

Territoriality, Sovereignty, Statehood and Contested Borders in the Contemporary Geopolitical Context

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The author considers the changing relations between territoriality and sovereignty, which lead to the emergence of transitional and non-traditional forms of statehood and contested borders. The contemporary world order is based on three assumptions. Firstly, the Earth's surface should be divided up into discrete territorial units (i.e., states). Secondly, the states are supposed to reflect the pattern of self-identified political-cultural communities. In other words, the world political system should implement the ideal of the nation-state in the historic sense of the term. Thirdly, the areas of the Earth's surface under state control should be free from external interference (the sovereignty principle), and state governments should have functional control over their territories (the territorial integrity principle). Sovereignty was conceptualized as a foundational principle of the modern state system—codifying the right of the rulers within the constituent units making up the system to exercise authority within their own territories, while being free from interference from other territorial units. Such territoriality simplifies control over territory and represents a spatial strategy, which is based on affecting or influencing people and resources of a given area (Sack 1986). The Westphalian order meant an attempt of European powers to impose to all the world strict boundaries delimiting the space of state's sovereignty and dividing it into a set of container boxes. But the real world – neither nature nor society – with rare exceptions does not know rigid lines separating one part from another. Rather, they are connected and/or divided by transitional spaces where a set of attributes and features is gradually replaced by another one.

The partition of the Earth between the states provokes controversial implications – the territorial trap (Agnew 1994) or the territorial allure (Murphy 2013). On the one hand, it may be an efficient mean of resolving disputes between competing groups – good borders make good neighbours. On the other hand, the world's most intractable conflicts involve territorial partitions that have never achieved legitimacy in the eyes of the main parties. It is now a manifestation of local and tribal identities threatened by modernization. The people adjust their identities and interests to other territorial levels (such as city-regions, localities, and empires) or shift loyalties to non-territorial entities such as international organizations, corporations, social movements, or religious groupings. In other words, as a strategy of control or influence,

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territoriality often creates new conditions for conflict or imposes boundaries that generate mutual hostility.

The states react in building a variety of complex constitutional and power-sharing schemes to recognise substantial sovereignty for rebellious regions. The nature of these schemes is determined by a wide range of internal factors and the influence of external actors which contribute to the problem of territorial integrity *vis-à-vis* separation (Coppieters 2013). The struggle for self-determination among non-juridically independent peoples usually focuses on the quest to achieve some kind of autonomous or independent status for a discrete territorial unit—typically one that has a recognized, preexisting status. Regionalization and federalization of formerly centralized states provoke the creation of '*venture*' states. For instance, Catalonia is since a long time institutionally prepared to claim and to receive full sovereignty (Bradbury 2008). However, some countries do not fully control their territory for decades. The others are affected by protracted civil wars. The author stops at the notion of territorial control and the problem of “non-institutionalized” spaces and suggests their typology using a number of cases. He pays particular attention to the existing and potential non-recognized or partly recognized states and shows that the distinction between legitimate and non recognized states is based on vague and ill-defined criteria. Post-modern reality is characterized by *the interpenetration* of controlled and uncontrolled areas, legitimate and non-legitimate political units. The boundaries between them are often transparent or loose, and the circulation of people, goods and capital is fluid. The conclusion is that the continuing existence and even the multiplication of uncontrolled territories can be considered as a sign of further fragmentation of “legitimate” states. There is a need to work out necessary political and legal arrangements and to rich the international consensus over them.