UNIVERSITY OF AMSTERDAM

UvA-DARE (Digital Academic Repository)

Contested States, Hybrid Diplomatic Practices, and the Everyday Quest for Recognition

Bouris, D.; Fernández-Molina, I.

DOI
10.1093/ips/oly006

Publication date
2018

Document Version
Final published version

Published in
International Political Sociology

License
Article 25fa Dutch Copyright Act (https://www.openaccess.nl/en/policies/open-access-in-dutch-copyright-law-taverne-amendment)

Link to publication

Citation for published version (APA):
Bouris, D., & Fernández-Molina, I. (2018). Contested States, Hybrid Diplomatic Practices, and the Everyday Quest for Recognition. *International Political Sociology*, *12*(3), 306-324. https://doi.org/10.1093/ips/oly006

General rights
It is not permitted to download or to forward/distribute the text or part of it without the consent of the author(s) and/or copyright holder(s), other than for strictly personal, individual use, unless the work is under an open content license (like Creative Commons).

Disclaimer/Complaints regulations
If you believe that digital publication of certain material infringes any of your rights or (privacy) interests, please let the Library know, stating your reasons. In case of a legitimate complaint, the Library will make the material inaccessible and/or remove it from the website. Please Ask the Library: https://uba.uva.nl/en/contact, or a letter to: Library of the University of Amsterdam, Secretariat, P.O. Box 19185, 1000 GD Amsterdam, The Netherlands. You will be contacted as soon as possible.
UvA-DARE is a service provided by the library of the University of Amsterdam (https://dare.uva.nl)

Download date:16 Sept 2026

International Political Sociology (2018) **12**, 306–324

Contested States, Hybrid Diplomatic Practices, and the Everyday Quest for Recognition

Dimitris Bouris
University of Amsterdam
and
Irene Fernández-Molina
University of Exeter

This article examines the diplomatic practices of contested states with the aim to challenge structural legal-institutional accounts of these actors' international engagement, which are unsatisfactory in explaining change and acknowledging their agency. Considering contested states as liminal international actors, their diplomatic practices stand out for their hybridity in transcending the state versus nonstate diplomacy dichotomy, as well as for their structure-generating properties in enabling social forms of international recognition—absent legal recognition. The concept is empirically applied to examine the everyday interaction between the representatives of Palestine and Western Sahara and the European Union (EU)'s institutions in Brussels. It is argued that there has been a renewal and expansion of the Palestinian and Sahrawi repertoires of diplomatic practices vis-à-vis the EU, which has entailed growing hybridization. Innovation originated in more "transformative" diplomatic practices capitalizing on the contested states' own political in-between-ness, which established relations that contributed to constituting and endogenously empowering them in the Brussels milieu. The way was thus paved for more "reproductive" diplomatic practices that mimic traditional state diplomacy to gain prominence. The impact achieved on "high politics" demonstrates how bottom-up practice-led change may allow contested states to compensate for their meagre material capabilities and punch above their structural weight in international politics.

In December 2016, China lodged a furious diplomatic protest after United States (US) President-elect Donald Trump received a phone call from President Tsai Ing—wen of Taiwan, contravening Washington's longstanding "one China" policy. "This is just the Taiwan side engaging in a *petty action*," contended the Chinese foreign minister (Reuters 2016, emphasis added). Whether making the headlines or not, with or without inverted commas, the "diplomacy" of contested states is becoming an increasingly widespread phenomenon in international relations. In practical terms, it has even given rise to a unique consultancy industry and organizations such as Independent Diplomat (ID), which specialize in advising unrecognized would-be states in developing their diplomatic capabilities, strategies, and techniques (Ross 2007). Yet, why would everyone want a "diplomacy"? Theoretically speaking, this incursion from within the cracks of the international states system not only adds to the manifold contemporary challenges to traditional conceptions of diplomacy;

Bouris, Dimitris, and Irene Fernández-Molina. (2018) Contested States, Hybrid Diplomatic Practices, and the Everyday Quest for Recognition. *International Political Sociology*, doi: 10.1093/ips/oly006
Corresponding author e-mail: I.F.Molina@exeter.ac.uk
© The Author(s) (2018). Published by Oxford University Press on behalf of the International Studies Association. All rights reserved. For permissions, please e-mail: journals.permissions@oup.com

Downloaded from https://academic.oup.com/ips/article-abstract/12/3/306/5033257 by Universiteit van Amsterdam user on 10 October 2018

it also reveals wider overlaps, mixtures, and contradictions—hybridities—between the Westphalian and post-Westphalian components of contemporary global politics. The purpose of this article is to zoom in and address this conundrum from the perspective of international practices, by looking at the "petty" everyday diplomatic action of contested states in the form of phone calls, emails, meetings, and so on. These are inherently relational activities through which the representatives of these entities abroad try to carve out their own place within the diplomatic field and to accumulate incremental proof of social recognition—in the absence of legal recognition—by the international community.

Zooming in on what we call *contested state diplomatic practices* helps us challenge structural legal-institutional accounts of contested states' engagement with international actors in general and the European Union (EU) in particular. These accounts are unsatisfactory in explaining change in some of these relationships as well as in acknowledging agency on the part of contested states. Ontologically, we view contested states as *liminal international actors*, seeking recognition and challenging binary (state versus nonstate) categorizations within the Westphalian system. Their agency in the diplomatic field is manifested in *hybrid diplomatic practices*, which are our empirical object of study. Epistemologically, applying practice theory to examine *what they do* (hybrid diplomatic practices) rather than *what they are* (liminal actors) illuminates their unsuspected potential for agency, innovation, and the generation of new structures from the fringes of the international system. As their representatives are positioned in what McConnell (2017) has described as "geopolitical liminality," such an approach helps us focus on *how* these actors practice diplomacy, trying to claim a virtual, symbolic, and social form of authority and becoming "geopolitical shapeshifters": actors that look and act differently, at different times and in different settings (McConnell 2017).

Empirically, the article explores longitudinal and cross-case variation in the specific forms in which the representatives of contested states regularly interact and conduct what they view as their diplomacy vis-à-vis the institutions of the EU. The specific cases examined are Palestine and Western Sahara, with particular attention on their representatives' regular activities and relations within a spatially situated *locus* such as the EU institutional ecosystem in Brussels. Based on an essentially relational understanding of practices—what McCourt (2016) calls "new constructivism"—the article draws on practitioners' own accounts of the most factual, performative, and material aspects of this interaction, combined with some self-interpretation in terms of their practical sense of the "rules of the game." Three fundamental empirical questions are addressed: How have Palestinian and Sahrawi diplomatic practices toward the EU developed and changed over the past two decades? How do they differ from each other? How do the everyday interactions involved affect issues of recognition, that is, can we talk about an unconventional/unstructured social form of international recognition through some sort of "practice upgrade"?

In describing the various forms of interaction that Palestinian and Sahrawi representatives pursue in Brussels as hybrid diplomatic practices, the article adopts a broad working definition of diplomacy as the "mediation of difference" (Constantinou and Der Derian 2010, 7) based on the representation of a given polity vis-à-vis recognized others (Sending, Pouliot, and Neumann 2011, 528), including the profession, skills, and *practices* commonly associated with it. We also build on the critical diplomatic studies literature (Der Derian 1987; Constantinou and Der Derian 2010) and, specifically, Constantinou, Cornago, and McConnell's (2016, 52) notion of "hybrid diplomacies," which seeks to overcome the analytical deadlock reached by the dichotomy between "old" (state) and "new" (nonstate) diplomacy, making room for "a multitude of different actors as both intertwined with each other and co-constitutive of the ongoing transformation of diplomatic practice." When applied to diplomacy in situations of liminality in which statehood

Downloaded from https://academic.oup.com/ips/article-abstract/12/3/306/5033257 by Universiteit van Amsterdam user on 10 October 2018

and state recognition, or the lack thereof, are the critical issues at stake for both sides of the relationship, the state versus nonstate distinction emerges as existential for *what the actors are* (liminal actors), yet is often feeble in terms of *what they do* (hybrid diplomatic practices).

Based on our empirical findings and Rumelili's (2012) distinction between "subversive" (i.e., transformative) and "reproductive" ways of *practicing* liminality, the core argument here is that there has been a renewal and expansion of the Palestinian and Sahrawi repertoires of diplomatic practices vis-à-vis the EU, which has entailed growing hybridization. This has happened in two stages. Firstly, innovation originated in more "transformative" diplomatic practices that enacted—and capitalized on—these contested states' own political ambiguity by blurring the binary state versus nonstate distinction. This "creative ambivalence" (McConnell 2017, 149), largely driven by associated NGOs and nonprofit consultancies, helped establish relations that contributed to constituting and endogenously empowering (Adler-Nissen and Pouliot 2014) the two contested states as political entities in the Brussels milieu. Secondly, with the way thus paved, and as claims to statehood strategically returned to the fore, more "reproductive" diplomatic practices, which mimic traditional state diplomacy, later regained prominence. Given its analytical potential to explain both continuity and change (Bueger and Gadinger 2015, 456), international practice theory helps to deal with the question of how "the ordinary unfolding of practice [generates] transformations" (Adler and Pouliot 2011, 18).

From a methodological perspective, the selection of the cases of Palestine and Western Sahara is not only justified by their shared geopolitical location in the EU's southern neighborhood but also, and more importantly, by significant structural commonalities between the origins and legal features of contested statehood in each of them, namely colonialism and foreign occupation. These are two rather exceptional cases, which differ from the wider universe of contested states in that they have not resulted from secessionism but rather from deviant/thwarted decolonization processes and the ensuing foreign occupation of their territories. Also, the liminality of both contested states has become similarly protracted due to the deadlock of the respective conflict resolution processes initiated in the 1990s. The little academic work bringing Palestine and Western Sahara together mainly focuses on the associated protracted refugee situations from the viewpoint of forced migration studies (e.g., Fiddian-Qasmiyeh 2012; Chatty 2013) and the implications of their respective occupations under international law, including for the EU's foreign and foreign trade policies (e.g., Wrange and Helaoui 2015). In more scholarly terms, this case selection is intended to help the diplomatic practices literature move away from its Eurocentric standpoint and better incorporate the "resistance dimension" (Bourbeau 2017). Conversely, in spite of the structural legal-institutional differences discussed below, the adoption of the practices approach enhances the comparability of the two cases by enabling contested state–EU interaction to be unpacked and broken down into its minimal and everyday performative components. As far as the EU is concerned, the choice is driven by its recent importance for Palestinian and Sahrawi diplomatic strategies as well as its own liminality and unfitting of Westphalian categories as an international actor (Rumelili 2012, 504), which makes the Brussels milieu particularly conducive to the conduct of hybrid diplomatic practices.

Our research aims to shed light on the two contested states' hybrid diplomatic practices vis-à-vis the EU from a relational perspective, following an essentially exploratory and inductive pathway, and responding to the practices theorists' call to "move to more empirical and descriptive work" (Bueger and Gadinger 2015, 457). The bulk of the evidence is gathered from a dozen in-depth semistructured interviews with Brussels-based practitioners, including Sahrawi and Palestinian representatives to the EU, assistants and advisors who support them, associated civil society activists, and several EU officials. The questions sought to capture the factual and material aspects of the contested state–EU interaction (types of meetings and

Downloaded from https://academic.oup.com/ips/article-abstract/12/3/306/5033257 by Universiteit van Amsterdam user on 10 October 2018

communication with EU institutions, actors/interlocutors, initiative, preparation, site/setting, ritual, working language, content); the lifecycle of each specific practice (generation, diffusion, institutionalization); routines and moments of rupture or crisis; and the practitioners' self-interpretations of their own performance (background knowledge, underlying relations of power, practical sense). Admittedly, expert interviews are just a methodological proxy for the study of practices, which should ideally be accessed in a direct—unmediated—way through participant observation or ethnography. However, our cases are among those in which these methods are not a viable option due to an unsurprising culture of secrecy (Bueger 2014, 400). We are also aware of the practices approach's built-in limitation, stemming from the fact that "implicit meaning is not immediately accessible" and that "to reconstruct background knowledge requires interpretation" (Bueger 2014, 388).

The first section of the article situates our notion of *contested state diplomatic practices* by breaking it down into its constitutive elements, that is, the concept of contested states, the latter's ontological nature as liminal international actors, and the relational view of international practices in general and diplomatic practices in particular. It then moves on to discuss two particular features of contested state diplomatic practices, namely their hybridity in transcending the dichotomy of "old" versus "new" diplomacy, and their structure-generating properties in enabling social forms of international recognition. The second section offers an analysis of the structural conditions resulting from Palestine and Western Sahara's respective statuses as contested states as well as the different legal-institutional frameworks underpinning their relations with the EU. The third section examines the more "transformative" diplomatic practices blurring the binary state versus nonstate distinction which, we argue, were the primary drivers of the renewal and expansion of the Palestinian and Sahrawi diplomatic repertoire vis-à-vis the EU, with a particular focus on interaction with the European Parliament (EP). The fourth section addresses more "reproductive" diplomatic practices, which mimic traditional state diplomacy, that have latterly gained prominence, especially in relation to the European Council, the European External Action Service (EEAS), and the European Commission. We conclude by offering suggestions for a future research agenda on contested state diplomatic practices.

The Hybridity and the Structure-Generating Properties of Contested State Diplomatic Practices

A number of concepts have been adopted to describe political entities whose authorities aspire to statehood but are not fully recognized internationally. The most commonly used term is "de facto states" (Pegg 1998; Caspersen 2009; Berg and Toomla 2009), while others refer to "pseudo-states," "quasi-states," "unrecognized states," or "parastates" (Kolstø 2006; Caspersen 2011; Caspersen and Stansfield 2011). However, such terms fail to encapsulate the varied realities of these entities in internal/operational terms. This article instead refers to the broader notion of "contested states" (Geldenhuys 2009), which captures deficiencies and ambiguities on both of these levels. For us, such conceptual muddle and shifting sands are actually closely reflective of the very ontological nature of these polities as *liminal international actors*. Contested states fit into the notion of liminality, as originally developed in anthropology by Van Gennep in relation to rites of passage, as they are going through the particular transition that is their search for sovereignty and recognition—with the paradox that many of them are permanently stuck in the middle of it, in a suspended state of political ambiguity (Thomassen 2009, 15, 22). They are also "betwixt and between," in keeping with Turner's (1969) definition; they defy categorization in binary sovereignty terms (state versus nonstate) within the Westphalian system and thus "[break] in through the interstices of structure"

Downloaded from https://academic.oup.com/ips/article-abstract/12/3/306/5033257 by Universiteit van Amsterdam user on 10 October 2018

(Rumelili 2012, 496). From all of the potential types of liminality existing in international politics, rather than a contextual position of temporal transition between two states or spatial in-between-ness or marginality (Corcuff 2012, 55), their liminality is first and foremost in terms of sovereignty (Rumelili 2012, 497).

Although some contested states such as Palestine and Western Sahara had previously originated in deviant or derailed decolonization processes, it was the break-up of Yugoslavia and the dissolution of the Soviet Union that multiplied the number of cases in the EU's periphery, including Kosovo, Abkhazia, South Ossetia, Nagorno-Karabakh, Transnistria, and more recently, Donetsk and Luhansk as a result of the crisis in Ukraine. Notable contested states further afield include Somaliland (Pegg and Kolstø 2015) and Taiwan (Corcuff 2012), while an independence referendum for Iraqi Kurdistan was held in September 2017.[1] Although the literature on these entities' quest for recognition has flourished (Caspersen 2009; 2011; Berg and Toomla 2009; Ker-Lindsay 2012), the parameter of contested statehood has remained underresearched, with a few exceptions (Papadimitriou and Petrov 2012; Kyris 2015; Bouris and Kyris 2017). Even in these cases though, little or no attention is paid specifically to their interactions with EU institutions. This is the empirical gap that this article seeks to address from the perspective of practice theory.

Practice theory broke into the discipline of IR in the late 2000s, following a broader "practice turn" in the social sciences. This had encouraged scholars to focus on "what practitioners do" and to situate themselves "*within* 'real activity as such,' i.e., in the practical relation to the world" (Bourdieu 1977, 96), instead of observing as distant intellectual spectators. According to Adler and Pouliot (2011, 10–17), the promise of this innovative approach is essentially a matter of bridging gaps: between traditional levels and units of analysis in the study of international politics, between rival paradigms in IR theory and between the opposite poles of classical dichotomies such as ideas/matter, agency/structure, and continuity/change. Practices have been defined by these authors as "socially meaningful patterns of action which, in being performed more or less competently, simultaneously embody, act out, and possibly reify background knowledge and discourse in and on the material world" (Adler and Pouliot 2011, 6). Adopting these epistemological lenses to study social reality entails a number of core commitments, such as prioritizing process and performance over stasis, anchoring practices in the material world, conceiving of knowledge as an integral and inseparable part of action, viewing knowing and learning as inherently collective (interactive) processes, recognizing the existence of multiple and overlapping social orders, and understanding the world in a performative fashion, as a product of "doing things" (Bueger and Gadinger 2015, 453). Most importantly for this article, the first of these epistemological commandments is shared with the liminality literature's emphasis on the "processual nature of all international life" (Mälksoo 2012, 482), contra structuralist worldviews. Moreover, from the diverse empirical operationalizations of international practices that have been labeled as "comprehensive," "complementary," "discursive" (textual), or "relational" (Bourbeau 2017), our approach is most attuned to the latter in focusing on relations or interactions between actors as the unit of analysis—which is also in line with the importance of relationality in the study of liminality (McConnell 2017, 150).

The relational view of practices also appears to be especially well suited to the study of diplomacy, the first of the subfields of IR where it was introduced and also where cross-fertilization with international practice theory has been most productive (Pouliot and Cornut 2015; Sending et al. 2015; Bicchi and Bremberg 2016). In diplomacy, conspicuously, "significant aspects of international politics are not given *ex ante*, but are the product of social processes" (McCourt 2016, 475). According to

[1] Florea (2017) estimates that there have existed thirty-four de facto states between 1945 and 2011, with only four of them achieving statehood.

Downloaded from https://academic.oup.com/ips/article-abstract/12/3/306/5033257 by Universiteit van Amsterdam user on 10 October 2018

Sending, Pouliot, and Neumann (2015, 7), "diplomacy is not merely a practice that deals in relations between pre-constituted political entities. Rather, these relations are seen as constitutive of, and ontologically prior to, these entities." Furthermore, in addition to constituting the polities in question, it can be claimed that diplomatic practices may empower them by generating endogenous resources, such as social skills and competences, which are not entirely determined by their structural conditions and material capabilities—what Adler-Nissen and Pouliot (2014) call "emergent power." Relationality aside, a central concern for the emerging literature on diplomatic practices lies in understanding how these have changed in the era of globalization. Although it is now widely acknowledged that diplomacy has expanded to encompass a number of nonstate actors in addition to its traditional state/governmental players, and that this has complicated its practice(s), scholarship remains "too often trapped in a geopolitical imagination that casts the territorial state as the self-evident container of diplomatic practice" (Kuus 2015, 370).

This article aims to avoid this trap and expand the literature on diplomatic practices by examining those carried out by and/or on behalf of contested states. If diplomacy is about "representing a polity vis-à-vis a recognised other" (Sending et al. 2011, 528) or "to the outside world" (Pouliot and Cornut 2015, 299), the polity at stake here is the contested state as a liminal international actor rather than the regular Westphalian-Weberian state. *Contested state diplomatic practices* are the basic constituent elements of the contested states' diplomacy, and the individual agents or representatives that perform them often enjoy or claim the status of "diplomats." We approach them from a relational perspective, as contacts and interactions. Therefore, our definition encompasses, in operational terms, any form of patterned and regular contact and communication that involves: at least one official political or diplomatic representative of the Palestinian and Sahrawi contested states to the EU—primarily from the Mission of Palestine and the Representation of the Polisario Front to the EU—and one representative or official from an EU institution or service—chiefly the European Commission, the Council, the EEAS, and the EP—or a member state's permanent representation to the EU. We assume that all of these forms of interaction are comprised of a number of tangible performances, which present certain temporal and spatial regularities and involve some competency on the part of the participants in the form of practically acquired background knowledge.

Our positive contribution to the diplomatic practices scholarship lies in addressing two problems that make these practices all the more interesting in a liminal situation of contested statehood, that is, their hybridity in transcending the dichotomy of "old" versus "new" diplomacy and their structure-generating properties in relation to the critical issue of state recognition. First, the distinction between traditional and "new" diplomatic practices based on the identity/status of the agents performing them (state versus nonstate actors) (Sending et al. 2011, 527–35) has become widespread yet analytically unsatisfactory in the context of the pluralization of the concept of diplomacy witnessed over the last few decades. Compared to the old Westphalian monopolization of the *ius legationis* by actors possessing sovereign statehood (Constantinou and Der Derian 2010, 8–9), the current proliferation of prefixes and adjectives to describe manifestations of "para-" (substate), "public," "economic," "business," "NGO," "religious," "military," "environmental," "sports," "science," "celebrity," and, more recently, "rebel" (Coggins 2015) diplomacy is indicative of a substantive broadening of the range of actors, issues, and instruments involved in this field—what some view as an overstretching and others as a "democratization" of diplomacy. Despite this, the ideal of traditional state-based diplomacy remains paramount as a reference point or benchmark. Constantinou, Kerr, and Sharp (2016, 6) note a paradoxical "demand for more diplomacy" in the old-fashioned sense: "In a world where power and authority seem to be diffusing, people are looking to something which they traditionally

Downloaded from https://academic.oup.com/ips/article-abstract/12/3/306/5033257 by Universiteit van Amsterdam user on 10 October 2018

understand as, and want to call, diplomacy as a way of conducting their relations with one another."

This aspiration is almost existential in the case of contested states, for which the logic of sovereignty/statehood distinctive of the traditional *ius legationis* represents an end in itself in terms of *what they are* (liminal actors). At the same time, paradoxically, the boundaries between state and nonstate diplomacy become inevitably blurred when the statehood of the polity to be represented is not full or conventional. This places contested states' representatives "betwixt and between" typical state and nonstate diplomatic actors and turns *what they do* into hybrid diplomatic practices. The concept of hybridity, paradigmatic to postcolonial studies, presents strong affinity with that of liminality in the focus on what "inhabits the rim of an 'in-between' reality" (Bhabha 1994, 19). However, it captures better how this contextual position translates into agency and specific practices, including how "the construction of a political object that is new, *neither the one nor the other*, properly alienates our political expectations" (Bhabha 1994, 37). Eschewing the state versus nonstate dichotomy, the hybrid diplomatic practices of contested states maintain a complex relationship with the international system, involving a dynamic mix of "subversion" and "reproduction" of the existing categories (i.e., enacting practices more conventionally associated with nonstate activism or campaigning versus mimicking the procedures of official diplomacy).

Secondly, within the context of mutual engagement between contested states and other international actors, all forms of interaction and diplomatic practices maintain an ambiguous and subtle relationship with the issue of state recognition. This reflects the fact that they can, at times, amount to, or be intentionally construed by, some parties as practices of recognition—performative and meaningful signs of indirect/implied recognition of the contested state involved. This is a possibility that the conventional and narrow (binary) legal view of state recognition—either a state is recognized, or it is not—fails to account for. In an attempt at categorization that acknowledges some of the existing grey areas, Ker-Lindsay (2015) identifies four forms and methods of recognition for states, namely recognition by conference, recognition by treaty, bilateral recognition, and collective recognition. The last two of them can be both direct/explicit or indirect/implied (e.g., a bilateral meeting of diplomatic personnel in the margins of international settings or the admission of an entity to an international organization comprised of sovereign states). In legal terms, Ker-Lindsay (2015, 275) admits that it is the question of intent that remains the litmus test for state recognition, and "intention cannot be replaced by questionable inferences from conduct." Still, due to all the *practical* ambiguities and political manipulation risks mentioned above, international actors are usually careful to prevent recognition from being inferred from their engagement with contested states (Ker-Lindsay 2015, 276–78). Our contention is that Ker-Lindsay's categorization is insightful but insufficient, as it does not explain *why* indirect/implied recognition matters and *how* it works in practice.

For us, the answer to this conundrum lies in acknowledging the importance of a more unstructured, social and relational form of international recognition that is analytically distinct from the conventional legal one (McConnell, Moreau, and Dittmer 2012, 808). This alternative understanding of recognition is inspired by social and political theories of recognition, which draw on the Hegelian idea that the identity formation and self-consciousness of any individual agent depends on interaction with, and feedback from, other subjects—a premise that has only recently been introduced into IR (Lindemann and Ringmar 2012). Viewing international recognition as an intersubjective and social set of processes helps explain why contested states strive to accumulate it incrementally by multiplying the quantity and quality of their international interactions and diplomatic practices—seeking what we call recognition through "practice upgrade"—even when the prospect of the full legal stamp seems unlikely. Moreover, viewing contested state diplomatic practices

Downloaded from https://academic.oup.com/ips/article-abstract/12/3/306/5033257 by Universiteit van Amsterdam user on 10 October 2018

through the lenses of liminality illuminates the potential structure-generating effects of social (unstructured) forms of international recognition, as liminality is characterized by being "unstructured and highly structuring" (Thomassen 2009, 20) or an "'unstructured' origin of structure" (Mälksoo 2012, 488). Likewise, liminality emphasizes both processuality and relationality, which are the core characteristics of international recognition as understood from a social viewpoint, as "processes of becoming" (Mälksoo 2012, 484) that are inherently intersubjective.

Contested Statehood in Palestine and Western Sahara: Legal-Institutional Structure and Material Capabilities for Their Relations with the EU

This article takes the view that the legal-institutional structures of the diplomatic practices of Palestine and Western Sahara are constituted by their liminality in terms of sovereignty as contested states. Conspicuously, as mentioned above, these are two quite exceptional instances of contested statehood that have resulted from foreign occupation in the context of deviant/thwarted decolonization processes. Occupation is viewed here as the main shared feature of the two cases, in spite of some significant legal nuances (Wrange and Helaoui 2015). Also, as a result of the stalemate of their respective decolonization/self-determination and "peace" processes, both contested states are in a situation of "suspended, or even permanent liminality as emerging from the ordeal of a prolonged state of political ambiguity" (Mälksoo 2012, 486).

The current incarnation of Palestinian contested statehood originated in the 1993 Oslo Accords, which led to the establishment of the Palestinian Authority (PA) as a protostate with limited territorial control for a supposedly interim period (Bouris 2014). Despite its continuing sovereignty deficit, in 2012 the UN decided to "upgrade" Palestine from "non-member observer entity" to "non-member observer state," reconfirming that Palestinians enjoy "titular recognition"—recognition of the *right* to statehood (Geldenhuys 2009). In the case of Western Sahara, the contested state at stake is the Sahrawi Arab Democratic Republic (SADR), proclaimed in 1976 by the pro-independence Polisario Front in exile and based in the Sahrawi refugee camps in Algeria. The SADR also enjoys some level of titular recognition, albeit with a distinct non-Western and non-aligned bias. Meanwhile, the Polisario Front as a national liberation movement benefits from much greater international recognition and was confirmed by the UN General Assembly in 1979 as "the representative of the people of Western Sahara."

The structural differences between these two contested states' relationships with the EU lie in the legal-institutional frameworks that sustain them and the underlying degrees of (legal) international recognition in each case. As such, the EU cannot legally recognize states: the Westphalian bottom line in international law remains that only states recognize states. Even so, officials in EU institutions claim to be well aware of the substantial "political capital" (Interview 9) that contested states derive from any formal or informal interaction with them—which demonstrates the importance of the social form of international recognition emphasized in this article. In this respect, while EU institutions and diplomats cannot challenge the member states' foreign policy prerogatives when it comes to the legal recognition of states, they still exert influence through what Adler-Nissen (2014) calls "symbolic power." Otherwise, it would be hard to understand why representatives of contested states put so much effort into targeting EU institutions as part of their struggles for recognition. It can also be contended that there is a logical correlation between the level of institutionalization of relations with a contested state and the intensity of the (social) recognition provided to the latter, both of which are qualitatively superior for Palestine than for Western Sahara. The legal basis for the EU's bilateral relations with Palestine is the Interim Association Agreement signed in 1997 with

Downloaded from https://academic.oup.com/ips/article-abstract/12/3/306/5033257 by Universiteit van Amsterdam user on 10 October 2018

the Palestinian Liberation Organization (PLO) on behalf of the PA. In the case of Western Sahara, by contrast, the EU (i.e., EU member states) formally sticks to a twofold stance of nonrecognition whereby it does not officially recognize Moroccan sovereignty claims over the Western Sahara territory but neither does it "recognize the SADR or maintain any formal contacts with the Polisario Front" (Interview 9; see Fernández-Molina 2017).

All of these structural variations are reflected in the status, level of institutionalization, and diplomatic practices of the Palestinian and Sahrawi representatives who interact with EU institutions "on the ground" in Brussels. The contested state of Palestine is represented by the Mission of Palestine to the EU, which in its first incarnation was a PLO office set up in Brussels in 1981 in the aftermath of the European Economic Community (EEC)'s 1980 Venice Declaration (Interview 2). A major turning point in its development was the UN decision, in 2012, to "upgrade" Palestine to "non-member observer state." This step resulted in EU member states such as Sweden, Belgium, Ireland, Spain, and France granting a higher diplomatic status to the PA (Interview 2). As far as Palestinian representation in Brussels is concerned, it was renamed from "Palestinian Delegation"—a label that could be used by any nonstate actor—to "Mission of Palestine to the Kingdom of Belgium, the EU and Luxemburg." The latter suggests an enhanced, state-like identity as a diplomatic representation, even though the word "state" is not yet used, contrary to the Mission of the State of Palestine to the UN (Interview 2). The Mission's reinforced identity manifested itself physically through the move to a new building, which was better located in the vicinity of the European Quarter and better equipped as a diplomatic site. "The new office is more modern and spacious and now it is possible to invite officials here," a Palestinian official argued (Interview 2).

By contrast, the status of the Sahrawi representation in Brussels is much more liminal and precarious. There is no such thing as an official SADR or Polisario Front Representation to the EU (although in this article we employ the latter term for the sake of readability and consistency) but rather two *practical* diplomatic mechanisms that coexist and partially overlap in the Brussels *locus*. On the one hand, there is an SADR delegate-minister for *Europe*, who is responsible for relations with both EU institutions and EU member states, although he does not have any physical premises in this city (Interview 1) and is absent and difficult to reach for extended periods of time, including for the consultancy staff who support the Sahrawi diplomacy (Interview 3). On the other hand, there is a single-person representation of the Polisario Front to the Belgian state, which has been held since 2012–13 by another Sahrawi "diplomat" who, to make things more complicated, would often present himself as the "Polisario Front's representative *in Brussels*." In logistical terms, the latter's office is often shared by the two representatives, with the "geographical" disadvantage of being slightly removed from the symbolic core of the European Quarter (see Kuus 2015). This spatial pooling is also indicative of the meagre material capabilities available to Sahrawi diplomacy. Their human resources in Brussels are basically limited to these two men, although at times they have been helped by a non-Sahrawi assistant (Interview 5; Interview 6), and they have retained the services of ID since 2007. This obviously places a heavy restriction on diplomatic practices in relation to EU institutions, with the official Polisario Front representative SADR delegate-minister's continuous traveling posing "a limit to face-to-face interaction" (Interview 4). A degree of hybridity and ambivalence also surrounds the status of this man in particular, who does not officially hold diplomatic status and, indeed, does not introduce himself as an "ambassador" (Interview 3). He prefers instead to use the titles of "minister" and "Polisario representative to Europe," although he remains pragmatic and flexible when it comes to strategically adapting his self-presentation to the requirements of different kinds of meetings (Interview 5).

Downloaded from https://academic.oup.com/ips/article-abstract/12/3/306/5033257 by Universiteit van Amsterdam user on 10 October 2018

Wearing a Brown Badge: How "Transformative" Diplomatic Practices Paved the Way in Contested State–EU Interaction

The recent renewal and expansion of the repertoire of contested state diplomatic practices by the Palestinian and Sahrawi representatives in Brussels originated in "transformative" diplomatic practices, which blurred the binary state versus nonstate distinction. This is what Rumelili (2012, 497) would describe as "[practicing] their liminality in a subversive manner by reproducing their own ambiguity." What is interesting about this push for innovation is that, rather than the Palestinian and Sahrawi official "diplomatic" representatives discussed above, it largely came from associated yet distinctly nonstate actors. Chief among them were NGOs, such as the pro-Palestinian advocacy organization Mattin Group and the pro-Sahrawi civil society network, Western Sahara Resource Watch (WSRW), along with the nonprofit consultancy ID in the case of Western Sahara. The main difference between the roles of the NGOs and ID concerns the centrality granted to statehood in diplomatic practices and their respective relations with the contested states' official representatives. For example, WSRW is keen to stress its autonomy as a civil society organization and the fact that it interacts with EU institutions—and thus contributes to the "cause" of Sahrawi diplomacy—in parallel to, yet always independently from, the Polisario Front. Translated into practices, WSRW activists never attend meetings alongside the Sahrawi official representatives. By contrast, defining itself as a "diplomatic advisory group" with nonprofit aims and a value-based agenda, ID sets itself apart from typical advocacy groups and NGOs by modeling its work practices and "professional style" on those of consultancies or professional service firms (Seabrooke 2015). In practice, ID staff not only support their "client," the Polisario Front Representation, in making contact, arranging appointments, and delivering preparatory briefings but they also physically accompany Sahrawi officials to some of these meetings "because they work for them" (Interview 7; Interview 3).

All of these nonstate actors in general, and NGOs in particular, were instrumental in stirring up change in Palestinian and Sahrawi diplomatic practices in Brussels in the 2000s. The dynamism, flexibility, and creative capacity they showed is in line with the literature, which argues that nonstate actors operating in the diplomatic field are "freer to experiment with different practices" and are particularly effective when they pursue a "functionally specific engagement with diplomacy" in areas where "they have particular expertise" (Constantinou et al. 2016, 37–38). This quite accurately describes the added value and contribution of Mattin Group and WRSW to the renewal of Palestinian and Sahrawi diplomacy, based on their novel idea that "low politics" approaches (Fernández-Molina 2017) should be prioritized in order to make it possible to circumvent the structural "high politics" stumbling blocks relating to statehood and recognition. Their expectation was that "taking the discussion out of the foreign policy discussion" (Interview 8) and focusing instead on some side effects of Israel's and Morocco's respective occupation policies—that is, legally dubious economic activities and human rights violations in the occupied territories—would help to internationally delegitimize such situation.

In terms of practices, Mattin Group and WRSW called for the contested states' representatives to "go low" and go lobbying as per the handbooks of civil society lobbying, instead of insisting on engaging in traditional state-like diplomacy against all the odds. This included practical background knowledge and advice such as: "understand the rules of procedure of institutions" (Interview 7); "identify opportunities and the right time to get something" (Interview 2); "be persistent as you are in a disadvantaged position" (Interview 6); "focus on the undecided, talk to each and every one of them, as in electoral campaigning" (Interview 5); "look for the hooks in your message"; "look for common ground with people who disagree"; and, most importantly, "don't say 'occupation' in the first meeting" (Interview 7). At first, the NGO activists felt they faced some resistance to change from the side

Downloaded from https://academic.oup.com/ips/article-abstract/12/3/306/5033257 by Universiteit van Amsterdam user on 10 October 2018

of the contested states' officials, and especially from an "older generation" that was not excited about new ideas and preferred to stick to the practices of their "old school diplomacy"—"telling always the same old story" (Interview 7). However, due to a mix of persuasion and contagion, some of the new ways of doing things soon became routine for contested state and nonstate actors altogether, blurring the boundaries between these two categories—and between diplomacy and activism (McConnell 2017, 140)—in a quite productive way.

The best examples of the flourishing of "transformative" diplomatic practices and the hybridization that resulted from this "creative ambivalence" (McConnell 2017, 149) can be found in the Palestinian and Sahrawi engagement with the EP. The EP has always played an "interesting role" (Interview 13) within the EU institutional ecosystem in relation to contested states, as its open nature and rules facilitate the organization of formal or informal events to which contested states' representatives can be invited along with EU officials, thus enabling and normalizing mutual engagement as "parliamentary diplomacy" while avoiding concerns about recognition. As a result, the EP has for years been the EU institution prioritized "by far" by both Palestinians and Sahrawis (Interview 6), as well as the main spatial site for their respective diplomatic practices. As a site, the EP is seen as open-door and welcoming: meetings rarely need to be held off its premises. Significantly, within the "geography of EU institutions," the Polisario Front's office is much closer to the EP than to the Commission or the Council (Interview 5). The official Sahrawi representative actually "spends most of his time" and is "well-known" (Interview 6)—that is, socially recognized as competent—there. Interestingly, access to the EP building in this case is facilitated by his wearing a brown badge, that is, the one reserved to lobbyists (Interview 1), which grants unimpeded entrance to all the EP buildings and public meetings, including committee meetings and hearings, plus any closed activity its holder may be invited to. Put differently, access comes at the expense of symbolically sacrificing some of the attributes of statehood and accepting treatment as a nonstate actor, which is a meaningful sign of hybridization. This confirms that, as a general rule, nonstate actors enjoy greater access to diplomatic sites than the official representatives of contested states (McConnell 2017, 143).

In addition, neither the Palestinian nor the Sahrawi official representatives hesitate to describe their diplomatic practices at the EP as "lobbying"—and the EP as the "easiest place to lobby" in Brussels (Interview 2). Indeed, this term accurately captures both the routine aspects of their activities—"walk the corridors, knock on the doors, speak to assistants, post leaflets through the doors" (Interview 6)—as well as the close cooperation with NGOs that is regularly and almost indispensably involved. These are distinctly hybrid diplomatic practices, transcending the state versus nonstate dichotomy, encouraged by and performed hand in hand with NGOs, and where the contested states' official representatives are "not troubled by the slippage between diplomacy and activism" (McConnell 2017, 147). What is more, all the most celebrated achievements of the Palestinians and Sahrawis within the EP have been largely made possible by them. For example, the pro-Palestinian Mattin Group, which started working in the 1980s in the area of trade in relation to EU rules of origin and preferential treatment for the products of Israeli settlements, established relations in parallel with the European Commission and the EP. It cooperated very closely with members of the EP in tabling both oral and written questions to the Commission and to the Council (Voltolini 2016, 104–5). This enabled the Mattin Group to become directly involved in the wording and writing of parliamentary questions. In the first place, this resulted in the EP adopting a resolution in 2001 that raised the issue of the improper implementation of the Association Agreement by Israel (Voltolini 2016, 106). Accomplishments such as this contributed to drawing the Palestinian official representatives down the parliamentary route and to what had initially been seen as nonstate diplomatic practices outside their remit. A greater success came in 2008 when the EP voted to postpone the upgrade of the

Downloaded from https://academic.oup.com/ips/article-abstract/12/3/306/5033257 by Universiteit van Amsterdam user on 10 October 2018

EU-Israel Association Agreement, directly contravening the wishes of the European Council. "We realized that we had to bypass the Council and go to the EP," argues a Palestinian official (Interview 2).

In a similar manner, an ambitious lobbying campaign that was basically devised by WSRW—although implemented in coordination with the official Polisario Front Representation—resulted in the EP's historic rejection of the protocol of extension of the EU-Morocco fisheries agreement in December 2011 (Fernández-Molina 2016, 153–54; 2017). The campaign was largely based on hybrid diplomatic practices and emphasized a questioning of the legality of the EU-Morocco deal, which failed to differentiate and by default included the waters of the non-self-governing territory of Western Sahara. This went hand in hand with a change in diplomatic practices led by the Polisario Front, which launched an effort to reach beyond leftist and green members of the EP who constituted its traditional support base. Yet again, the impetus came from the nonstate sphere, as it was ID and WSRW who convinced the Sahrawi officials to shift their focus "beyond their comfort zone" (Interview 5).

At the same time, against this background of commonalities, Palestinian and Sahrawi diplomatic practices at the EP differ structurally due to the asymmetry between the legal-institutional frameworks of relations between the two contested states and the EU. This has a direct impact on the degree of institutionalization of those diplomatic practices in which statehood and (legal) international recognition play a more central role: in the EP there is a Delegation for Relations with Palestine, but only an Intergroup on Western Sahara. The difference is qualitative, as EP delegations are official bodies that "maintain relations and exchange information with parliaments in non-EU countries" and, therefore, are reserved to recognized states, while intergroups are formed by members of the EP "with a view to holding informal exchanges of views on particular subjects"[2] but are not considered to be parliamentary bodies as such. Also, changes in the naming and status of the aforementioned delegation reflect Palestine's growing recognition and standing in relation to the EU. The Delegation for Relations with the PA was set up in 1993 as an ad-hoc delegation, became a standing one in 1996, and, until recently, was known as the "Delegation for Relations with the Palestinian Legislative Council." It was in 2015, following the 2012 UN "upgrade," that it was renamed to "Delegation for Relations with Palestine."

As regards the Intergroup on Western Sahara, despite its lower place in the hierarchy of formal groupings within the EP, ensuring its continuity has been of the utmost importance for the diplomatic practices pursued by both official Sahrawi representatives and supportive nonstate actors. First, the Intergroup is significant in terms of site, since it enables "official meetings" to be organized at the headquarters of the EP and allows the setting of this EU institution to be used as a platform for raising awareness about Western Sahara (Interview 6). Secondly, the intergroup acts as a mouthpiece for communication purposes, as relevant press releases—often drafted by ID advisors (Interview 5)—can be issued on its behalf. This is why extraordinary efforts were made to reestablish the Intergroup on Western Sahara after the 2014 EP elections, when "the odds were not great" (Interview 5) due to the new composition of the Parliament and because intergroups with a specific geographical focus were becoming an exception (Interview 6).

But We Are Diplomats: The Importance and Ambiguities of Mimicking Traditional State Diplomatic Practices

This section examines the recently growing importance of more "reproductive" diplomatic practices that mimic traditional state diplomacy within the contested state diplomacy conducted by Palestinian and Sahrawi representatives in Brussels.

[2] See http://www.europarl.europa.eu/aboutparliament/en/20150201PVL00010/Organisation.

Downloaded from https://academic.oup.com/ips/article-abstract/12/3/306/5033257 by Universiteit van Amsterdam user on 10 October 2018

As mentioned above, innovation in "transformative" diplomatic practices, blurring the state versus nonstate dichotomy, contributed to constituting these two contested states as political entities in relation to the EU institutions and to developing their endogenous resources for this interaction. Yet more state-like "reproductive" practices have lately returned to prominence as statehood claims strategically came back to the fore. Bottom-up, practice-led change arguably paved the way for, and ended up concurring with, the logic of top-down instrumental/strategic rationality. While the PA bet on a strategy of internationalization spearheaded by the UN statehood bid and subsequent "upgrade" in 2011–12, in 2012 the Polisario Front/SADR took the step of pursuing territorial differentiation in EU-Morocco economic/sectoral cooperation through the "legal route"—initiating litigation before the European Court of Justice—which necessitated some minimal degree of legal recognition by the EU.

The contested state diplomatic practices prioritized in this new context are "reproductive" in the sense that they "respond to the ontological insecurity engendered by liminality" by "[reinforcing] and [reproducing] the existing social categories" (Rumelili 2012, 503), and more specifically by promoting "'official' state diplomacy as the 'gold standard' to aspire to" (McConnell et al. 2012, 805). However, this aim does not make them less hybrid, as the mimicry they involve has the dual effects of emulation and challenge. Bhabha proposed the term mimicry to describe the colonial subject's "desire to emerge as 'authentic' . . . through the repetition of partial presence"—being "almost the same but not quite" (Bhabha 1984, 129–30)—highlighting its paradoxical potential to menace or reverse colonial authority. In the case of contested state diplomacy, mimicry may lead to "both reproduce and reinforce traditional interstate diplomacy . . . and also subvert that legitimacy by reducing the gap between the 'real' and the 'mimic' through the appropriation of diplomatic practices for their own purposes" (Constantinou et al. 2016, 45). This hybridization has become apparent in various ways within the context of Palestinian and Sahrawi diplomatic practices toward the Council and EU member states' permanent representations, the EEAS, and, to a lesser extent, the Commission—the institutions on which the two contested states' diplomacies have started refocusing after realizing that the EP has "little influence over foreign policy beyond raising awareness" (Interview 3).

The longest-term target of Palestinian and Sahrawi "reproductive" diplomatic practices in Brussels has been the Council, although the EU intergovernmental institution par excellence is still described by the two contested states' representatives as being largely a new focus and challenge. It is presented as the "most difficult place to lobby" (Interview 2) and as one of the "biggest gaps," alongside the EEAS, which an enhanced "day-to-day diplomacy and communication" (Interview 3) aiming at social recognition would need to address. The Palestinian and Sahrawi diplomatic practices in this direction similarly involve a two-step interaction through the means of contact with the member states' permanent representations to the EU. The aims are twofold: on the one hand, to "provoke debate" and shape as far as possible the discussions of the Committee of Permanent Representatives to the EU (COREPER)—and the Council's conclusions on the Middle East Peace Process in the Palestinian case (Interview 2); on the other hand, to attempt to obstruct the Council's approval of new EU-Israel and EU-Morocco economic/sectoral cooperation deals on the grounds that these fail to define their territorial scope and differentiate the status of the occupied territories of Palestine and Western Sahara, respectively. A Palestinian achievement in relation to the first aim has been the fact that the term "Palestine" has started to be used in all the COREPER documents as "a direct outcome of the UN 'upgrade' but also because of our push and persistence" (Interview 11). The second aim was targeted by the first major Sahrawi campaign toward the Council in 2011, which tried to prevent the passing of the protocol of extension of the EU-Morocco fisheries agreement by persuading key EU member

Downloaded from https://academic.oup.com/ips/article-abstract/12/3/306/5033257 by Universiteit van Amsterdam user on 10 October 2018

states to vote it down—and eventually failed "by a whisker" due to Germany's last-minute U-turn (Interview 5).

There is no need to state who acts as the *demandeur* in these diplomatic practices. The initiative for any communication or meeting between the EU member states' permanent representations and the contested states' representatives invariably stems from the latter; no contact is normally initiated the other way around (Interview 2). It is also usual for Palestinian and Sahrawi letters or emails to remain unanswered although, admittedly, many of them are simply intended to raise awareness and do not require a response (Interview 6). When meetings are arranged, it is the contested states' representatives who go to the permanent representations, "as we are the *demandeurs*" (Interview 1). In relation to this aspect, the taken-for-granted power asymmetry within this specific relationship intersects with what is actually the regular, universal practice according to the classic handbooks of diplomacy (Interview 9). On the other hand, interestingly—and contrary to findings elsewhere in the literature (McConnell 2017, 144)—the fact that the spatial site of these meetings are EU member state official premises does not seem to raise significant concerns about recognition or the avoidance thereof: "Only a couple of countries would prefer the café next door" (Interview 5). In terms of status, these meetings are most often held at senior official level, with Palestinian and Sahrawi representatives being received by the EU member states' delegates to the Mashreq/Maghreb Working Party in the Council. It is not unusual either to see further self-downgrading, suggesting hybridization in the sense of the dilution of the attributes of statehood, at least in the Sahrawi case: during the 2011 fisheries campaign, the official Polisario Front representative/SADR delegate-minister "was willing to meet with anyone, including junior officials, in spite of his own ministerial status" (Interview 5).

All of these features of the contested state diplomatic practices toward the Council and the member states' permanent representations are fairly similar in the Palestinian and Sahrawi cases. Aside from these, the commonality that might be most meaningful and telling in terms of the practitioners' background knowledge and practical sense of the "rules of the game" concerns the prioritization of friendly or neutral EU member states. Palestinians, Sahrawis, and their advisors alike stress that one of the main lessons that their "learning by doing" has taught them over the years is that "you have to minimize wasted efforts and concentrate on meaningful stuff" (Interview 2). This translates as "don't bother asking the French and the Spaniards" about Western Sahara (Interview 5), or "going to the Germans or the Czechs would be a waste of time" for the Palestinians (Interview 2). When it comes to differences, the two most significant particularities that set the two cases apart are the greater facility of access to EU member state officials that is granted to the Palestinians by their higher degree of titular recognition, and the prominence of sectoral engagement with the permanent representations' fisheries attachés for the Sahrawis.

Besides the Council and the member states, the establishment of the EEAS as the EU's full-blown diplomatic service in 2010 is the development that has arguably most favored the recent return to the forefront of "reproductive" diplomatic practices by contested states such as Palestine and Western Sahara. In 2011–12, at the time when new contested state diplomatic practices started to flourish, coinciding with the Palestinian UN "upgrade" and the Polisario Front's new strategic pursuit of EU territorial differentiation, the EEAS was still very much in its infancy, going through the long process of being set up, and was, therefore, not hugely relevant (Interview 5). However, five years later, the EEAS has come to be seen as an institution with the power to challenge national diplomacy not in a "material sense—but at a symbolic level" (Adler-Nissen 2014, 657) and has thereby become "the big worry" for Palestinian and Sahrawi representatives and their supporters (Interview 4). Their diplomatic practices in relation to the EEAS are akin to those underpinning the interaction with the member states' permanent representations

Downloaded from https://academic.oup.com/ips/article-abstract/12/3/306/5033257 by Universiteit van Amsterdam user on 10 October 2018

in terms of initiative, site, and status. Meetings usually take place at the request of the contested states' representatives at the EEAS headquarters and at the level of heads of division or desk officers. No concerns about recognition seem to prevent the EEAS officials from receiving representatives from contested states as well as related NGOs on a regular basis. The key qualification and sign of hybridity regarding such openness is the state of liminality of some of these representatives: the Polisario Front's representative, for example, would be "received as an individual, just like anyone can be received at the EEAS" (Interview 9). In addition, another difference between Sahrawis and Palestinians is the latter's more direct access to the cabinet of the High Representative.

However, some practices of recognition avoidance from a relational perspective can, be observed on the part of the EEAS, which demonstrate the institution's awareness of, or concern about, the social form of international recognition discussed in this article. Recognition avoidance has become more visible when dealing with a contested state with a lower degree of titular recognition, such as the SADR. Although there is no taboo about high-level EU representatives meeting the SADR's top leaders—the external relations commissioner received the SADR president, Mohamed Abdelaziz, in Brussels in December 2008—these contacts appear to be somewhat uncomfortable, especially at times of tension with Morocco. This is at least suggested by the controversy surrounding the visit to Brussels in April 2016 by the SADR minister of foreign affairs—a particularly sensitive post for international engagement with contested states (Ker-Lindsay 2015, 278). Sources close to the Polisario Front Representation to the EU claimed that the delegation led by Minister Mohamed Salem Ould Salek was "snubbed" and treated with "radio silence" by several EU institutions, with the result that it ultimately failed to secure a meeting with the EU High Representative Federica Mogherini, among others (Hooper 2016; Interview 3).[3]

Finally, it is in relation to the Commission that the contested state-EU interaction has the greatest state-centric bias and is therefore most constrained by the legal-institutional structure and differing levels of (legal) international recognition. This results in the greatest variation between Palestinian and Sahrawi diplomatic practices. The EU-PLO/PA Interim Association Agreement provides for an institutionalized bilateral political dialogue within the framework of the Joint Committee and six sectoral subcommittees. These meetings usually involve Commission officials and a Palestinian delegation from the Ramallah government, which is supported by the Mission of Palestine to the EU. Meanwhile, given the absence of any contractual relations with the EU, Sahrawi interaction with the Commission is limited to the Directorate-General for European Civil Protection and Humanitarian Aid Operations (ECHO), which is responsible for the vital aid provided by the EU to the Tindouf refugee camps, and the Directorate-General for Maritime Affairs and Fisheries, which was particularly keen on holding meetings with the Polisario Front Representation and pro-Sahrawi NGOs during the fisheries negotiations in 2010–13, under the mandate of European Commissioner for Maritime Affairs and Fisheries Maria Damanaki (Interview 5).

Structural differences aside, hybridity is also present in Palestinian and Sahrawi diplomatic practices toward the Commission, whose main commonality concerns the key intermediary role played by NGOs in terms of lobbying. In addition to often enjoying greater access to diplomatic sites, the main asset of some NGOs is their specialized technical knowledge and expert authority, which is highly valued by their interlocutors (Constantinou et al. 2016, 38). The Mattin Group and WSRW are able to exert influence due to their professionality and capability to "provide reliable information" on highly technical issues (natural resources, international law,

[3] Other than this, the EEAS' most routine instances of recognition avoidance mainly concern document drafting (Interviews 9, 10, and 11), that is, discursive or textual practices.

Downloaded from https://academic.oup.com/ips/article-abstract/12/3/306/5033257 by Universiteit van Amsterdam user on 10 October 2018

EU trade law), which is much needed by officials in this EU institution (Interview 7). As a result, according to one Palestinian official, the implied message they sometimes get from the Commission is that "we listen to civil society organizations more than we listen to you" (Interview 2).

Conclusions: Making Virtue of Necessity

This article has proposed a relational notion of *contested state diplomatic practices* and empirically applied it to the interaction between Palestinian and Sahrawi representatives and the EU institutions in Brussels. Firstly, the analysis has demonstrated that there has been a renewal and expansion of the Palestinian and Sahrawi repertoires of diplomatic practices toward the EU, which has entailed increasing hybridization. "Transformative" diplomatic practices that capitalized on the contested states' own political in-between-ness, originally pushed for by associated NGOs and nonprofit consultancies, were the first to be developed in the 2000s and flourished in particular in relation to the EP. In doing so, they contributed in a relational and bottom-up fashion to constituting and endogenously empowering these two contested states as political entities vis-à-vis the EU institutions, and they also paved the way for a return to the forefront of more "reproductive" diplomatic practices mimicking traditional state diplomacy. The latter prevail today in the interaction with the Council and EU member states' permanent representations, the EEAS, and, to a lesser extent, the Commission. At the same time, our empirical observations confirm that hybridity within/beyond the state versus nonstate diplomacy dichotomy is a cross-cutting feature of all of the practices observed. The ambivalence of being "betwixt and between" (Turner 1969, 95) and "neither the one nor the other" (Bhabha 1994, 37) applies to both what contested states are (liminal international actors) and what they do (hybrid diplomatic practices). Paradoxically though, what appears at first sight to be a weakness may be turned into an advantage in terms of adaptation to the post-Westphalian particularities of the Brussels milieu.

The second contribution of the article concerns the relationship between contested state diplomatic practices and international recognition. The practices approach makes it possible to scratch below the surface of the conventional legal view of international state recognition and to capture more unstructured, social, and relational forms of recognition that can be incrementally accumulated by multiplying the quantity and quality of international engagement—providing recognition through "practice upgrade." This is also favored by the processual-relational nature and the structure-generating potential of the situations of liminality, which provoke the "sudden foregrounding of agency" (Thomassen 2009, 14). Thirdly, as a result, the Palestinian and Sahrawi diplomatic practices examined here have also exerted some influence and provoked changes in the "high politics" arena, as they have been linked to the recent emergence of EU practices of territorial differentiation which establish a distinction between actors, activities, and products located in (or originating from) the internationally recognized territories of Israel and Morocco, on the one hand, and the territories of Palestine and Western Sahara occupied by those countries, on the other. This demonstrates how practice-led change and empowerment endogenous to the processes of international engagement may allow contested states to compensate for their meagre material capabilities and punch above their structural weight. The role of this nonstructural factor in influencing the relative position or accommodation of contested states within the international system is a novel finding in relation to the literature, which has so far focused on primarily structural variables such as their legal standing, "parent state" resistance, external patronage, geopolitical/strategic significance, and democratic governance (Pegg 1998, 1; Berg and Toomla 2009, 43).

More generally, the article seeks to open up new research avenues, which, building on the cross-fertilization of the study of diplomacy with practice theory

Downloaded from https://academic.oup.com/ips/article-abstract/12/3/306/5033257 by Universiteit van Amsterdam user on 10 October 2018

(Pouliot and Cornut 2015), may shift the analytical focus from conventional/sovereign to contested states. From the liminal fringes or cracks of the international system, contested state diplomatic practices provide a new suggestive analytical angle for tackling ongoing transformations in the conception and practice(s) of diplomacy, including in particular the puzzling paradox whereby increasing numbers of diverse nonstate agents are venturing in, "democratizing," and pushing the boundaries of this formerly reserved domain, whilst somehow aspiring to the old-school ideal of state-based diplomacy. Moreover, based on the premise that "without understanding what is happening at the limit, we are unlikely to grasp the workings at the core" (Mälksoo 2012, 483), this should also help illuminate wider hybridities between the Westphalian and post-Westphalian components of the contemporary global system.

Acknowledgements

We would like to thank the two anonymous reviewers for their constructive feedback as well as the editors of *IPS* for their guidance. The article has likewise benefitted from extensive comments from Michal Natorski, Niklas Bremberg, and the rest of the participants of the EISA/EWIS workshop on European diplomatic practices (Cardiff, 2017). A special thanks also to our colleagues from our respective departments at Exeter (Centre of Advanced International Studies) and Amsterdam (Transnational Configurations, Conflict and Governance, especially Marieke de Goede, Marlies Glasius, Beste İşleyen and Polly Pallister-Wilkins).

Funder information

Irene Fernández-Molina's research has been partially supported by the grant "The International Dimension of Political Transformations in the Arab World" (CSO2014-52998-C3-3-P), awarded by the Spanish Ministry of Economy and Competitiveness to the University of Castilla-La Mancha.

References

Adler, Emanuel, and Vincent Pouliot, eds. 2011. *International Practices*. Cambridge: Cambridge University Press.

Adler-Nissen, Rebecca. 2014. "Symbolic Power in European Diplomacy: The Struggle between National Foreign Services and the EU's External Action Service." *Review of International Studies* 40 (4): 657–81.

Adler-Nissen, Rebecca, and Vincent Pouliot. 2014. "Power in Practice: Negotiating the International Intervention in Libya." *European Journal of International Relations* 20 (4): 889–911.

Berg, Eiki, and Raul Toomla. 2009. "Forms of Normalisation in the Quest for De Facto Statehood." *The International Spectator* 44 (4): 27–45.

Bhabha, Homi K. 1984. "Of Mimicry and Man: The Ambivalence of Colonial Discourse." *October* 28: 125–33.

Bhabha, Homi K. 1994. *The Location of Culture*. Oxon, UK: Routledge.

Bicchi, Federica, and Niklas Bremberg. 2016. "European Diplomatic Practices: Contemporary Challenges and Innovative Approaches." *European Security* 25 (4): 391–406.

Bourbeau, Philippe. 2017. "The Practice Approach in International Relations." *Journal of Global Security Studies* 2 (2): 170–82.

Bourdieu, Pierre. 1977. *Outline of a Theory of Practice*. Translated by Richard Nice. Cambridge: Cambridge University Press.

Bouris, Dimitris. 2014. *The European Union and Occupied Palestinian Territories: State-building without a State*. Oxon: Routledge.

Bouris, Dimitris, and George Kyris. 2017. "Europeanisation, Sovereignty and Contested States: The EU in Northern Cyprus and Palestine." *The British Journal of Politics and International Relations*. https://doi.org/10.1177/1369148117727534.

Downloaded from https://academic.oup.com/ips/article-abstract/12/3/306/5033257 by Universiteit van Amsterdam user on 10 October 2018

BUEGER, CHRISTIAN. 2014. "Pathways to Practice: Praxiography and International Politics." *European Political Science Review* 6 (3): 383–406.

BUEGER, CHRISTIAN, AND FRANK GADINGER. 2015. "The Play of International Practice." *International Studies Quarterly* 59 (3): 449–60.

CASPERSEN, NINA. 2009. "Playing the Recognition Game: External Actors and De Facto States." *The International Spectator* 44 (4): 47–60.

CASPERSEN, NINA. 2011. *Unrecognized States: The Struggle for Sovereignty in the Modern International System*. Cambridge: Cambridge University Press.

CASPERSEN, NINA, AND GARETH STANSFIELD, eds. 2011. *Unrecognized States in the International System*. Oxon: Routledge.

CHATTY, DAWN. 2013. "Refugees in the Middle East: Identity Politics among Sahrawi, Palestinian and Afghan Youth." In *Children in Crisis: Ethnographic Studies in International Contexts*, edited by Manata Hashemi and Martín Sánchez-Jankowski, 42–60. Oxon: Routledge.

COGGINS, BRIDGET. 2015. "Rebel Diplomacy: Theorizing Violent Non-state Actors' Strategic Use of Talk." In *Rebel Governance in Civil War*, edited by Ana Arjona, Nelson Kasfir, and Zachariah Mampilly, 98–118. Cambridge: Cambridge University Press.

CONSTANTINOU, COSTAS M., AND JAMES DER DERIAN, eds. 2010. *Sustainable Diplomacies*. New York: Palgrave Macmillan.

CONSTANTINOU, COSTAS M., NOÉ CORNAGO,, AND FIONA MCCONNELL. 2016. "Transprofessional Diplomacy." *Brill Research Perspectives in Diplomacy and Foreign Policy* 1 (4): 1–66.

CONSTANTINOU, COSTAS M., PAULINE KERR, AND PAUL SHARP, eds. 2016. *The SAGE Handbook of Diplomacy*. London: Sage.

CORCUFF, STÉPHANE. 2012. "The Liminality of Taiwan: A Case-Study in Geopolitics." *Taiwan in Comparative Perspective* 4: 34–64.

DER DERIAN, JAMES. 1987. *On Diplomacy: A Genealogy of Western Estrangement*. Oxford: Blackwell.

FERNÁNDEZ-MOLINA, IRENE. 2016. *Moroccan Foreign Policy under Mohammed VI, 1999–2014*. Oxon: Routledge.

FERNÁNDEZ-MOLINA, IRENE. 2017. "The EU, the ENP and the Western Sahara Conflict: Executive Continuity and Parliamentary Detours." In *The Revised European Neighbourhood Policy: Continuity and Change in EU Foreign Policy*, edited by Dimitris Bouris and Tobias Schumacher, 219–38. New York: Palgrave Macmillan.

FIDDIAN-QASMIYEH, ELENA. 2012. "Invisible Refugees and/or Overlapping Refugeedom? Protecting Sahrawis and Palestinians Displaced by the 2011 Libyan Uprising." *International Journal of Refugee Law* 24 (2): 263–93.

FLOREA, ADRIAN. 2017. "De Facto States: Survival and Disappearance (1945–2011)." *International Studies Quarterly* 61 (2): 337–51.

GELDENHUYS, DEON. 2009. *Contested States in World Politics*. New York: Palgrave Macmillan.

HOOPER, SIMON. 2016. "Polisario Front Foreign Minister 'Snubbed' by Top EU Officials." *Middle East Eye*, April 30.

KER-LINDSAY, JAMES. 2012. *The Foreign Policy of Counter Secession: Preventing the Recognition of Contested States*. Oxford: Oxford University Press.

KER-LINDSAY, JAMES. 2015. "Engagement without Recognition: The Limits of Diplomatic Interaction with Contested States." *International Affairs* 91 (2): 267–85.

KOLSTØ, PÅL. 2006. "The Sustainability and Future of Unrecognized and Quasi-states." *Journal of Peace Research* 43 (6): 723–40.

KUUS, MERJE. 2015. "Symbolic Power in Diplomatic Practice: Matters of Style in Brussels." *Cooperation and Conflict* 50 (3): 368–84.

KYRIS, GEORGE. 2015. *The Europeanisation of Contested Statehood: The EU in Northern Cyprus*. Farnham, UK: Ashgate.

LINDEMANN, THOMAS, AND ERIK RINGMAR, eds. 2012. *The International Politics of Recognition*. London: Paradigm.

MÄLKSOO, MARIA. 2012. "The Challenge of Liminality for International Relations Theory." *Review of International Studies* 38 (2), 481–94.

MCCONNELL, FIONA. 2017. "Liminal Geopolitics: The Subjectivity and Spatiality of Diplomacy at the Margins." *Transactions* 42 (1): 139–52.

MCCONNELL, FIONA, TERRI MOREAU, AND JASON DITTMER. 2012. "Mimicking State Diplomacy: The Legitimizing Strategies of Unofficial Diplomacies." *Geoforum* 43 (4): 804–14.

MCCOURT, DAVID M. 2016. "Practice Theory and Relationalism as the New Constructivism." *International Studies Quarterly* 60 (3): 475–85.

Downloaded from https://academic.oup.com/ips/article-abstract/12/3/306/5033257 by Universiteit van Amsterdam user on 10 October 2018

Papadimitriou, Dimitris, and Petar Petrov. 2012. "Whose Rule, Whose Law? Contested Statehood, External Leverage and the European Union's Rule of Law Mission in Kosovo." *Journal of Common Market Studies* 50 (5): 746–63.

Pegg, Scott. 1998. *International Society and the de Facto State*. Farnham: Ashgate.

Pegg, Scott, and Pål Kolstø. 2015. "Somaliland: Dynamics of Internal Legitimacy and (Lack of) External Sovereignty." *Geoforum* 66: 193–202.

Pouliot, Vincent, and Jérémie Cornut. 2015. "Practice Theory and the Study of Diplomacy: A Research Agenda." *Cooperation and Conflict* 50 (3): 297–315.

Reuters. 2016. "China Lodges Protest after Trump Call with Taiwan President." December 3.

Ross, Carne. 2007. *Independent Diplomat: Dispatches from an Unaccountable Elite*. Ithaca, NY: Cornell University Press.

Rumelili, Bahar. 2012. "Liminal Identities and Processes of Domestication and Subversion in International Relations." *Review of International Studies* 38 (2), 495–508.

Seabrooke, Leonard. 2015. "Diplomacy as Economic Consultancy." In *Diplomacy: The Making of World Politics*, edited by Ole Jacob Sending, Vincent Pouliot,, and Iver B. Neumann, 195–219. Cambridge: Cambridge University Press.

Sending, Ole Jacob, Vincent Pouliot, and Iver B. Neumann. 2011. "The Future of Diplomacy: Changing Practices, Evolving Relationships." *International Journal* 66 (3): 527–42.

Sending, Ole Jacob, Vincent Pouliot, and Iver B. Neumann, eds. 2015. *Diplomacy and the Making of World Politics*. Cambridge: Cambridge University Press.

Thomassen, Bjørn. 2009. "The Uses and Meanings of Liminality." *International Political Anthropology* 2 (1): 5–27.

Turner, Victor. 1969. "The Ritual Process: Structure and Anti-Structure." Ithaca: Cornell University Press.

Voltolini, Benedetta. 2016. *Lobbying in EU Foreign Policy-Making: The Case of the Israeli-Palestinian Conflict*. Oxon, UK: Routledge.

Wrange, Pal, and Sarah Helaoui. 2015. *Occupation/Annexation of a Territory: Respect for International Humanitarian Law and Human Rights and Consistent EU Policy*. Brussels: European Parliament.

Interviews

Interview 1. Sahrawi official/diplomat, Brussels, October 7, 2016.
Interview 2. Palestinian official/diplomat, Brussels, August 31, 2016.
Interview 3. Advisor to Polisario Front Representation to EU, Brussels, August 31, 2016.
Interview 4. Advisor to Polisario Front Representation to EU, phone interview, September 26, 2016.
Interview 5. Former advisor to Polisario Front Representation to EU, Brussels, August 30, 2016.
Interview 6. Former assistant to Polisario Front Representation to EU, Brussels, August 29, 2016.
Interview 7. Pro-Sahrawi civil society activist, Brussels, August 30, 2016.
Interview 8. Pro-Palestinian civil society activist, phone interview, January 30, 2015.
Interview 9. EEAS official, Brussels, August 30, 2016.
Interview 10. EEAS official, Brussels, August 30, 2016.
Interview 11. EEAS official, phone interview, September 12, 2016.
Interview 12. EEAS official, Brussels, June 18, 2015.
Interview 13. Former member of the EP and head of the Alliance of Liberals and Democrats for Europe/ALDE Group, Brussels, August 30, 2016.

Downloaded from https://academic.oup.com/ips/article-abstract/12/3/306/5033257 by Universiteit van Amsterdam user on 10 October 2018