of the TRNC’s offices can be considered incarnations of the institutional framework established through that constitution.⁷ The RoC has persistently violated its own constitution since the late 1960s, by not respecting the entitlements of the Turkish-Cypriot community to their own electoral roll, their own courts, to the office of vice president and so on. This is legitimized with reference to the “doctrine of necessity,” which amounts to a perpetual state of exception to the bi-communal architecture that is foundational to the constitutional order of the RoC (Hadjigeorgiou and Kyriakou, 2020).

In both the Sri Lankan and the Cypriot context there are of course credible arguments one can make against these secessionist assertions: the Sri Lankan constitution *has* been democratically endorsed by the majority of the Sri Lankan electorate as a whole; elections are *not* a plebiscite; the Cypriot constitution provides the Turkish-Cypriot community with entitlements and institutions, but it has *no* federal character, *nor* does it mandate the creation of a separate state; the TRNC is propelled by the continued Turkish military occupation of North Cyprus, which is *not* legal. Yet, the end result is not a clear-cut picture of a recognized state that is sound in constitutional and democratic terms on the one hand, and an unrecognized entity that lacks such legitimation on the other. Constitutional principles and democratic values impart a more complex constellation. Fundamental norms clash. And this yields transgressive forms of democratic experimentation and ambiguous legal spaces.

A second set of normative contradictions stems from the international dimensions of these conflicts. This is partly because the right to self-determination has myriad blurry boundaries in terms of who has this right, the exact demographic and geographic demarcation of that right, and what this implies for other assertions of state sovereignty (Loong et al., 2025). The two most salient examples in this regard are the Palestinian people and the Sahrawi community of Western Sahara. For both, the right to self-determination is

widely accepted and codified in international jurisprudence. The Sahrawi Arab Democratic Republic (SADR) and state of Palestine have also been formally recognized by a large number of states, although the momentum is receding in the case of the former which is increasingly *de*-recognized (Visoka, 2024). Palestine obtained non-member observer status in the United Nations General Assembly. In both cases, however, the effectuation of the right to independence is frustrated, mainly by the states from whose control they seek to wrest themselves, respectively Israel and Morocco. Some of Israel's and Morocco's tactics evidently violate international law, but they also use to their advantage that the status of Palestine and Western Sahara *as states* remains internationally contested.

Such cases, where a sovereignty claimant is widely credited to have the right to self-determination but is unable to effect it, are rare. Most claims to self-determination are made on behalf of entities other than formally designated "non-self-governing territories" and thus receive a more skeptical international response. Still, the claims of a variety of contested entities have left their status ambiguous in one way or another: from Somaliland's claim of having effectively re-established its shortlived 1960 independence, to Taiwan's still undetermined position vis-à-vis China, to Kosovo's recognition by one half of the international community, and rejection by the other half.

In these and similar contexts, the application of international norms that are typically tied to states as duty-bearers show cracks and contradictions. For instance, pivoting on postulates 2 and 3 above, International Human Rights Law applies universally and binds states as primary duty-bearers. It must apply even in a context where a part of a state's population and territory is governed by an insurgent group or *de facto* state (Fortin, 2016; Schoiswohl, 2004). But this creates a contradiction: on the one hand, a self-declared, unrecognized entity is not officially conferred the status, rights, and obligations of a state; on the other hand, it is the only party that is credibly able to take legal responsibility for the protection of human rights, requiring either to broaden the spectrum of actors, or the functional attribution of statehood (Worster, 2020). Other branches of international law, including international humanitarian law, trade law, and criminal law, face similar challenges (Panepinto, 2021; Vidmar, 2021).

As this section has illustrated, firm dichotomies around legality, legitimacy, and recognition become blurred in the context of contested states. For our inquiry, the point is neither to settle these status disputes, nor to categorize different types of entities. Instead, we are interested in how the cracks and contradictions of the international order point beyond the conventional assumption of states as given, and set the stage for considering the messy, tacit, and multi-sited bootstrapping dynamics of projecting and presuming contested states in practice.

Bootstrapping sovereignty: limited attributions and knock-on consequences

This section turns to our central argument, namely that enactments of contested statehood comprise the mechanisms of placeholder exceptions and consequential expansion. The interplay between the two yields a protracted sequence of state-like assertions, implied forms of authority, legal claims, and limited forms of accreditation in the arena of

international law, which may then serve as stepping stones for more encompassing assertions of state status. In other words: material, legal, and discursive realities interact, and sovereignty claimants seek to shape these interactions to pry open entry points into the circular logics of sovereignty.

International courts play a significant role in these trajectories. When confronted with ambiguous status questions and blurred boundaries, international judges at various courts have some leeway to creatively work around sharp lines of international law on which they are authorities, but they might also face backlash from hostile governments that seek to determine contested status by the sword rather than the pen.

Under routine circumstances, states are the very parties that bring disputes to international courts, who seek arbitration or request legal opinions. Sometimes, if rarely, however, their existence or right to existence is the very issue occupying a court. Consider Western Sahara, whose fate as a future state or else territory of Morocco (and Mauritania) was disputed in the early 1970s, as Spain prepared for withdrawal from its colony. According to the ICJ's 1975 Advisory Opinion (ICJ, 1975), Western Sahara had had ties to Morocco and Mauritania prior to Spanish colonization but had not been under the sovereignty of either. As such, it had a right to self-determination, and the Polisario Front declared the independence of the SADR in 1976. However, Morocco occupied and annexed the territory, and the Polisario Front only ever controlled marginal areas and mostly performs its "sovereignty in exile" (Wilson, 2016). More than 80 states recognized the SADR at some point, but the number has dropped to 40 some since. More recently, with a shift in African Union policy and especially US American recognition of Morocco's sovereignty over the annexed territory, the tide has turned further against Western Saharan independence (Fernandez-Molina, 2025; Visoka, 2024)—a trend corroborated in the UN Security Council's endorsement of Morocco's proposal for Western Sahara's "autonomy" under Moroccan control in 2025. While the ICJ's opinion and subsequent recognitions have thus been up against formidable odds, the minimal leverage that the "state movement" of Polisario Front and SADR could muster derived from Western Sahara's right to self-determination. Indeed, this status still faintly echos, for instance, in the 2024 insistence by the Court of Justice of the European Union (CJEU) that EU agreements with Morocco over fisheries and agricultural produce in Western Sahara imply the consent of the "people" of that territory, requiring the EU Commission to adjust its trade agreements yet again (CJEU, 2024), as they had done only superficially in the past (Allen, 2020).

In other ICJ cases, the key part of the court's advisory opinion did not pertain to a territory's legal status itself, but to the implications thereof, yielding different forms of placeholder exceptions and consequential expansion. The 1971 Namibia Advisory Opinion is a well-known example (ICJ, 1971). The Court found that South Africa's occupation of Namibia was illegal, yet the legal identity documents issued through this illegal administration (particularly birth-, marriage- and death certificates) had to be accepted as valid to prevent disproportionate harm to the people carrying them. This exception creates the peculiar constellation where an illegal fact (the authorities that implement South Africa's occupation) produces legal facts (the identity documents of the people under its control). Such a breach of postulate 2 above has of course been observed with great interest by the authorities of entities that lack an internationally recognized legal basis.

Indeed, several *de facto* states, including Northern Cyprus, have taken the Opinion as a legal precedent to seek accordance for documents they issue to their population.

The Namibia Opinion is a clear example of a placeholder exception: the documents are legal for functional reasons even if the institutions that issue them are not. But this limited exception then also affords scope for consequential expansion. After all, if people living in an unrecognized state like the TRNC are legally registered (as a logical extension of ICJ's Namibia exception) with paperwork that endorses them as citizens of that state (Navaro-Yashin, 2007), then that suggests that there is a national community of citizens and an administrative architecture with a legal existence of some sort. That opens up space for a whole range of knock-on reasonings. For one, it makes different forms of interaction with other states thinkable, which may in turn yield implied forms or recognition. For example, a large number of states treat Taiwanese passports as valid legal travel documents, despite *not* recognizing Taiwan as a sovereign state. Such discrepancies also exist with Abkhazia, South Ossetia, and Transnistria (Ganohariti, 2023).

Similar knock-on effects have occurred in other contexts and proceedings by international courts. The European Court of Human Rights (ECtHR) has been confronted with questions concerning the legal obligations of unrecognized *de facto* authorities in the TRNC, Transnistria, and Nagorno-Karabakh. As with the Namibia exception, the fundamental legal force field is one between illegality of the entity (which warrants repudiation) and universality of human rights (which warrants some form of engagement). Negating the existence of these *de facto* administrations would undermine public responsibility for protecting human rights; acknowledging them would risk accepting illegal state creation (Lagerwall, 2025). And thus, we see exception being added to exception, work-around being stacked on work-around.

The TRNC case is perhaps most pronounced in this regard. Fifty years after the 1974 split—with no recent escalations of violence and both sides of the island highly integrated in globalized flows of migrants, tourists and services—there has been a steady flurry of contested assertions and legal bones of contention. With so much time passing, we have seen a whole array of placeholder exceptions and consequential expansion. The TRNC and its inhabitants have found work-arounds for questions of citizenship (with almost everyone having more than one nationality), trade restrictions (with a flourishing service sector circumnavigating embargoes on commodities) and higher education (with an oversized university sector under Turkish accreditation catering to international students). The TRNC is rife with temporal arrangements that have assumed a permanent character (Bryant and Hatay, 2020). Most obviously, the UN-controlled buffer zone that splits the island is a border to the TRNC. But for the RoC and the UN it is no such thing: it comprises a set of interim measures around a military frontline. After the opening of the gates in the 2000s, the flow of people across this previously closed divide has become continuous. The RoC checkpoints on the South of the buffer zone have in effect become border checkpoints (despite not being that officially, as this would concede that TRNC territory no longer be part of the RoC). And as such, RoC checkpoints mirror the counters of the TRNC immigration officers on the North of the buffer zone, thus making it harder to insist that they are not that.

An additional complication stems from Cyprus becoming a EU member state in 2004. This membership pertains to the RoC; the TRNC remains unrecognized by the EU and

European law is suspended indefinitely for the North. However, in principle the whole island is RoC and therefore also EU territory, and the Turkish-Cypriot community count as EU citizens (provided they can substantiate credible Cypriot family lineage predating the split) who are thus entitled to run and vote for the European Parliament, despite being citizens of an illegal republic. Exceptions yield more exceptions, even if the status question itself has not been changed by international courts.

In recent years, we have also seen creative navigation and ambivalent reasoning by international courts on the heart of the status question of contested entities. In its 2010 advisory opinion (ICJ, 2010) following a Serbian-initiated request by the UNGA, the ICJ addressed the question whether the 2008 declaration of the independence of Kosovo had violated international law (see Milanovic and Wood, 2015). The many supporters of Kosovo, including the US and major EU member states, argued that any attempt to reconcile Serbia and the provisional institutions of Kosovo had failed and, in light of the violent history between the two, independence had become the only viable path forward. Serbia and its supporters, including Russia and China, instead held that secession was illegal, and the UN interim administration which had only temporarily suspended Serbian sovereignty over Kosovo was still in force—and if no other agreement was reached, then Serbia's sovereignty should be fully restored. In its Advisory Opinion (ICJ, 2010), the ICJ reasoned that Kosovo neither had a right to nor was it prohibited from becoming a state. Whether it had indeed become a state the Court would not answer, leaving ample space for placeholder tactics. It also did not argue that Kosovo had a special right to national self-determination, nor did it say that the provisional institutions of Kosovo had the authority to unilaterally exit the UN interim administration. Yet it did suggest that it were “representatives of the people” who had declared independence, not within but beyond the UN interim regime (ICJ, 2010: para 109). Whether state creation had taken place was left to imagination, but an imagination inspired by vivid suggestions of absent legal barriers through which a newly accredited “people” had passed by.

If the ICJ had thus walked a tightrope in the case of Kosovo with allusions left and right, attributions of the status of Palestine between the UNGA, ICJ, and ICC present full-fledged legal-diplomatic acrobatics. Palestine has long been considered as a unit of self-determination that is illegally occupied by Israel (ICJ, 2004; 2024b) and it is recognized as a state by many other states. Yet, in 2012 Palestine was barred from the joining the ICC when it sought to request investigations into crimes committed in its territory. The Office of the Prosecutor publicly explained that as a court with only states as members and a specific mandate in international criminal law, it was not entitled to assess Palestine's statehood under general international law and could thus not admit the contested state (ICC OTP, 2012). Without state membership and jurisdiction, no investigations, since Israel was not a party to the Rome Statute either. The Palestinian Authority took the hint, however, and in 2013 achieved a diplomatic victory by having the “State of Palestine” admitted by the UNGA as a “non-member observer state.” It stood no chance of becoming a full member, due to certain US opposition in the Security Council. However, being endorsed as a state entity—even as a non-member observer *state*—created a new placeholder. It sufficed for the ICC to consider its renewed request and begin initial investigations.

This legal foot in the door was corroborated when the ICC Prosecutor asked a Pre-Trial Chamber to clarify its jurisdiction, yielding a ruling in 2021 that Palestine was a state for the purposes of the Court, partly because of the fact that it had been admitted to the Rome Statute as a “state party”—an admission which had before depended on Palestine being a state (ICC, 2021)—as the court reasoned in a perfect loop. The pre-trial chamber also ruled that the ICC’s jurisdiction extended throughout the occupied territory of West Bank, Gaza, and East Jerusalem in the borders of 1967 because this was the territory attributed to Palestine as a people with a right to self-determination and independence. The 2024 arrest warrants of Israel’s Prime Minister and Minister of Defense are based on this derivation of statehood. Fragments of statehood—from UN non-member observer state status and self-determination to jurisdiction and criminal responsibility—have thus been consequentially assembled as legal bits and pieces of what the ICC, and others, imagine as a state in brackets (Grzybowski, 2025; see also Panepinto, 2021). To be sure, however, assertions of statehood challenged by an occupying state invariably remain precarious, as we will discuss below.

Summing up, entities like Northern Cyprus, Kosovo, Palestine, and Western Sahara, as well as the Tamil nationalist movement and Syrian opposition government, discussed below, are bootstrapped into degrees of legal existence, by asserting their legitimate authority and soliciting small or implied forms of endorsements from international courts and other external actors. The exceptions and ambiguities instated by the rulings of the ICJ, ICC, and ECtHR (alongside other courts) resonate with theories of functional statehood: it is possible to assume the existence of a state for some purposes, while negating it for others (Worster, 2020). The placeholder exceptions that we have described arguably keep the legal conscience clear, but they also evince a somewhat schizophrenic ontology of the state, which affords space for sovereignty claimants to steadily advance their assertions through consequential expansion. Every functional accordance has implied knock-on consequences. Every legal exception opens space to consider another exception. And yet, such advances clearly have limits and setbacks. While our examples above illustrate how assertions of sovereignty can gradually accumulate into more comprehensive claims to statehood, each of the above assertions is contingent and remains vulnerable to a potential reversal. We discuss the implications of these precarities in our final section below.

Bootstraps coming loose: the enduring contingency of sovereignty assertions

This section substantiates the final part our argument, namely that the assertions and forms of international endorsement through which contested states seek to escalate their claim to legitimate statehood are fundamentally contingent. Given the bootstrapped assertions of law and authority, the whole legal-political architecture of sovereignty claimants is prone to severe damage or even violent collapse if one of the legitimizing claims is unmoored.

Bold performative assertions of state authority over a particular issue or territory can help sovereignty claimants lift themselves up: when they receive implied international

endorsement, a next assertion becomes possible. But the same assertion can have the opposite effect when the context changes. Let us briefly return to the Tamil nationalist movement in Sri Lanka. In the 1990s, the LTTE militancy started creating *de facto* state institutions and in the early 2000s, the Norwegian-facilitated peace process enabled the movement to take its performative repertoire of sovereign statehood to the international arena. In 2002, LTTE delegations visited and received foreign diplomatic missions, they held well-attended press conferences, and they negotiated as a party on par with the Sri Lankan state. “The boys,” as the local vernacular goes, had been staging hit and run attacks just years before, but now they were wearing suits and flying across the globe. These diplomatic placeholder exceptions had a big wow-factor for its constituencies in Sri Lanka, among the Tamil diaspora and in international media.

The same staged performances agitated other audiences, most obviously in Colombo, New Delhi, and Washington DC. And when the Norwegian-supported peace process balked, and then unraveled, almost all states sided firmly with the Sri Lankan government and an increasing number proscribed the LTTE as a terrorist organization. The LTTE staunchly suspended its participation to the peace talks when no progress was made and persisted its course as a sovereignty claimant. In late 2003, it unilaterally tabled a proposed peace deal, based on an Interim Self-Governing Authority. From the LTTE perspective, this was a logical next step in its escalation of state performativity, but the international audiences of its performance had changed. Rather than mesmerizing foreign observers, its state-like assertions now raised alarm. With only the (now awkwardly isolated) Norwegians playing along, the LTTE self-representation that had seemed credible and self-validating earlier started looking farcical (Klem, 2024). The talks derailed and when the war resumed, Sri Lanka received firm international military support and intelligence as well as diplomatic backing amid mounting concerns over soaring civilian casualties and violations of humanitarian law. And in 2009, the LTTE was comprehensively defeated.

The contingent nature of the placeholder exceptions that we described above is also evident in the legal status they apportion to their population. Extreme examples occurred in Syria, which experienced a whole welter of sovereignty claimants, including the Islamic State of Iraq and the Levant (ISIL), the Syrian Interim Government (SIG), and Hay’at Tahrir al-Sham (HTS), formerly Al-Qa’eda offshoot Jabhat al-Nusra. While the SIG aimed to replace the Syrian regime as official government of the same country, ISIL sought to dissolve Syria in favor of a transnational caliphate, and HTS departed from its early Al-Qa’eda vision of building a local emirate, instead taking over the Syrian state. Each of these entities issued legal identity documents to their subjects (Adamczyk and Doumit, 2023; Sosnowski, 2020), but they had very different degrees of international acceptance, and this acceptance shifted over time. Paradoxically mirroring ISIL’s audacious but widely rejected claim of having set up a state and caliphate (Grasten and Grzybowski, 2023), Western states reacted fiercely to its notion of quasi-citizenship. Some states revoked the citizenship of their own dual citizens because they had joined ISIL, a policy which in the case of the UK was not restricted to dual citizens and could entail statelessness (Laine, 2017). This stance treated ISIL’s claim as simultaneously void, in negating ISIL’s citizenship, and potent, in treating it as sufficient grounds for invalidated citizenship in the home country, as if ISIL was in fact a foreign state.

By contrast, Western governments encouraged the SIG to issue citizenship documents. As a renegade entity of the Syrian opposition spearheaded by lawyers and civil servants, the SIG exercised Syrian state authority in parts of the Northwest and as a government-in-exile among the Syrian diaspora in Turkey. For several years some Western states recognized it as the legitimate government of Syria, and it received support from Western-funded NGOs to deliver a civil administration through the provision of legal identity documents. However, when the Assad regime consolidated its position, the SIG's validating framework disintegrated. It lost its international recognition, and the documents it had issued to the people under its control now became a source of concern. Their validity became contested, Western immigration departments claimed them to be irregular, and in regime-controlled areas they could be taken as evidence for treason (Sosnowski, 2020). The Islamist HTS ran its own administration in Idlib but remained an international pariah—until 2024, when it marched on Damascus, overthrew the Assad regime, and revamped itself as the backbone of the new, postrevolution Syrian state.

Placeholder exceptions thus involve precarity for both the self-declared governing entity and the people under its rule. In the TRNC, this is especially evident with regard to asylum-seekers. A growing number of refugees find their way to the TRNC. Refugee law is universal, so it must be possible to claim asylum in the Northern part of Cyprus. Yet, the TRNC is not recognized as a state and is thus no signatory to the Refugee Convention, it has no domestic asylum framework, and international actors like the UNHCR spurn direct engagement with it. This results in the precarious constellation of people like Rishad, whom we mentioned at the very start of this article. The UNHCR resorts to a placeholder exception by issuing refugees like Rishad a "Person of Concern" certificate, which affords Northern Cyprus an improvised place in the international refugee framework. This work-around has real material consequences: it helps refugees avert deportation and it affords access to rudimentary services. But these informal entitlements are highly contingent. A "person of concern" has a *de facto* status within the TRNC's legal system, which itself has a *de facto* status (Klem, 2025). It can be called into question at any moment, and if that happens there is no recourse to the law or to the UNHCR. In similar vein, refugees who decide to cross the buffer zone and seek asylum in the RoC often meet a hostile response. Sending asylum-seekers back to the TRNC is legally inconsistent (as they were already on territory that the RoC considers its own) and arguably a breach of refugee law (returning them into an illegal emergency context amounts to refoulement). Because of its own political imperatives to attenuate refugee flows, the RoC in effect corroborates the TRNC's claim that the buffer zone is really a national border and the TRNC a credible entity—to the detriment of asylum-seekers.

Nagorno-Karabakh had progressed a long way on the ladder to statehood along the trajectory that we sketched in the previous section. With stable control over territory and governing institutions, it had a patron state in Armenia, a regional guardian of sorts in Russia, and its claims to territory and authority had made their way into the jurisprudence of the ECtHR (Lagerwall, 2025). While full recognition as a sovereign state (or unification with Armenia) were clearly not in sight, the enclave had been successfully bootstrapped into a *de facto* republic since the ceasefire in the late 1980s (De Waal, 2003), by consolidating a functional governing apparatus and an incipient form of international legal accordance in mediation processes such as that of the OSCE Minsk group

composed of Russia, France, and the US. And yet, when the Azerbaijan government deployed its military in 2021 and again in 2023, the enclave was eventually wiped off the map. Many of its Armenian residents fled and claims to Nagorno-Karabakh authority and territory were declared null and void. There was some diplomatic protest, but none that would trouble the government in Baku. International law was used against Nagorno-Karabakh, which was framed as foreign-assisted rebel group (Paylan, 2025). Making it to the higher rungs of the metaphorical ladder to statehood offers no assurance against crashing all the way back down.

Palestine represents the starkest contrast of our time. The Israeli military offensives in Gaza in response to the Hamas attack of October 2023 reveal the immense precarity of Palestine, despite its success in securing formal recognition from countries across the globe and gaining a state-like status in the UN General Assembly, the ICC, and other major international legal and political fora. Gaza lies in ruins, its population is dead, injured, traumatized and/or displaced, and Palestinians in the West Bank suffer the intensified subjugation of militarized settlement politics. A Palestinian state exercising independent control over its territory appears an ever more unlikely reality. The severe escalation has also precipitated more legal precedents, however, with the ICJ warning of genocide (ICJ, 2024a) and confirming the illegality of the occupation (ICJ, 2024b), and the ICC issuing arrest warrants for the Israeli Prime Minister and former Minister of Defense for alleged international crimes in Palestinian territories.

Brute power politics intervene, whether largely in support of (Kosovo, pro-Russian separatists in Ukraine) or against (Western Sahara, Palestine) the contested state. Azerbaijan destroyed Nagorno-Karabakh without provoking the robust international reaction that Russia's attempt to do the same with Ukraine called forth.⁸ Israel reduced Gaza to rubble and continues to encroach on what remains of Palestinian land, rights, and authority, despite Palestine's further spreading recognition.

Yet, the erasure of sovereignty claimants is rarely complete. Palestine lives on, in the resilience of the people that resist the occupation or the diplomatic chessgame between the Palestinian Authority, Hamas, UNGA, ICJ, ICC, and others. Even the status of Nagorno-Karabakh echoes in its demise. The Azerbaijani government ironically demanded as a condition for a ceasefire in September 2023 that the authorities of Nagorno-Karabakh formally dissolve the Nagorno-Karabakh Republic—thus implying the authority of an entity whose existence they had denied but now invoked through its final act (Paylan, 2025). Whether such loose ends can be tied up again or not depends on evolving circumstances, but future claimants are likely to pull on them.

Conclusions

Contested states and other sovereignty claimants straddle the foundational distinctions of the international system to one degree or another, between state and non-state, home and exile, “international” war and “domestic” rebellion. Their liminal status reflects both structural vulnerability and audacious transformation, ambiguous limbo and creative emergence, the contestation and the mimicking of the states they confront.

Much of the literature has focused on the performance and recognition of contested states to grasp whether and how their statehood claims stick (Bryant and Hatay, 2020;

Constantinou et al., 2024; Klem, 2024; Visoka, 2018; Weber, 1998). Yet, as we have highlighted in this contribution, performative assumptions and assertions of states are not only about a sovereignty claimant making diplomatic overtures to a critical jury of established states and international organizations. They are also propelled by other actors—from individual citizens and migrants to UN agencies and international courts—who seek to redress the frictions, overlaps, and voids that exist in contested states because of their own social, political, humanitarian, and legal imperatives.

As a preliminary point, we reiterated that sovereignty claimants are not parties external to the legal order who seek a way in; their foundational claims are already anchored in that order. The Tamil nationalist movement leverages Sri Lanka's constitution and electoral system to propel its separatist claims. Polisario's demand for an independent Western Sahara mobilizes international law. Using several examples, we then substantiated our central argument that external actors seek creative ways to navigate the controversial status questions of sovereignty claimants, yielding a dynamic interplay between placeholder exceptions and consequential expansion. The TRNC remains firmly unrecognized, but its migration flows create imperatives for the UNHCR and for the RoC to countenance the TRNC's paperwork and institutions and to implicitly endorse the TRNC's claim that the buffer zone is a border, rather than a temporary frontline. The ICC's imperative to act on grave international crimes created a foothold for Palestine to improve its international standing as a state-like entity, following a sequence of accreditations endorsed by the ICJ and the UNGA. State sovereignty is thus bootstrapped into existence at the margins and for seemingly limited and pragmatic purposes, by placeholder exceptions and consequential expansion.

Our final section underlined that such bootstrapping remains contingent. Limited forms of acceptance can always be doubted or suspended. Nagorno-Karabakh accumulated a high degree of acceptance for its *de facto* institutions and status, but when the geopolitical context shifted to its disadvantage, these accomplishments offered no defense against Azerbaijan's military take-over. The SIG successfully positioned itself as the Syrian government-to-be, providing legal identity documents to its citizens with support from Western states, but these documents became a liability when the tide of the Syrian civil war turned, and the SIG's placeholder exceptions lost traction.

In closing, we make three observations with an eye on future academic research on contested states and other sovereignty claimants. First, our approach highlights that unresolved status questions are not just a problem for the primary conflict parties, but that the assumed centrality of statehood in the international system renders them a challenge for a host of other actors whose own status or mandate is at least indirectly premised on the attribution of sovereignty to states. Second, the concepts we have advanced to analyze the assumption and dissemination of sovereignty "travel" across prevalent categorical divisions in the literature. They concern *de facto* states, insurgent groups, governments-in-exile, and transformations from one such category to another. Third, we steer away from the well-established study of formal recognition and UN membership to instead explore a much broader range of contingent assertions, their sources, and their consequences. And in so doing, we broaden the lens from narrow echelons of statesmanship to multi-scalar dynamics that range from individual citizens, and migrants, to the judges of international courts. Perspectives in IR can draw on, and in turn enrich, insights from

anthropology, law, and other fields, facilitating a conversation about the intermingled actors, sites, and concerns involved in claiming sovereignty.

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Notes

1. Any strict demarcation fails to capture the dynamic of contestation at play in cases of self-styled but formally rejected claimants to statehood and sovereignty (Grzybowski, 2019; Kursani, 2021).
2. Rules of recognition also changed over time (Fabry, 2010).
3. Whether and how indigenous claims defy and/or mobilize Europe-derived notions of sovereignty has stirred some debate (Aalberts, 2018; Bonilla, 2015; Clavé-Mercier, 2025; Lightfoot, 2021).
4. Expanding on Kyris’ (2022) somewhat similar term of “statehood claimant,” which designates entities that have “statehood as an objective” (p. 294) but obtain “dynamic” degrees of sovereignty depending on “the growth or loss of recognition” (p. 295), our broader notion of sovereignty claimant is neither primarily focused on recognition nor restricted to the set of 24 “statehood claimants” identified by Kyris.
5. As mentioned earlier, some movements also make claims that *are* external to the parent state and the international order of states as such and yet claim some form of “sovereignty” as a vehicle of contestation or escape. These include indigenous notions of sovereignty (Clavé-Mercier, 2025; Lightfoot, 2021), but also—in a very different register—jihadist counter-polities such as ISIL’s (Grasten and Grzybowski, 2023).
6. Historically, states have emerged through circular forms of attribution and retrospective legalization (Aalberts, 2018; Anghie, 1999). Unlike in the traditional English School narrative of an “expansion of international society” (Bull and Watson, 1985), sovereignty was not lacking before it was granted but inscribed a hierarchy between sovereign and other entities in the first place (see also Keene, 2002).
7. The preamble of the TRNC constitution in fact refers to the “unlawful” way in which the RoC violated the bi-communal character of the constitution to create a Greek Cypriot “monopoly,” thus losing its legitimacy.

8. The respect for the legal prohibition of the use of force among states is a matter of degree, but this only illustrates our point that formal recognition is but one particular—if a highly stylized and consequential—way of attributing sovereignty, and not the often-presumed bright line between states and non-states.

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